

3.4 Responses to Public Hearing Comments

This section includes copies of the verbal comments recorded in the transcripts from the Public Hearing, January 18, 2011. The responses to verbal comments are inserted within the transcript after each full page of corresponding comments and are presented in order of commenter appearance.

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1 MR. O'TOOLE: Available at the libraries and I
2 believe also available at the Water Agency upon request.

3 CHAIRMAN CARRILLO: Are they available online?

4 MR. O'TOOLE: They are also available on the
5 agency's web page.

6 CHAIRMAN CARRILLO: Thank you, Jim, and thank
7 you, Jessica, for both your presentations.

8 At this point I will open up the public
9 hearing. If you would like to please form two lines, on
10 one side or the other side, and I will take speakers
11 from both sides of the room. If you do have cards to
12 submit, submit them to the clerk or submit them to Ann.

13 I'm sorry, I didn't introduce my colleagues
14 here on the panel. I have, as I mentioned, both
15 director supervisors Mike McGuire and David Rabbitt, as
16 well as County Counsel, and the general manager of
17 Sonoma County Water Agency.

18 I will begun with Suki Waters.

19 MS. WATERS: Is it possible to pull up the
20 seven- to nine-foot difference where it showed the
21 entire estuary? That would help. Thank you.

22 CHAIRMAN CARRILLO: First Suki Waters, and up
23 next Darrell Sukovitzen.

24 MS. WATERS: Hi. Can you hear me?

25 CHAIRMAN CARRILLO: Yes.

H_Water

1 MS. WATERS: So glad to see you are all here.

2 My name is Suki Waters. My family is Kashia
3 Pomo descendants. My grandmother was born on the beach
4 here in the native village. And I also own WaterTreks
5 EcoTours. I'm an environmental educator. I have been
6 providing outdoor interpretation and recreational
7 education since 1987.

8 And I'm also the creator of the Living
9 Classrooms Project. Each year we have middle school
10 students that come and we match their curriculum for
11 their science and history classes. And the estuary is
12 basically our living classroom for a major portion of
13 what we do.

14 A couple of things to highlight. Just a couple
15 things that I noticed mentioned in the presentation, and
16 I would like to use this map here.

17 Where the river mouth currently goes out, it's
18 really interesting. Historically and from memory as a
19 child, before they started pulling out, they did a huge
20 gravel mining project, a dredging project. So if we
21 look in this area here (indicating), okay, we come
22 around this corner, here's the River End and the
23 community is here. And then this area here going over
24 toward the mouth, the jetty, the cement jetty should be
25 right in here (indicating). This whole area here when I

H_Water-1

1 was a child was all sandy beach. We used to play on
2 that beach. The family could look over the hill. We
3 weren't allowed to go back around the corner where you
4 couldn't see.

HA_Water-1
cont.

5 So where the river mouth currently goes out, I
6 know that there's some difficulty in managing when it's
7 open and when it's closed, but that's not a historic
8 location for the river mouth opening.

9 Also, with our classes, and in general, this
10 whole area in here (indicating), there's actually mostly
11 a solid barrier underneath that. Much of it is broken
12 through, but what most people don't realize is you can
13 get out there and walk it, right in this area here.
14 From the parking lot there's a solid structure that goes
15 out here and then it drops off, it's cuts through where
16 the natural water has broken through this area.

HA_Water-2

17 And then there's this huge sand pile that's
18 left over from that project, from pulling this gravel
19 out, and from dredging out this part of the island. And
20 right now that resides, part of that resides in a big
21 sand pile here (indicating).

22 So unfortunately this section here is actually
23 higher than it would normally be because of that
24 structure underneath.

25 I love the comment about the natural

1 percolation through here. It's absolutely beautiful.
 2 When the river mouth does start to close you can see the
 3 high tide, you can see that water percolating through,
 4 it actually bubbles in through here (indicating). And
 5 when the tide goes down the water starts to flow out,
 6 and you can see the same thing happening on the other
 7 side over here (indicating).

H_Water-2
cont.

8 Historically that percolation occurred through
 9 this entire reach. And I suspect that why there's so
 10 much breaking through in this area has something to do
 11 with our oral native history that the river mouth
 12 actually, when it did break through, breaking through
 13 more in this area (indicating).

14 There's a photo actually in the visitor's
 15 center, at our state park visitor's center, that shows
 16 back in 1904 the river mouth, its flooding period, but
 17 it comes out, this is where it comes out at, right in
 18 through here (indicating). Yeah.

19 So I think as far as what they have been
 20 managing to do, it's working about the best ability they
 21 are going to get it, considering that it's not a natural
 22 location. And I heard some mention of possibly thinking
 23 about removing that in the future. And I also heard
 24 some concerns about tsunamis and sea-level rises. I
 25 don't know what to say about that.

H_Water-3

H_Water-4

1 I just know that from my history and from what
2 I've observed, there's so many things to consider that
3 are not originally part of the natural conditions in
4 this area.

5 However, I do believe that the river mouth did
6 close more often and there was more estuary conditions,
7 but I don't believe that if we allow it to close we are
8 going to get the same natural percolation that we would
9 had that barrier, if -- unless that barrier were
10 removed.

H_Water-5

11 Other than that, I do have -- thank you.

12 Anyway, I really -- all the life in the estuary
13 is very important, and I would please urge you to please
14 consider not removing the estuary from any of the --
15 from being separate from the Biological Opinion.
16 Everything comes downstream and it's physically
17 connected to the river. You can't just remove it on
18 paper. If you want to consider all the impacts, you
19 need to keep it with it because it's physically
20 connected.

H_Water-6

21 Thank you.

22 CHAIRMAN CARRILLO: Thank you, Ms. Waters.

23 Mr. Darrell Sukovitzen, and Ms. Brenda Adelman
24 after.

H_Sukov

25 MR. SUKOVITZEN: My name is Darrell Sukovitzen.

1 And I could spell it for you but I think everybody knows
2 it by heart.

3 CHAIRMAN CARRILLO: I do.

4 MR. SUKOVITZEN: My comments will be brief and
5 I will be submitting a letter to the administrative
6 record on the Draft EIR.

7 Just a couple of things. I noticed that at the
8 public facilitating committee meeting a few weeks back,
9 on that panel, and that had to do with the low-flow
10 issue, on that panel were three members of the board.
11 And so I just wondered if that constituted a Board of
12 Supervisor's public hearing, and subsequently will those
13 comments be incorporated that were made at that public
14 facilitating committee. Will those comments and any
15 supportive documentation be included in the record of
16 this EIR public comment period?

17 I sometimes make my statements in the form of
18 questions, and I love to ask questions.

19 I was able to attend two of the three public
20 scoping sessions on this topic. The one in Jenner, of
21 course, was a bit of a row, and the one in Windsor was
22 instructive. Jenner was a packed house. And at Windsor
23 there were four members of the public there and nine
24 agency staff, so, and there were two members here
25 tonight that were at that meeting, two members of the

H_Sukov-1

H_Sukov-2

1 public that is.

2 The other person there was David Keller,
3 Friends of the Eel River, and David and I had a great
4 opportunity to speak with staff and methodically ask
5 questions and methodically bring the question back
6 around when we didn't get the answer, period. It would
7 be circumvented by dialogue, by staff, and they are very
8 good at that.

H_Sukov-2
cont.

9 One of the questions that we kept asking in
10 different fashions, and comfortably we got a reaction, a
11 response in staff, and that question was, well, on the
12 low-flow issue, which is part this equation on creating
13 a habitat in the estuary for steelhead salmonids, the
14 water, if the low-flow regime is enacted on a permanent
15 basis, or temporary year to year as it is now, the water
16 that will not be going down the river, what will be done
17 with that water? There's water that won't be going down
18 the river, where is it going to go?

