DRAFT

Sonoma County Water Agency
P.O. Box 11628
Santa Rosa, CA 95406

April 26, 2007

Re: NSCARP DEIR/DEIS Comment for the Public Record

The Sonoma County Water Coalition (SCWC) includes 32 organizations representing more than 27,000 concerned citizens.

SCWC believes that the proposed North Sonoma County Agricultural Reuse Project (NSCARP) does not meet the long-term water management needs of Sonoma County, and, if approved and implemented, will require significant mitigation to avoid severe environment impacts.

Recycled Water Availability:

Recycled water streams intended for the NSCARP may, in the future, be redirected and treated to higher levels, either by advanced biological processes or by microfiltration and reverse osmosis, and used to recharge groundwater or to offset potable water demand in the urban areas served by contractors of the Sonoma County Water Agency (SCWA). It is therefore essential that the NSCARP make no long-term commitments to agricultural users of project wastewater. It might also make better use of public funds and energy resources if they were to be redirected, from the start, to the development of these advanced treatment processes.

Additionally, existing recycled water streams from most SCWA contractor service areas are now fully committed to the Geysers, to existing agricultural users and to existing potable water offsets. Additional recycled water streams will be available for the NSCARP only if the proposed Water, Supply, Transmission and Reliability Project (the Water Project) is implemented. Since this is not likely to happen within the next 8 to 10 years, it would be premature to proceed with NSCARP so far in advance of the Water Project

To allow the public and other agencies to properly evaluate the NSCARP, this DEIR/DEIS must therefore explicitly identify:

1. Where the water for the NSCARP will come from?
2. What agreements will be made for delivery in very wet, wet, average, dry and very dry water years, as identified in the Russian River watershed and in the upper Eel River watershed, which serves as a source for Lake Mendocino, and in conjunction with Decision 1610 releases to the Russian River?
3. How much water is proposed to be delivered each month of the water year?

4. How will these water deliveries affect the current (or future) SCWA proposed Petition for Temporary Urgency Change in the Agency's water right permits with the State Water Resources Control Board to request lower minimum flows in the Russian River and Dry Creek?
5. What will be the contractual consequences for failure to deliver water quantities committed?
6. What will be the direct and indirect linkages between the NSCARP water budget and the promised improvement in the flows of the Russian River and its tributaries under varying delivery scenarios?
7. What will be the effect on groundwater levels in basins within in the NSCARP project area?

Impact on Source Waters:

The DEIR/DEIS fails to address impacts to the source waters from which the discharged wastewater presumed to be used in the NSCARP originate: Russian River, Eel River and Sonoma County groundwater basins. This analysis, impact assessment and proposals to avoid, lessen or mitigate damages must be compliant with CEQA, NEPA, and at least the standards established in the recent Vineyard Area Citizens for Responsible Growth v. Rancho Cordova, and Friends of the Eel River v. SCWA court decisions.

Cumulative Impacts within SCWA Service Area:

The DEIR/DEIS must address cumulative impacts arising from this proposed export of waters from the SCWA service area, including the waters that are proposed to be exported from the service area through the Napa Sonoma Baylands Marsh Restoration Project, currently the subject of proposed Bureau of Reclamation and funding through H.R.236 (Thompson). All waters that would not be available to displace current and/or future potable water demands must be accounted for, and their impacts addressed explicitly, along with programs to reduce or eliminate any adverse impacts to the already overdrafted and stressed watersheds of the Eel and Russian Rivers, and the overdrafted groundwater basins of Sonoma County.

Impact on Water Supply and Demand Balance:

The DEIR/DEIS must explain how recycled water use intended for this project will affect the water supply and demand balance proposed in the recently adopted (and now legally challenged) Sonoma County Urban Water Management Plan 2005, as well as in the UWMPs for any particular city or agency that is proposed for supplying the treated wastewater for the NSCARP.

Impact on Potable Water Demand:

The DEIR/DEIS must address how the diversion of the treated wastewater to the NSCARP and to the Napa Sonoma Baylands Marsh Restoration Project will reduce or

eliminate opportunities to offset potable water demands in the service areas of SCWA contractors and other municipal suppliers of water.

Consistency with draft Sonoma County General Plan Update and DEIR:

The DEIR/DEIS must address inconsistencies between the NSCARP and the draft Sonoma County General Plan Update and the General Plan Update DEIR that states that there currently is not sufficient water for the next 20 years' growth in Sonoma County.

Accumulation of Endocrine Disruptors in Soil:

Tertiary-treated wastewater is intended to be applied at rates in excess of 150,000 gallons per acre within the project area. Detectable levels of endocrine-disrupting personal care products, hydrocarbons, pharmaceuticals and other emerging contaminants in this tertiary-treated wastewater will accumulate in soils. The DEIR/DEIS quotes the Monterey Study from 1987 to downplay this risk. However, the Monterey Study was conducted before the availability of modern detection equipment. The project must therefore include an ongoing and rigorous program of soil testing monitor these pollutants in order to assess and manage this impact.

Accumulation of Endocrine Disruptors in Groundwater:

Tertiary-treated wastewater is intended to be applied at rates in excess of 150,000 gallons per acre within the project area. Detectable levels of endocrine-disrupting personal care products, hydrocarbons, pharmaceuticals and other emerging contaminants in this tertiary-treated wastewater will accumulate in groundwater. The DEIR/DEIS quotes the Monterey Study from 1987 to downplay this risk. However, the Monterey Study was conducted before the availability of modern detection equipment. The project must therefore include an ongoing and rigorous program of groundwater testing to monitor these pollutants in order to assess and manage this impact.

Incidental Run-off:

Tertiary-treated wastewater to be applied in the project area cannot reliably meet Basin Plan discharge requirements for wetlands or instream flows. Application rates of tertiary-treated wastewater may exceed the ability of soils to absorb and plants to transpire all wastewater applied. This may result in incidental run-off to rivers and creeks. The project must therefore include a third-party monitoring program to assess and prevent this impact.

Greenhouse Gas Emissions:

The DEIR/DEIS must also address greenhouse gas emissions produced directly and indirectly by the various alternatives, and a demonstrable, valid and measurable program for reducing or eliminating any new greenhouse gas emissions as a result of this project.

(See, for example, California Attorney General v. City of Bakersfield, for guidance in how to address this.)

We thank you for the opportunity to comment on this project and await your responses in due course.

Sincerely,

Sonoma County Water Coalition