

A P P E N D I X A

NOTICE OF PREPARATION AND
SCOPING COMMENTS

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Notice of Preparation Environmental Impact Report City of Santa Rosa

Date: February 7, 2023

To: State Clearinghouse
State Responsible Agencies
State Trustee Agencies
Other Public Agencies
Interested Organizations
Sonoma County Clerk

From: Amy Lyle, Supervising Planner - Advance Planning
Planning & Economic Development Department
City of Santa Rosa
100 Santa Rosa Avenue, Room 3
Santa Rosa, CA 95404

Subject: Notice of Preparation (NOP) of a Draft Environmental Impact Report (EIR)

Lead Agency: City of Santa Rosa Planning & Economic Development Department

Project Title: Santa Rosa General Plan 2050, also known as Santa Rosa Forward

Notice is hereby given that the City of Santa Rosa (City) will prepare an EIR for the proposed Santa Rosa General Plan 2050, also known as Santa Rosa Forward (proposed project). Pursuant to the California Environmental Quality Act (CEQA) Guidelines Section 15206, the proposed project is considered a project of statewide, regional, or areawide significance. The City, acting as the Lead Agency, will prepare an EIR to address the potential environmental impacts associated with the project at a programmatic level, consistent with CEQA Guidelines Section 15168. The program-level EIR will evaluate the environmental impacts associated with the broad policies of the proposed General Plan 2050 and the likely type and amount of development allowed within the General Plan horizon of 2050. The EIR will not evaluate future site-specific development projects that are consistent with the proposed General Plan 2050. An evaluation of project alternatives that could reduce significant impacts will be included in the EIR. The proposed project, its location, and potential environmental effects are described below, and additional information on the proposed General Plan 2050 is available at www.santarosafoward.com.

Pursuant to CEQA Guidelines Section 15082, the City is requesting comments and guidance on the scope and content of the EIR from interested public agencies, organizations and individuals. With respect to the views of Responsible and Trustee Agencies as to significant environmental issues, the City needs to know the reasonable alternatives and mitigation measures that are germane to each agency's statutory responsibilities in connection with the proposed project. Responsible agencies may need to use the EIR prepared by the City when considering permitting or other approvals for potential future development projects.

Due to the time limits mandated by State law, your response must be sent at the earliest possible date, but no later than the close of the 30-day Notice of Preparation (NOP) review period on Wednesday, March 8, 2023. If you submit comments on the scope of the EIR, you will automatically be added to the City's distribution list for future notices and information about the environmental review process for the proposed project. If you do not wish to submit comments on the scope of the EIR, but would like to be added to the City's mailing list, you can submit your contact information, including email address with a request to be added to the mailing list.

Please send your written comments to Amy Lyle, Supervising Planner – Advance Planning of the Planning & Economic Development Department, at the address shown above or email to Alyle@srcity.org with "Santa Rosa General Plan 2050 EIR" as the subject. Public agencies providing comments are asked to include a contact person for the agency.

1. Project Location:

The City of Santa Rosa is located approximately 50 miles north of San Francisco in central Sonoma County. Situated on the Santa Rosa Plain, the City is bounded by the foothills of the Sonoma Mountains to the east and Laguna de Santa Rosa to the west. U.S. Highway 101 (Highway 101) and State Route 12 (SR 12) divide the city into quadrants. Highway 101 is the north-south route connecting the San Francisco Bay Area to Mendocino and Humboldt counties to the north. SR 12 runs in an east-west direction, connecting the Sonoma Coast to the Sonoma and Napa Valleys to the east. The City is surrounded by unincorporated rural and agricultural land. Nearby cities/communities include the Town of Windsor located to the north, the community of Kenwood located to the east, the City of Rohnert Park located to the south, and the City of Sebastopol located to the west. The Sonoma County Airport is located about 2.5 miles northwest of Santa Rosa's Urban Growth Boundary. Figure 1, *Santa Rosa Regional Location*, shows the regional setting of the city of Santa Rosa and Figure 2, *EIR Study Area*, which follows the boundary of the adopted Sphere of Influence and Urban Growth Boundary, shows the area to be evaluated in the EIR.