H_Sukov-3

19 Staff final came up with an answer, and they
20 made it very clear that it was not official government
21 policy at the Board of Sups or the Water Agency board,
22 but they said, well, in house they have had
23 conversations amongst staff about the potential for
24 doing aquifer injections in the Santa Rosa valley. And
25 that was very interesting to me, that they finally

1 opened up to a very light crowd, and David Keller and I
2 were both cordial and respectful to them, unlike how I
3 was at the first scoping session.

4 By the way, Efren and I, after the first
5 scoping session, dived back and forth in the Sonoma West
6 Times & News in the guest editorial, and it was
7 entertaining.

8 The question that I kept asking was, what's
9 going to happen to that water? I believe that the
10 answer might be, in that the Sonoma County Water Agency
11 has oversold their contractual allotments to the cities,
12 and in turn, based on that belief that they will have
13 water, have issued building permits that now they are
14 stuck with. So the Water Agency, I know they are going
15 to come up with the water somewhere. That's a question
16 that really needs to be answered as part of this EIR.

17 The other thing that I found instructive was on
18 the question of pollutants. And Bill Hearn, at the
19 public facilitating committee from National Marine
20 Fisheries Service, his answer was interesting, also.

21 And my question to him was at that time, what
22 happens when, and have you considered the effect of the
23 fungicides, herbicides, and pesticides with drift air,
24 air presentation to the water, or drift runoff from rain
25 flow? Many of these chemicals used in the vineyard

H_Sukov-3
cont.

H_Sukov-4

1 industry clearly state, on the risk assessment labels
2 and material data sheets, that do not use in any place
3 where they can enter into a stream, because they will
4 suffocate fish. And so has that aspect been adequately
5 addressed in this Draft EIR? I haven't read it yet, but
6 I will find out. I suspect that it hasn't even been
7 touched on.

H_Sukov-4
cont.

8 Thank you.

9 CHAIRMAN CARRILLO: Thank you, Mr. Sukovitzen.
10 I appreciate your time.

11 Ms. Brenda Adelman. And up next, Dian Hardy.

12 MS. ADELMAN: Brenda Adelman.

H_Adelm

13 I want to thank you very much for having a
14 meeting out in our community. I am sure all the people
15 here in this room greatly appreciate that you are doing
16 this, and I just want to thank you for that.

17 I had two major concerns. I've been going
18 through the EIR, it's quite a lengthy document, and I'm
19 about halfway through. I will be submitting lengthy
20 written comments, so I won't turn anything in tonight.

21 But the two big issues I have great concerns
22 about is the relationship of this EIR with the Decision
23 1610 EIR. And to be real honest, I think this EIR makes
24 a really good case for not needing low flow in order to
25 make this project work. And I'm going to mention some

H_Adelm-1

1 of the points here. And I think I'll just read them so
2 I can get most of them in in my five minutes.

3 The DEIR justifies not combining the EIR of the
4 two projects by alluding to their separation and
5 sequential nature of the projects in the BO, the
6 Biological Opinion. So, in other words, because the
7 Biological Opinion says you should do it this way, thus
8 you are doing what they are telling you to do, which is
9 not necessarily the appropriate way to go.

10 Dick Butler, in fact, of the National Marine
11 Fisheries Service, in the scoping session of this EIR,
12 had a June 22nd letter where he said, We believe that it
13 is reasonable that the EIR for the estuary project
14 consider the effects of flow changes, associated with
15 interim flow changes, associated with the TUC petition,
16 and use existing information to address the effects of
17 these interim changes on the environment and resources,
18 such as recreational boating.

19 And it appears that yet this EIR continues to
20 state that the two will be separated and dealt with
21 separately.

22 This DEIR of the estuary states that the back
23 flow from the closed mouth reaches as far upstream as
24 Vacation Beach, and that was mentioned tonight, too. It
25 comes up in many places in the EIR. And yet the studies

H_Adelm-1
cont.

H_Adelm-2

H_Adelm-3

1 and impacts are only studied mostly up to Duncans Mills,
2 occasionally a few things up to Monte Rio.

3 And in my mind that is simply inadequate,
4 because this project, as it's being presented here,
5 impacts the lower Russian River much further upstream
6 than Duncans Mills.

H_Adelm-3
cont.

7 And I just want to add, I think you are all
8 familiar, but our group did a photo report on water
9 quality impairments that is in this document as part of
10 the scoping materials, and we have all kinds of pictures
11 in there showing the problems with water quality during
12 2009 when low flow created all kinds of nuisance algae
13 and Ludwigia problems.

H_Adelm-4

14 There's been no environmental justification
15 given in the Biological Opinion for meeting low-flow
16 levels at Hacienda, other than to prevent flooding in
17 the estuary area.

18 But as mentioned here, only nine properties
19 flood at nine feet, and seven of those are boat ramps or
20 docks. I wonder why they don't have floating ramp docks
21 like they have in Monte Rio. And one property I've been
22 told is a garage attached to a house, and that is one
23 property which is the Visitors Center, which is sitting
24 on piers in the water and floods at nine feet. Also has
25 a sewer pipe coming fully exposed and goes through the

H_Adelm-5

1 water into the ground.

2 I ask the question, is this adequate
3 justification for all the damage that will be done
4 upstream as a result of lowering the flows from 125 cfs
5 at Hacienda to 70?

H_Adelm-5
cont.

6 The environmental cost of low flow must be
7 balanced with this estuary situation. During low flow
8 water quality in the lower river deteriorates
9 extensively with high bacteriological readings,
10 excessive nutrients, including massive algae blooms and
11 extensive Ludwigia mats. And there's also concern about
12 possible problems with blue-green algae, which is highly
13 toxic.

H_Adelm-6

14 The baseline data is inadequate. It was
15 mentioned to you that many places they don't have
16 adequate baseline data, and therefore they consider it
17 they are not able to mitigate.

H_Adelm-7

18 Can I have just a little more time, please?

19 MEMBER OF AUDIENCE: I'll give Brenda my five
20 minutes.

21 MS. ADELMAN: Thank you very much. I'll try
22 and go quickly.

23 Anyway, the EIR concludes that since the river
24 is not listed under the Clean Water Act as impaired for
25 nutrients, so current levels can serve as a baseline for

H_Adelm-8

1 the project as serving beneficial uses, identified as
2 such aquatic habitat and recreation.

3 The nutrient levels can be too high for the
4 fish even though the nutrients aren't listed yet.
5 That's one of the things we are working on. There's a
6 2012 listing for -- 303(d) list where that's being
7 recommended to be put on the list.

8 And I know in the EIR I read where nutrients
9 and bacteria are a serious concern for the estuary as
10 well, and so it's not something that should be ignored
11 or sloughed off.

12 There's really not much data, certainly no raw
13 data that I noticed in the EIR, having to do with water
14 quality. We wonder what happened to the monitoring
15 program set up with the regional board under the
16 Temporary Urgency Change Order. The nutrient data for
17 2009 that was collected by the Water Agency was
18 considered totally inadequate by the Water Quality
19 Control Board staff.

20 I mentioned massive algae bloom.

21 And also I don't think there was anything
22 mentioned in the presentation about high temperature
23 levels and that the river is listed under 303(d) for
24 temperature impairment. I've been watching just at the
25 Guerneville, I've been getting all the data on that for

H_Adelm-8
cont.

H_Adelm-9

H_Adelm-10

1 the last several years, and I've been watching just at
2 Guerneville. It averages, I would say, in the
3 summertime, 23 to 24 celsius, degrees celsius, which is
4 pretty -- well, it's very difficult. It won't kill a
5 salmonid immediately but it will certainly stress their
6 metabolism.

H_Adelm-10
cont.

7 And I'm just wondering, the big question in my
8 mind is, how is that going to impact the estuary if the
9 estuary is closed for five months, and there's only
10 about six to ten feet of surface water that's
11 freshwater? You know, the temperature issue I didn't
12 feel, from what I saw, was adequately addressed.

13 CHAIRMAN CARRILLO: Ms. Adelman, I'm going to
14 ask you to conclude your remarks, please.

15 MS. ADELMAN: Okay. I was just wondering, the
16 anoxic zone, I didn't see anything in there, whether it
17 was tested for toxins. And I'm just wondering about any
18 interchanges that might occur or what changes might
19 occur in the upper freshwater layer as a result of
20 things going on in the anoxic zone.

H_Adelm-11

21 And I'll just leave it there. There are just
22 so many things in this document. I found a lot of
23 inconsistencies. And I found an awful lot of
24 repetition. I think it could have been cut easily by
25 200 pages. It makes it very hard to read.

H_Adelm-12

1 And just one last thing. I'm just really
 2 concerned about the use of the word natural. It really
 3 isn't defined, and it needs to be, because there's
 4 reference made to so-called natural flows in the Russian
 5 River that actually occurred 100 years ago before all of
 6 the many different impacts to the river occurred that
 7 have been man-made impacts to land use, and other cause
 8 of uses, that have created all kinds of problems for the
 9 river that just needs to be addressed. It all needs to
 10 be looked at in an integrated way and not in this
 11 piecemeal fashion.

H_Adclm-13

12 Thank you.

13 CHAIRMAN CARRILLO: Thank you, Ms. Adelman.

14 I've got only one more blue card here on my
 15 table. I don't know, if you have cards, if you could
 16 please submit them to the clerk or to Ann over here on
 17 the right.

18 Next speaker is Dian Hardy. After Ms. Hardy, I
 19 have Norma Jellison.

H_Hardy

20 MS. HARDY: As the founder of the Seal Watch
 21 Program I feel a continuing responsibility to work for
 22 the best interest of my constituency, the harbor seal
 23 haulout at the mouth of the river. So I wrote a letter
 24 under a kind of an emotional duress as this was, this
 25 enormous project was gathering force and moving forward.

H_Hardy-1

1 And I haven't looked at it for a couple of years, so
2 excuse me, I'm going to be reading from it.

3 I started it out by saying, When we try to pick
4 anything out by itself we find it hitched to everything
5 else in the universe. John Muir said that. So, okay.

6 Here we go again, Folks, what I'm learning to
7 call the Humpty Dumpty School of Resource Management is
8 in full spades. In order to save three endangered
9 salmonid runs agencies, federal, state and county,
10 appear willing to overlook the totality of the ecology
11 found at the mouth of the Russian, that is, the harbor
12 seal haulout, our resting and foraging site for
13 migratory birds, and the fishery that includes Dungeness
14 crabs, amongst other species.

15 I don't understand this almost willful failure
16 of agencies to carry forward an ecological perspective
17 as called for, one would assume, in the enabling
18 language for the Endangered Species Act. If such a
19 vision is not part of the ESA, I submit that we need a
20 department of the ecology capable of seeing the forest,
21 and the trees, and the ocean, and the rivers, and seals,
22 and the salmon, and unless any of my two-legged comrades
23 despair of me completely, the people who reside and
24 recreate at the coast, river, and ocean.

25 A holistic perspective would consider the human

H_Hardy-1
cont.

H_Hardy-2

H_Hardy-3

1 impact on our planet's natural systems of primary
2 concern.

3 In the present case, Warm Springs Dam had a
4 huge impact on the native fishery, essentially
5 destroying it, and replacing it with a mechanistic
6 model. The dam allowed enormous population growth in
7 Sonoma County and the resulting inputs from agriculture,
8 forestry, gravel mining, and residential and commercial
9 development further decimated the salmon. Native
10 American gathering lands and a way of life that was
11 sustainable fell to the dam's construction.

12 I say it's time we start demanding that
13 agencies responsible for policy decisions make them
14 based on a holistic understanding of what an ecosystem
15 is.

16 I remember one winter when a series of storms
17 washed out the road to Goat Rock and hundreds and
18 hundreds of birds and seals gathered there for weeks,
19 unmolested by even our curiosity, benevolent though it
20 may be.

21 In closing, let your county supervisors, Sonoma
22 Water Agency, Fish and Game, and your federal
23 representatives know your concerns that a new
24 perspective is needed.

25 Thank you.

H_Hardy-3
cont.

1 CHAIRMAN CARRILLO: Thank you, Ms. Harding.
2 Next speaker, Norma Jellison. And after her,
3 Barbara DeIonno.

4 I appreciate you staying within your time
5 frame.

6 MS. JELLISON: I'm not going to say too much.
7 It's pretty hard to follow Brenda and Dian.

8 I'm Norma Jellison. I live in Bodega Bay. And
9 I'm a long time seal watch docent down on the beach at
10 Goat Rock.

H_Jelli

11 And I really don't just want to speak for or
12 about the seals, as I have spoken in many other -- on
13 many other occasions. I really look at the entire
14 ecosystem, the birds that use this area, the other
15 species, invertebrates up through fish, the crab that
16 are in the estuary, and the people that come to the
17 beach that I see all the time when I'm down there
18 interpreting about the harbor seals, who bring their
19 children to wade on the river side, that beach at Goat
20 Rock, not just on the ocean side.

H_Jelli-1

21 But I have to say, one thing I would like to
22 focus on is the less than significant impact on the
23 pinnipeds that is in the DEIR, which I disagree with,
24 because really what's only -- you are only looking at
25 the impact from the use of the equipment on the colony.

H_Jelli-2

H_Jelli-2
cont.

1 And really that's a direct and immediate and primary
2 impact associated with the operations on the beach and
3 the disruption of the colony. And, yes, if you follow
4 the protocol of the Incidental Harassment Authorization
5 permit, those impacts can be minimized.

6 However, the secondary impact of the long-term
7 time frame that the mouth is closed and the barrier
8 beach is in place on the colony is significant and it is
9 unavoidable. The barrier beach results in more
10 disturbance to the colony associated with people walking
11 down the beach when the seal watch docents are not
12 present.

13 And I do predict that in the end we will lose
14 the harbor seal colony totally because of this project.
15 After 34 years of having a presence on this beach of
16 that harbor seal colony, being the ambassador to many
17 people and the interface between the river and the
18 ocean, I do believe that this project will result in
19 loss of that colony, which I do feel is irrevocable and
20 major and significant and unavoidable.

21 Thank you.

22 CHAIRMAN CARRILLO: Thank you, Ms. Jellison.

23 Barbara DeIonno. And after that, Vesta
24 Copestakes. Any other blue cards please submit them to
25 the clerk or to Ann.

H_Delon

1 MS. DeIONNO: Barbara DeIonno, and I live in
2 Forestville and use the river for swimming.

3 And I'm concerned about the push to change
4 Decision 1610. I've been reading the Draft EIR today
5 for the estuary project. And as Jim O'Toole said, it
6 seems this estuary project has to be able to handle
7 whatever flow comes down the river. And so I don't see
8 the justification for lowering the river flow.

H_Delon-1

9 My position is that I hope that the Water
10 Agency will drop the push to change Decision 1610 and to
11 lower the river flow. It's not clear that this will
12 make the estuary project happen, but it is clear that it
13 damages recreation, it damages water quality in my part
14 of the river.

15 The Biological Opinion analyzes what might
16 happen with lowering flows in the upper river and Dry
17 Creek, but it doesn't analyze what would happen to the
18 lower river where I live. It seems that it damages
19 water quality. It warms up the water.

H_Delon-2

20 There's less habitat for people and for fish
21 with the low flow. It's a pretty drastic reduction.
22 It's a 44-percent reduction in the flow of the river.
23 We have experienced this in recent years, and it's not
24 that -- the Water Agency hired Entrix in 2004 to kind of
25 tell the public that low flow really wasn't that bad and

H_Delon-3

1 it was a really great idea, and this time the PR
2 campaign seems a little better, but it's still not
3 convincing that this is a good thing to do. So I don't
4 understand the push to change the river flow. It seems
5 like the PR campaign is out ahead of the science.