2. Lead Agency Contact:

Amy Lyle, Supervising Planner - Advance Planning
Planning & Economic Development Department
City of Santa Rosa
100 Santa Rosa Avenue, Room 3
Santa Rosa, CA 95404
(707) 543-3410
Alyle@srcity.org

3. Project Sponsor:

City of Santa Rosa

4. Project Description:

The City of Santa Rosa is preparing a comprehensive update to its existing General Plan. The update is expected to be completed in 2024 and will guide the City's development and conservation through 2050. State law requires that the General Plan contain eight elements: Land Use, Circulation, Housing, Open Space, Noise, Safety, Conservation, and Environmental Justice. The content of these elements is outlined in State law. The proposed General Plan 2050 will include revisions to the policies and land use map of the existing General Plan. The proposed General Plan 2050 will include all State-required elements and optional elements including climate action planning, organized in the following sections (the required elements are denoted in **bold**):

- **Land Use** and Economic Development
- **Housing** (currently being updated through a separate process)
- Community Character (covering the topics of Urban Design, Historic Preservation, Art and Culture, and Hillside Policies)
- Efficient and Sustainable Development (covering the topics of **Mobility [Circulation]**, **Open Space**, and **Conservation**)
- Climate Resilience and Safety (covering the topics of Climate Resilience, **Safety**, **Noise**, and Public Services and Facilities)
- Health, Equity, and Environmental Justice (covering the topics of Community Health, Equity, **Environmental Justice**, Parks, and Youth and Family)

The overall purpose of the proposed General Plan 2050 is to create a policy framework that articulates a vision for the long-term physical form and development of Santa Rosa, while preserving and enhancing the quality of life for Santa Rosa residents. The key components of the proposed project will include broad community goals for the future of Santa Rosa and specific policies and implementing actions that will help meet the goals. The proposed General Plan 2050 will add new and expanded policy topics to address the current requirements of State law, modernize the City's policy framework, and address land use mapping issues and inconsistencies. To achieve the proposed General Plan 2050 vision, the City has analyzed three future land use and circulation alternatives and a subsequently refined preferred alternative that were developed through an extensive

public process. Details of the public process and preferred alternative are available on the website for the proposed General Plan 2050 at <https://www.santarosaforward.com>. The final preferred alternative will serve as the foundation of the proposed General Plan 2050. Figure 3, *Final Preferred Alternative*, shows the final preferred alternative which identifies 21 areas of change where the City will focus efforts on addressing housing, services, connectivity, and/or infrastructure needs to make these complete neighborhoods. Zoning and/or land use changes supporting additional development capacity will be concentrated in select areas only. Changes to the city's transportation infrastructure will include new pedestrian and bicycle connections across Highways 101 and 12, road diets, and roadway widenings.

5. Potential Environmental Impacts of the Project

The EIR for the proposed project will address the range of impacts that could result from adoption and implementation of the proposed General Plan 2050. Below is a list of environmental topics that will be examined in the EIR.

- | | |
|--|--|
| ■ aesthetics | ■ hydrology and water quality |
| ■ agricultural resources | ■ land use and planning |
| ■ air quality | ■ noise |
| ■ biological resources | ■ population and housing |
| ■ cultural and tribal cultural resources | ■ public services, parks, and recreation |
| ■ energy | ■ transportation |
| ■ geology and soils | ■ utilities and system services |
| ■ greenhouse gas emissions | ■ wildfire |
| ■ hazards and hazardous materials | |

The topics of forestry and mineral resources are likely to be associated with less-than-significant impacts and are not expected to be evaluated in detail in the EIR.

6. Public Meetings and Workshops

The City will continue to hold many public workshops and meetings throughout the planning process, as well as meetings of the General Plan Technical Advisory Committee, Planning Commission, and City Council, to inform the public and interested agencies about the proposed project and solicit feedback on the contents of the proposed General Plan 2050. Details for each meeting are available on the website for the proposed General Plan 2050 at <https://www.santarosaforward.com>.

The City will hold a scoping meeting to solicit public comment on the environmental issues to be addressed in the EIR. The scoping meeting will be held on Monday, February 27, 2023, at 5:30 p.m. via a hybrid public meeting format. The public can attend the scoping meeting at **www.zoom.us/join - Meeting ID: 819 2726 9879** or call **877 853 5257 (Toll Free) Meeting ID: 819 2726 9879** and provide comment virtually using the instructions included provided on the City's website at <https://www.srcity.org/DocumentCenter/View/28150/Virtual-Meeting-Public-Participation-Instructions-PED>. Members of the public may also participate in person at the Old Chamber Building, Large Conference Room at 637 1st Street, Santa Rosa, CA.