H_Delon-3
cont.

6 So knowing that it's a significant impact to
7 recreation, I don't think it's been addressed in any of
8 the documents I've seen so far. I've hardly seen a
9 mention of swimming on the river. This is a really
10 important people habitat. Now, people need habitat for
11 different reasons than fish. We don't get our food and
12 shelter from the river, it's something -- it's more of a
13 contribution to our sanity and our well-being that we
14 get to go to the river and use it as a place to have
15 recreation, and for fishing.

H_Delon-4

16 I don't want to see fish preservation at the
17 expense of swimming. I don't want to see swimming at
18 the expense of fish. Both activities are important and
19 fish are important by themselves without us fishing
20 them.

H_Delon-5

21 So that's my comment. It seems that the
22 estuary, the idea of the closed lagoon with the
23 freshwater stream running through it sounds good for
24 fish. It seems like it needs more study as far as other
25 creatures, from what I've been reading.

H_Delon-6

1 Thank you.

2 CHAIRMAN CARRILLO: Thank you, Ms. DeIonno.

3 Next speaker, Vesta Copestakes. And after Ms.
4 Copestakes, Mike Frey.

5 Again, if there are any other blue cards in the
6 audience, this would be a good time.

H_Copes

7 MS. COPESTAKES: Do you have slide six and
8 seven that look like they go back to see the entire area
9 that is impacted by this, in essence?

10 First thing I want to say is that I'm really
11 impressed with how much care and attention to detail you
12 do. Just as the nature of all the things that -- all
13 these meetings I've gone to, and the Water Agency, all
14 the people, the scientists get out in their little boats
15 and put their meters down and all the rest of it, I'm
16 very impressed with how much they care as much as how
17 much they pay attention to detail. That's a wonderful
18 thing. I think your intent is really positive.

H_Copes-1

19 The only concern I really have beyond that is
20 the flow of the river, how that does impact what you are
21 doing. It seems like there's an awful lot of attention
22 that is paid to the nine properties with the stunning
23 view that I'm thoroughly envious of, but I'm not too
24 much because they get flooded, quite frankly.

H_Copes-2

25 I would be more concerned about the flow of my

1 river and the health of my fish and the health of all
 2 the other creatures involved than I would about the
 3 people in those houses, because they could raise those
 4 houses. And maybe there's some kind of money in all of
 5 this that would say, if we are going to have such a
 6 serious impact on our river and our communities and all
 7 of the critters and people upstream from those nine
 8 houses that we could simply say, Raise your houses, and
 9 that will take care of a lot, and raise a few properties
 10 that need to simply be brought up. I live near the
 11 river and we bring houses up all the time to get out of
 12 the way. So that would be the one suggestion I would
 13 have.

H_Copes-2
cont.

14 And the other one is the concept of can we
 15 bring all of these EIRs and studies that we are doing
 16 together in one study, one document, before we make any
 17 final decisions, so that this one piece is not isolated
 18 from another piece, it's not isolated from another
 19 piece. And you are going to have to keep going on to
 20 study what you are doing in the process, but just please
 21 consider that they all come in together.

H_Copes-3

22 When you look at this image you see a huge area
 23 with the watershed, and everything in that watershed is
 24 impacting that river, and all the way down to the end.
 25 And all along that river are failing septic tanks, tons

H_Copes-4

1 and tons and tons of failing septic tanks, and problems,
2 and vineyards, and lots of things putting chemicals and
3 other unnatural substances into the water.

H_Copes-4
cont.

4 And, no, we don't know what the natural flow of
5 the river is, we don't know what the natural mouth of
6 the river is, and until we do something like take the
7 jetty out we are not going to know whether the jetty has
8 an impact or not.

H_Copes-5

9 So that's the one thing I would say, is study
10 the whole thing, the whole picture, before you come to
11 any final conclusions.

12 Thank you.

13 CHAIRMAN CARRILLO: Thank you, Ms. Copestakes.

14 Next speaker, Mike Frey.

15 And I do not have any other blue cards or
16 speaker cards after Mike. So if you do intend to speak
17 or provide comments on the Draft EIR, ask that you fill
18 out a blue card now.

H_Frey

19 MR. FREY: Hi, I'm Mike Frey, Surfrider
20 Foundation. I've been hitting the beaches here every
21 week for about 35 years. I've got my own concerns, but
22 I've written -- we have written most of what we want to
23 talk about here based on our collective thoughts.

24 The Sonoma County Coast Chapter Surfrider
25 Foundation strongly believes the Sonoma County Water

H_Frey-1

1 Agency, their Draft Environmental Impact Report for
 2 their Russian River Estuary Management Plan fails to
 3 adequately address negative impacts on surfing
 4 activities. SCWA's Estuary DEIR admits that
 5 implementing the proposed outlet channel to control the
 6 estuary water releases to maintain a closed lagoon for
 7 the steelhead habitat will cause surfing activities to
 8 occur less frequently. The quality and availability of
 9 the waves at the river's mouth in the Goat Rock area to
 10 the south largely depends on the influx of new sand and
 11 gravel.

H_Frey-1
cont.

12 Surfrider has determined that the mouth of the
 13 Russian River is a high-quality surfing location and
 14 legally protected under the California Coastal Act
 15 Section 30213. The act states, Lower cost visitor and
 16 recreational facilities shall be protected, encouraged,
 17 and where feasible, provided. Developments providing
 18 public recreational opportunities are preferred.
 19 Surfing locations are prime examples of low cost visitor
 20 and recreational opportunities.

H_Frey-2

21 The Coastal Act Section 30220 further states
 22 that, Coastal areas suited for water-oriented
 23 recreational activities that cannot readily be
 24 provided inland, water areas shall be protected for such
 25 uses. Surfing in Sonoma County can only be practiced in

1 the ocean and never in inland areas. The Surfrider
2 Foundation and organization and supporters are
3 particularly protective of surfing locations on the
4 Sonoma Coast, especially the high quality ones that are
5 available to the public in very limited supply, and the
6 river mouth is one of them.

H_Frey-2
cont.

7 To quote the SCWA DEIR impact 4.72, Eliminate
8 or modify an existing recreational resource. Quote, The
9 proposed project would likely reduce the occurrence of
10 open channel tidal conditions conducive to surfing
11 activities. It goes on to say that, This potential
12 impact may be inconsistent with the California Coastal
13 Act, end quote. And no feasible mitigation features are
14 identified.

H_Frey-3

15 Local surfers have informed our organization
16 that to date their concerns and interests have not been
17 satisfactorily addressed by the Water Agency, nor the
18 public comment process, and will be tracking this
19 carefully.

H_Frey-4

20 The other thing I want to address is I think
21 there's been very, very little baseline activity at all
22 put together for the E. coli and the other nutrients
23 that are in the estuary area at the mouth of the river.
24 From most of the stuff we have looked at, there's been
25 no testing whatsoever going on out there for quite

H_Frey-5

1 sometime. I think things need to go much deeper than
2 Duncans Mills.

H_Frey-5
cont.

3 The other thing is, I believe that until we get
4 rid of that jetty that's put in there, we will not have
5 anywhere near a natural environment there, and we have
6 to start establishing those things all the way down the
7 river.

H_Frey-6

8 And fortifying anything at the coast is crazy.
9 Any properties down there that get flooded naturally,
10 shouldn't be there. When they get flooded, take them
11 out.

H_Frey-6

12 Thank you.

13 CHAIRMAN CARRILLO: Thank you, Mr. Frey.

14 I thought you may have been the last speaker,
15 but I got two more speaker cards here before me. Larry
16 Hanson, and after Mr. Hanson, Mr. Thomas Yeates.

17 MR. HANSON: Hello. I'm Larry Hanson,
18 Forestville.

H_Hanso

19 On many coast walks I pass by many natural
20 river mouths and observe the interface of the ocean. A
21 coast walk, the idea is to cross the beach by crossing
22 the river is the quickest way through the sand to the
23 open ocean. In general, I observed that the mouths that
24 I've been crossing are wide open, sandy areas, and that
25 the final channel to the ocean is dynamic and changing.

1 At the Russian River mouth there are three main
2 factors that make the process unnatural. One is, the
3 mouth, the river flow that is artificially controlled
4 from Coyote and Warm Springs dams.

5 The second is the barrier structure that
6 prevents some of the dynamic action of the natural river
7 mouth.

8 And the third is the low-lying structures that
9 artificially restrict the depth of the estuary.

10 So with the Biological Opinion in place,
11 there's been an attempt by agencies to partially mimic
12 nature by artificially channelizing the river at an
13 oblique angle. This was supposed to keep the estuary at
14 a certain depth needed for the fish. However, that
15 attempt failed.

16 So it is clear, from my point of view, that
17 putting the machinery at the mouth and artificially
18 channelizing, that harasses and disrupts wildlife, has
19 to be stopped completely and forever. This is the
20 highest priority.

21 What needs to be done, once this is
22 established, will follow. To truly mimic natural
23 processes the structures that impede the depth of the
24 estuary need to be raised or removed. The artificial
25 structure, or whatever it's called, the dams that people

H_Hanso-1

H_Hanso-2

1 call it, that prevents a wide beachfront, needs to be
2 removed.

H_Hanso-2
cont.

3 Once the Russian River mouth is naturalized
4 there's only one main variable left, and that is flow
5 manipulation from the dams' releases. This brings up a
6 huge deficiency in the Biological Opinion. The BO left
7 out consideration of impacts to the lower river, which
8 is Wohler to Bridgehaven approximately, by lowering
9 river flows to keep a few structures from flooding.

H_Hanso-3

10 This is a big oversight for the river community
11 and the overall river ecosystem, and a possible
12 violation of CEQA laws.

13 However, by removing the barrier and flooding
14 structures at the river mouth so as to return to natural
15 behaving system, the Biological Opinion lower river flow
16 calculations can be adjusted higher than stated to not
17 impact water quality and many of the river benefits and
18 uses.

H_Hanso-4

19 If this is not done the problem of wildlife
20 harassment will continue as agencies try to outguess
21 what the combination of ocean and river will do next.
22 The BO focus on developing a viable salmonid nursery
23 will not manifest itself. Flooding will still be an
24 issue. The lower river's flow -- flows in the lower
25 river will likely cause a myriad of problems for water

H_Hanso-5

1 quality and the river economy.

H_Hanso-5
cont.

2 But if the above were done, here are the
3 benefits.

4 Wildlife not be harassed several times a year.
5 The mouth will behave as many of the other coastal river
6 mouths, providing an age-old natural estuary development
7 for all wildlife, including salmonids. Flooding near
8 the mouth will not be a constant issue, although the
9 amount of flow will still be somewhat controlled by dam
10 operators. The lower river will have adequate flows to
11 maintain river health, and economic and recreation
12 viability of our community.

H_Hanso-6

13 Thank you.

14 CHAIRMAN CARRILLO: Thank you, Mr. Hanson.

15 Mr. Thomas Yeates.

H_Yeate

16 MR. YEATES: Hi. I have a couple of
17 observations I would like to share with the folks.

18 I've been to a number of these meetings, and
19 there seems to be a gap that I think would be really
20 great for you guys to try and bridge in your public
21 relations with the environmental, long old-guard
22 environmental community in the area who seem to have not
23 been convinced that your approach is either complete or
24 even honest, possibly.

H_Yeate-1

25 I think in the future meetings it would be

1 fantastic if you could address this suspicion about what
2 is going to be done with the water.

H_Yeate-1
cont.

3 There has been a long time -- I've been here,
4 lived in Jenner about 27 years, and soon after moving
5 here I met a lot of the prominent environmentalists in
6 the area who have been fighting to save the salmon runs
7 for all those years, who have done extensive volunteer
8 studying of the causes, various causes of the salmon
9 runs' decline. And I think it would behoove you to
10 incorporate all of their knowledge into your future
11 presentations, if for no other reason to avoid the
12 appearance that you are working at cross-purposes. And
13 so that's one aspect of it.

H_Yeate-2

14 Another important thing is that in your
15 presentations it would be really smart to include your
16 analysis and your actions to discover the causes, and
17 what you are choosing to mitigate the causes of the
18 upstream impact on the salmon runs.

H_Yeate-3

19 Many of us here feel that the biggest impact on
20 the salmon runs is not really the mouth of the river so
21 much, it's stuff that goes on upstream, the logging that
22 screwed up the, you know, the salmonid spawning areas,
23 and the pesticides in the runoff, and the whole myriad
24 of effects. Of the damming of the rivers.

H_Yeate-4

25 All this stuff has been studied extensively by

H_Yeate-5

1 Brenda and Darrell and a lot of people for many years,
 2 and it would behoove you to utilize their extensive
 3 studying of this and not work at cross-purposes of them
 4 where you've got, you know, wars going on in editorial
 5 columns, or whatever. Which I didn't follow, but I'm
 6 glad that's going on in lieu of a better road of
 7 communication.

8 But that would really help in your public
 9 relations, if nothing else, if you incorporate,
 10 particularly in your remarks, introductory remarks,
 11 address all those points right out of the gate, you
 12 know, where the water's going, why you are putting so
 13 much attention on what's going on at the mouth of the
 14 river here when whatever's going on in the river happens
 15 upstream. You know, that's what ends up here, is what
 16 happens upstream.

17 I mean, maybe having a shallower, you know,
 18 overflow over the beach like you are proposing would be
 19 helpful, you know, maybe that's one factor, but there's
 20 a heck of a lot more impacting the salmon than that.
 21 Particularly since the salmon runs were still pretty
 22 darn high in the '60s when the estuary was pretty much
 23 like it is now as far as the breakwaters, and as Suki
 24 was describing was there, you know, back in the '60s,
 25 and they still had pretty high salmon runs. So that's

H_Yeate-5
cont.

H_Yeate-6

H_Yeate-6
Lcont.

1 not the only factor.

2 Another point that I thought you might want to
3 go into is in that presentation, that first presentation
4 there was a slideshow describing the way that the river
5 had been managed, the mouth had been managed, and then
6 it showed the proposed way that it wants, you want to
7 manage it by having a shallower runoff rather than
8 cutting a deep channel and then it drains like a
9 bathtub. You want it to just flow over the top,
10 therefore not draining all the water and having much
11 tidal effect.

12 I think that was done last year, they tried
13 that, but I didn't get out of the presentation how it
14 went. Did it work? Was it even possible to make the
15 estuary flow over the top gently and create the
16 environment you wanted to create? I mean, it was done
17 last year, that was it. So I just -- you might have
18 incorporated that in the first presentation of, Yeah, we
19 did it last year and it didn't work, or It worked some
20 of the time or, you know. So that's my advice.

H_Yeate-7

21 I'm sure you guys will be back, the Water
22 Agency will be back doing another one of these
23 presentations. I'm hoping next time maybe you can, you
24 know, follow some of that.

25 Thanks.

1 CHAIRMAN CARRILLO: Thank you, Mr. Yeates.
2 Any other blue cards?

3 MS. FURCH: I want to thank those of you who H_Furch
4 have come to the coast. I'm sorry you didn't come in
5 the daytime; it's beautiful.

6 My name is Rue Furch. You don't have that yet.

7 A lot of people have said a lot of really good
8 things and made really good points about the whole
9 nature of this EIR.

10 My question to you is, can this EIR achieve the
11 goal as stated? If the EIR can't even get to the
12 objective, then we have a greater problem. And so the
13 goal statement I think is really important.

14 And I'm not at all sure if, for example, you H_Furch-1
15 took -- if you were a physician and somebody said, We
16 got a problem with your digestive system, you wouldn't
17 look just in one place to discover whether or not it was
18 working. You have to take into account the entirety of
19 the system, because it is a system.

20 When you have all the feeder streams that are
21 loaded with a whole manner of things, you know, a lot of
22 those have been discussed and presented, but one of the H_Furch-2
23 things we see is algae, enormous quantities every year
24 now, and that didn't used to be there. And it is partly
25 a function of low flow and it's partly a function of the

1 cover story being missing, and it's also a lot of
2 pollutants that are now in the water that didn't used to
3 be.

H_Furch-2
cont.

4 So if you take the end of any system and try
5 and determine from that end how you can make a
6 difference that will actually make -- there will not be
7 affected by everything upstream. You got two systems
8 that feed into the Russian. There's the Mendocino
9 system and the Lake Sonoma system, and there are all the
10 feeder streams, downstream there are all the
11 agricultural uses, there are all the wells.

H_Furch-3

12 It is an enormously complex system and if you
13 don't look at it systemically you cannot achieve the
14 project objective.

15 CHAIRMAN CARRILLO: Are there any other
16 speakers that want to participate in the public hearing
17 aspect of the Draft EIR estuary plan?

18 Seeing none, I'm going to close the public
19 hearing at this point.

20 First and foremost, I would like to say thank
21 you to all the speakers who not only took the time to
22 participate in this public hearing aspect of it, but
23 also took the time to read the Draft EIR. And as stated
24 by one of the speakers, it is a large document, a lot of
25 information with many complexities, but I do recognize

1 and appreciate the effort that's been taken in not only
2 reading the plan or making an attempt to read the plan,
3 but also providing your comments to the directors of the
4 Water Agency as we look through this process.

5 And I also want to thank the members of the
6 audience for your patience, in not only the presentation
7 but also listening to the comments of your neighbors,
8 friends, and folks that are interested in this aspect of
9 the Biological Opinion.

10 At this point I will ask if director McGuire
11 and director Rabbitt have any comments and/or questions
12 at this point?

13 MR. MCGUIRE: I want to say thank you very much
14 for having us out here tonight.

15 MR. RABBITT: Likewise. And I can assure you,
16 I took a lot of notes, as I tend to do in these
17 meetings, and I'm sure we will be addressing those as we
18 go forward.

19 Thank you, again.

20 CHAIRMAN CARRILLO: You know, it's the intent
21 of having had this public hearing out here to really
22 provide folks an opportunity, that are more directly
23 either related or have a more direct impact with these
24 processes, an ability to attend and participate,
25 recognizing holding the meetings in Santa Rosa isn't

1 always as amenable to traveling down there. So this was
2 really an attempt by myself and by my two colleagues
3 here to essentially provide this avenue through this
4 public hearing.

5 And recognizing that the public hearing for
6 comments, or the comment period is open through
7 Valentine's Day, February 14th, at five p.m. So if you
8 do have further comments, I think at least two or three
9 speakers noted that they wanted to provide additional
10 comments, you can do that, submit that in writing, as
11 well as submit that via e-mail.

12 Before I adjourn the meeting, I do want to take
13 a moment to thank David Kenly and the Jenner Community
14 Club for being so gracious in allowing us to use your
15 facility. It's a beautiful facility, and now you have a
16 beautiful path to allow the fire department to exit and
17 other folks to come here.

18 So David, thank you and the Jenner Community
19 Club for allowing us to be here.

20 MR. KENLY: Thank you for your help with that,
21 too.

22 CHAIRMAN CARRILLO: Absolutely. It's been a
23 pleasure.

24 I would be remiss if I didn't acknowledge
25 former Supervisor Mike Reilly who is in the audience.

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Once again, thank you. The meeting of the
Sonoma County Water Agency Board of Directors is now
adjourned.

(The proceeding concluded at
the hour of 8:06 p.m.)

REPORTER'S CERTIFICATE

I, Sharlene S. Nordstrom, a Certified Shorthand Reporter, do hereby certify that the foregoing transcript, pages numbered 1 through 77, inclusive, was reported by me, and transcribed by computer under my direction and control, and constitutes a true and complete transcript of said proceedings.

I hereby affix my signature this 26th day of January, 2011.

SHARLENE S. NORDSTROM
CSR #2861, CCRR #081

3.4 Responses to Public Hearing Comments

This section includes copies of the verbal comments recorded in the transcripts from the Public Hearing, January 18, 2011. The responses to verbal comments are inserted within the transcript after each full page of corresponding comments and are presented in order of commenter appearance.

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**Insert Public Hearing Comment Letter
(page 1 of 41)**

- H_Water-1 The Draft EIR Chapter 2.0, Project Description, explains the proposed lagoon outlet channel will be created in the beach management zone, the area north of the jetty where current artificial breaching is conducted, and will avoid the area by the jetty.
- H_Water-2 The Estuary Management Project effect on seepage through the barrier beach is addressed in Draft EIR Section 4.2, Hydrology and Flooding.
- H_Water-3 The study of jetty removal is included in Draft EIR Chapter 6.0, Alternatives Analysis. For additional discussion, refer to **Master Response 2.5, Alternatives Analysis, in Chapter 2, Master Responses.**
- H_Water-4 The potential impact related to tsunami is included in the Draft EIR Chapter 4.2, Hydrology and Flooding, Impact 4.2.3. Sea level rise is addressed in Draft EIR Section 4.2, Hydrology and Flooding, and Chapter 5.0, Cumulative Analysis, page 5-2.
- H_Water-5 This comment is a statement and does not affect the environmental analysis in the Draft EIR; no revisions or text changes in the Final EIR are required.
- H_Water-6 Refer to **Master Response 2.1, Relationship to Other Biological Opinion Elements, in Chapter 2, Master Responses.**
- H_Sukov-1 The Public Policy Facilitating Committee (PPFC) meeting was held on December 13, 2010. The Draft EIR had not yet been released for public comment at the time of the meeting, nor was it a public hearing to obtain comments on the Draft EIR. The transcripts for the PPFC meetings are publicly available via the Water Agency website: www.sonomacountywater.org/RRIFR.
- H_Sukov-2 This response clarifies that the commenter attended the scoping meeting for Estuary Management Project at the Jenner Community Center on May 19, 2010, and not the scoping meeting on May 20, 2010 at the Sonoma County Permit and Resource Management Department meeting room. The other scoping meetings referenced in the comment were for a different project.
- H_Sukov-3 For a discussion of the relationship of the Estuary Management Project to the Fish Habitat Flows and Water Rights Project, refer to **Master Response 2. 1, Relationship to Other Biological Opinion Elements, in Chapter 2, Master Responses.**
- The Biological Opinion analyzed the impacts of the Water Agency’s water supply, flood channel maintenance, and Estuary management activities on listed salmonid species, and the incidental take statement in the Biological Opinion covers all such activities. The specific project objectives of the proposed Estuary Management Project are established in Draft EIR Chapter 2.0, Project Description, and include

providing enhanced rearing habitat for juvenile salmonids within the Russian River Estuary and minimizing flood hazards.

- H_Sukov-4 Please refer to response to comment NA_Sukov-16.
- H_Adelm-1 For a discussion of the relationship of the Estuary Management Project to the Fish Habitat Flows and Water Rights Project, please refer to **Master Response 2.1, Relationship to Other Biological Opinion Elements, in Chapter 2, Master Responses.**
- H_Adelm-2 Please refer to response to comments G_DOW-6 and G_RRWPC-25.
- H_Adelm-3 For a discussion of the geographic extent of the project area analyzed under the Estuary Management Project please refer to **Master Response 2.2, Project Description, Impact Areas and Scope of Analysis, in Chapter 2, Master Responses.**
- H_Adelm-4 This response acknowledges the photo report submitted during the Notice of Preparation scoping period.
- H_Adelm-5 For a discussion of the relationship of the Estuary Management Project to the Fish Habitat Flows and Water Rights Project, please refer to **Master Response 2.1, Relationship to Other Biological Opinion Elements, in Chapter 2, Master Responses.** Draft EIR Section 4.2, Impact 4.4.2 includes an analysis of flooding impacts to property and infrastructure.
- H_Adelm-6 For a discussion of the relationship of the Estuary Management Project to the Fish Habitat Flows and Water Rights Project, please refer to **Master Response 2.1, Relationship to Other Biological Opinion Elements, in Chapter 2, Master Responses.** For a discussion on water quality, include nutrients, *Ludwigia* and algal blooms, refer to **Master Response 2.4, Water Quality, in Chapter 2, Master Responses.**
- H_Adelm-7 Draft EIR Chapter 3.0, Project Background and Environmental Setting, provides environmental setting/existing conditions information based on best available data. For a discussion regarding mitigation, refer to **Master Response 2.6, Recreational Impacts, Socioeconomic Impacts and Mitigation Feasibility, in Chapter 2, Master Responses.**
- H_Adelm-8 Refer to **Master Response 2.4, Water Quality, in Chapter 2, Master Responses,** for a discussion related to the Estuary Management Project impact to water quality. Under CEQA, baseline conditions are considered the physical conditions at the time of the Notice of Preparation. The Draft EIR concludes that there is a potentially significant and unavoidable impact associated with bacteria levels in the Estuary during the lagoon management period.

- H_Adelm-9 Refer to **Master Response 2.4, Water Quality**, in **Chapter 2, Master Responses**, for discussion of potential effects to water quality and secondary effects related to algae blooms.
- H_Adelm-10 Potential changes in water temperature are addressed in Draft EIR Section 4.3, Impact 4.3.2. For additional discussion, refer to **Master Response 2.4, Water Quality**, in **Chapter 2, Master Responses**.
- H_Adelm-11 Potential change in dissolved oxygen is addressed in Draft EIR Section 4.3, Impact 4.3.2. For additional discussion, refer to **Master Response 2.4, Water Quality**, in **Chapter 2, Master Responses**.
- H_Adelm-12 No response or text revisions are necessary.
- H_Adelm-13 For a discussion of Draft EIR's characterization of existing water quality conditions in the Estuary and impacts analyzed in the Draft EIR, refer to Draft EIR Chapter 3.0, Project Background and Environmental Setting, and **Master Response 2.4, Water Quality**, in **Chapter 2, Master Responses**. For a discussion of adequacy of the EIR analysis, refer to **Master Response 2.7, CEQA Statutes: Adequacy of EIR Analysis**, in **Chapter 2, Master Responses**. As the comment does not specify any particular use of that term in the Draft EIR, a specific response is not possible.
- H_Hardy-1 The Draft EIR recognizes a variety of aquatic and terrestrial species rely on estuarine habitat for some or all of their life phases. Draft EIR Section 4.5, Fisheries, includes analysis of other non-protected aquatic species, including Dungeness crab. Draft EIR evaluated the potential impacts on pinnipeds occupying the beach haulout site. For this assessment, refer to Impact 4.4.1, Special-Status Plant and Animal Species, Marine Mammals, on page 4.4-69. Additionally, the Draft EIR evaluated the potential impacts on pinnipeds occupying the beach haulout site, as well as haulouts located within the mainstem of the Russian River Estuary. For this assessment, refer to Impact 4.4.8, Protected Marine Mammals, on page 4.4-79. Refer to response to comment NA_Burge-8 for a discussion of other common fish species in the Estuary.
- H_Hardy-2 This response acknowledges the commenter's concern for scope of authority of the Endangered Species Act.
- H_Hardy-3 The Draft EIR is prepared in accordance with CEQA and provides an analysis of potential project-related environmental impacts analyzed under the CEQA Guidelines criteria.
- H_Jelli-1 Refer to response to comment H_Hardy-1 for information about the range of aquatic and terrestrial species addressed in the Draft EIR.

- H_Jelli-2 Water Agency activities conform to the conditions and monitoring measures established in the NMFS IHA to avoid and minimize impacts on pinnipeds at the Jenner haulout. These measures are listed on Draft EIR pages 4.4-69 through 4.4-71 in Impact 4.4.1. The Estuary Management Project will require an IHA from NMFS and will incorporate the same conditions and monitoring measures. Mitigation Measure 4.4.8 details an adaptive monitoring plan that will be implemented in compliance with the NMFS IHA. Conditions are established in the IHA to avoid and minimize effects to harbor seals and their haulout, and all activities associated with Estuary management are subject to these conditions. The Draft EIR considered the IHA, drafted by government scientists and regulators with the responsibility of species protection, represents a reasonable approach for mitigating impacts and its provisions were consequently adopted. Under this adaptive monitoring plan, seal counts will continue to be conducted at the Jenner haulout and nearby coastal and river haulouts. If monitoring indicates decreases in overall use at the Jenner haulout are correlated with increases in use at the three closest haulouts, the Water Agency will consult with NMFS and CDFG to alter the Estuary Management Plan such that the haulout site is maintained as a resource. The IHA does not allow long-term harassment or alteration of habitat conditions that would contribute to abandonment of the Jenner haulout. The IHA, drafted by government scientists and regulators with the responsibility of species protection, represents a reasonable approach for mitigating impacts and its provisions were consequently adopted, recognizing the criteria listed by the comment.
- H_DeIon-1 This response acknowledges the commenter's position.
- H_DeIon-2 For a discussion of the relationship of the Estuary Management Project to the Fish Habitat Flows and Water Rights Project, please refer to **Master Response 2.1, Relationship to Other Biological Opinion Elements, in Chapter 2, Master Responses.**
- H_DeIon-3 For a discussion of the relationship of the Estuary Management Project to the Fish Habitat Flows and Water Rights Project, please refer to **Master Response 2.1, Relationship to Other Biological Opinion Elements, in Chapter 2, Master Responses.**
- H_DeIon-4 The Draft EIR does not address impacts to swimming because the Estuary Management Project will not eliminate swimming opportunities available in the Russian River.
- H_DeIon-5 The Estuary Management Project is intended to balance all interests on the Russian River.
- H_DeIon-6 Draft EIR considered potential impacts to quality of the river from an environmental resource perspective, and analyzed a range of resources including

geology, hydrology, water quality, biological resources, fisheries, land use, recreation, cultural resources, noise, air quality, hazards and hazardous materials, public services and utilities, and aesthetics.

- H_Copes-1 For a discussion of the relationship of the Estuary Management Project to the Fish Habitat Flows and Water Rights Project, refer to **Master Response 2.1, Relationship to other Biological Opinion Elements, in Chapter 2, Master Responses.**
- H_Copes-2 The Alternatives Analysis in Chapter 6.0 of the Draft EIR includes an Alternative Flood Management alternative to the Estuary Management Project. For additional discussion, refer to **Master Response 2.5, Alternatives Analysis, in Chapter 2, Master Responses.**
- H_Copes-3 Comment asserts all EIRs and studies should be considered in one environmental document. Refer to **Master Response 2.1, Relationship to Other Biological Opinion Elements, in Chapter 2, Master Responses.**
- H_Copes-4 The Draft EIR provides analysis and disclosure of potential environmental impacts associated with the proposed project. Analysis of other issues within the Russian River watershed, including those listed by the commenter, is beyond the scope of analysis for this EIR. The Water Agency does not have decision-making authority over logging, gravel mining, vineyard conversion, or chemical pollutant discharge.
- H_Copes-5 The Estuary Management Project does not include a specific component for jetty removal. As described in Draft EIR Chapter 6.0, Alternatives Analysis, the Water Agency does not own, maintain, operate, or have jurisdiction over the jetty structure, and is therefore not authorized to make policy decisions for action to remove the jetty. However, the Water Agency is required by the Russian River Biological Opinion to develop a jetty study plan to analyze the effects of the Russian River Estuary on Estuary water levels and on beach morphology, as well as evaluate alternatives that modify the jetty to achieve target estuarine water levels. This is included as a potential alternative to the Estuary Management Project in Draft EIR Chapter 6.0, Alternatives Analysis. For additional discussion regarding feasibility and uncertainty of outcomes of jetty removal, refer to **Master Response 2.5, Alternatives Analysis, in Chapter 2, Master Responses.**
- H_Frey-1 Recreational resources, including surfing and river beach access are addressed in the analysis provided in Draft EIR Section 4.7, Recreation. For additional information, refer to **Master Response 2.6, Recreational Impacts, Socioeconomic Impacts and Mitigation Feasibility, in Chapter 2, Master Responses.**

- H_Frey-2 For additional information about California Coastal Act policies, refer to **Master Response 2.6, Recreational Impacts, Socioeconomic Impacts and Mitigation Feasibility**, in **Chapter 2, Master Responses**.
- H_Frey-3 For a discussion regarding mitigation and compliance with a mitigation program, refer to **Master Response 2.6, Recreational Impacts, Socioeconomic Impacts and Mitigation Feasibility**, in **Chapter 2, Master Responses**.
- H_Frey-4 For discussion regarding the public process, refer to **Master Response 2.8, Public Participation**, in **Chapter 2, Master Responses**.
- H_Frey-5 The Draft EIR Section 4.3, Water Quality, provides the best available information as the baseline for the water quality analysis. Refer to **Master Response 2.4, Water Quality**, in **Chapter 2, Master Responses**. For a discussion of the geographic extent of the project area analyzed under the Estuary Management Project please refer to **Master Response 2.2, Project Description, Impact Areas and Scope of Analysis**, in **Chapter 2, Master Responses**.
- H_Frey-6 The Estuary Management Project does not include a specific component for jetty removal. As described in Draft EIR Chapter 6.0, Alternatives Analysis, the Water Agency does not own, maintain, operate, or have jurisdiction over the jetty structure, and is therefore not authorized to make policy decisions for action to remove the jetty. However, the Water Agency is required by the Russian River Biological Opinion to develop a jetty study plan to analyze the effects of the Russian River Estuary on Estuary water levels and on beach morphology, as well as evaluate alternatives that modify the jetty to achieve target estuarine water levels. This is included as a potential alternative to the Estuary Management Project in Draft EIR Chapter 6.0, Alternatives Analysis. For additional discussion regarding feasibility and uncertainty of outcomes of jetty removal, refer to **Master Response 2.5, Alternatives Analysis**, and **Master Response 2.2, Project Description and Impact Areas**, in **Chapter 2, Master Responses**.
- H_Frey-7 Refer to **Master Response 2.2, Project Description and Impact Areas and Scope of Analysis**, and **Master Response 2.3, Project Objectives and Feasibility**, in **Chapter 2, Master Responses**.
- H_Hanso-1 No revision or text changes necessary. This response assumes the comment refers to the 2010 implementation of the lagoon outlet channel.
- H_Hanso-2 The relevant resource analyses in the Draft EIR, Chapter 4.0 Environmental Setting, Impacts, and Mitigation Measures, include a discussion of impacts associated with lagoon outlet channel creation. The proposed Estuary Management Project is intended to relieve some of the impacts associated with artificial breaching. With respect to the jetty that prevents a wide beachfront must be removed. The Jetty Removal Alternative is identified and evaluated in

Draft EIR Chapter 6.0, Alternatives Analysis. For a discussion of the range of alternatives, refer to **Master Response 2.5, Alternatives Analysis**, in **Chapter 2, Master Responses**.

H_Hanso-3 Comment asserts low flow should not be implemented to provide Flood management. Refer to **Master Response 2.1, Relationship to Other Biological Opinion Elements**, in **Chapter 2, Master Responses**.

H_Hanso-4 Comment supports jetty removal to avoid impacts to water quality and recreational uses. Environmental tradeoffs among alternatives are explained in Draft EIR Chapter 6.0, Alternatives Analysis.

H_Hanso-5 Refer to **Master Response 2.1, Relationship to Other Biological Opinion Elements**, and **Master Response 2.4, Water Quality**, in **Chapter 2, Master Responses**.

H_Hanso-6 This response acknowledges the commenter's position.

H_Yeate-1 Comment regarding public process. For a summary of process requirements under CEQA, refer to Draft EIR Chapter 1.0, Introduction. Refer also to **Master Response 2.8, Public Review Process**, in **Chapter 2, Master Responses**. The Biological Opinion analyzed the impacts of the Water Agency's water supply, flood channel maintenance, and Estuary management activities on listed salmonid species, and the incidental take statement in the Biological Opinion covers all such activities. The specific project objectives of the proposed Estuary Management Project are established in Draft EIR Chapter 1.0, Introduction, and include providing enhanced rearing habitat for juvenile salmonids within the Russian River Estuary and minimizing flood hazard.

H_Yeate-2 Please refer to **Master Response 2.8, Public Participation**, in **Chapter 2, Master Responses**. No response or text changes are required.

H_Yeate-3 This response assumes this comment is directed toward the public presentation, not the Draft EIR. The Draft EIR includes all CEQA-required environmental analyses, assessment methodology, conclusions, and mitigation. Refer also to **Master Response 2.6, Recreational Impacts, Socioeconomic Impacts and Mitigation Feasibility**, in **Chapter 2, Master Responses**.

H_Yeate-4 The Draft EIR provides analysis and disclosure of potential environmental impacts associated with the proposed project. Analysis of other issues within the Russian River watershed, including those listed by the commenter, is beyond the scope of analysis for this EIR. The Water Agency does not have decision-making authority over logging, gravel mining, vineyard conversion, or chemical pollutant discharge.

- H_Yeate-5 Refer to Draft EIR Chapter 1.0, Introduction, page 1-3 for the purpose of the project. Refer to responses to comments H_Yeate-1, H_Yeate-2, and H-Yeate-4.
- H_Yeate-6 The Draft EIR provides analysis and disclosure of potential environmental impacts associated with the proposed project. Analysis of other issues within the Russian River watershed, including those listed by the commenter, is beyond the scope of analysis for this EIR. The Water Agency does not have decision-making authority over logging, gravel mining, vineyard conversion, or chemical pollutant discharge.
- H_Yeate-7 The slides the commenter refers to are included in graphics Figure 2-7 (page 2-17) and Figure 2-8 (page 2-18) in Draft EIR Chapter 2.0, Project Description. The Draft EIR Figure 2-9 (page 2-20) includes photographs of the July 2010 outlet channel implementation. Suggests future presentations discuss if outlet channel implementation worked.
- H_Furch-1 The Estuary Management Project is intended to achieve the objectives defined in the Draft EIR Chapter 1.0, Introduction, page 1-3. Refer to **Master Response 2.3, Project Feasibility**, in **Chapter 2, Master Responses**.
- H_Furch-2 Please refer to **Master Response 2.1, Relationship to Other Biological Opinion Elements**, in **Chapter 2, Master Responses**. Similarly, the project does not control or contribute to pollution sources. For additional water quality information, refer to **Master Response 2.4, Water Quality**, in **Chapter 2, Master Responses**.
- H_Furch-3 For a discussion of the geographic extent of the project area analyzed under the Estuary Management Project, please refer to **Master Response 2.2, Project Description, Impact Areas and Scope of Analysis**, in **Chapter 2, Master Responses**. For a discussion regarding project feasibility, please refer to **Master Response 2.3, Project Feasibility**, in **Chapter 2, Master Responses**.