Date February 7, 2023

Signature Amy Lyle

Title Supervising Planner

FIGURE 1: SANTA ROSA REGIONAL LOCATION

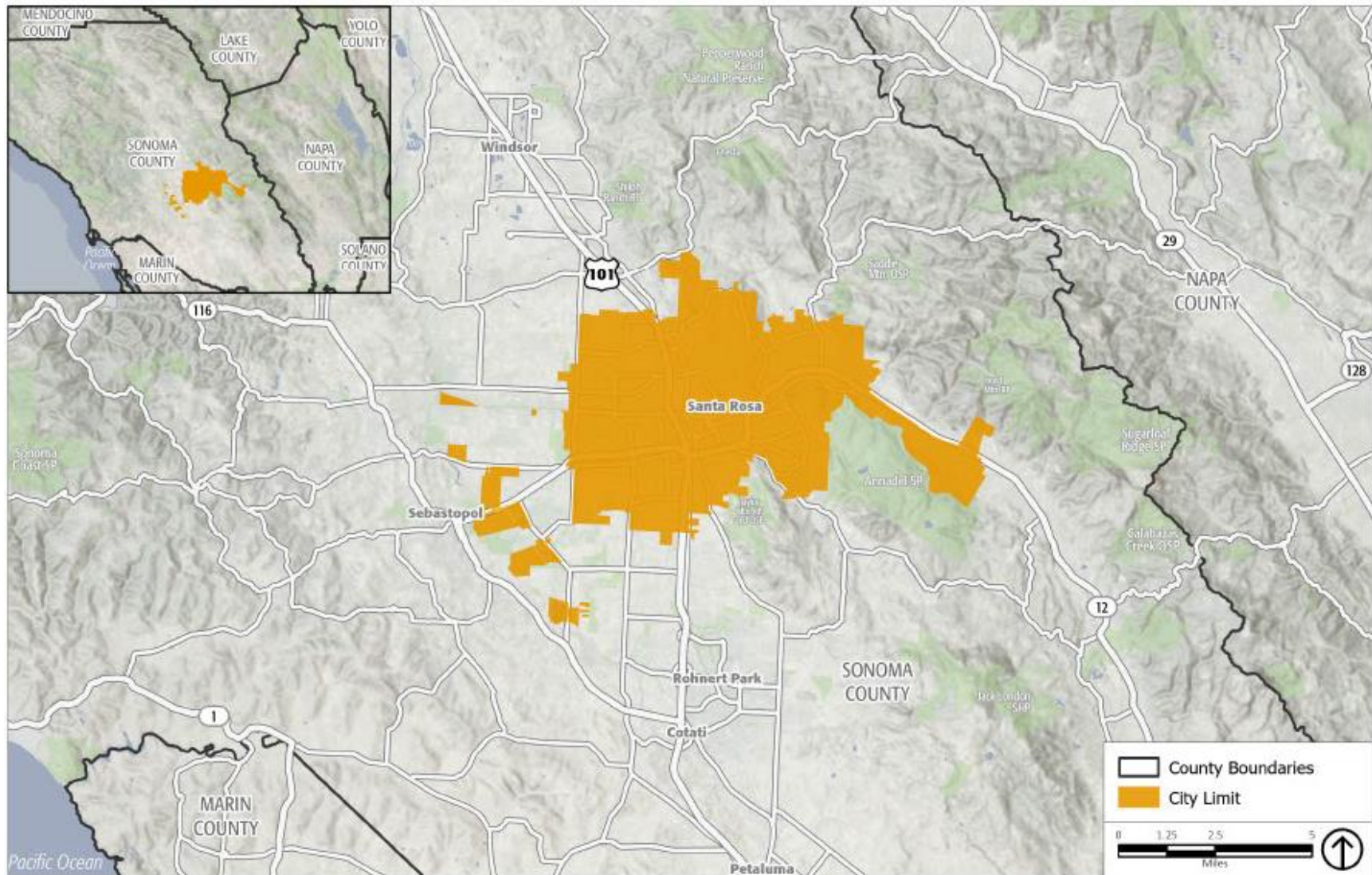


FIGURE 2: EIR STUDY AREA

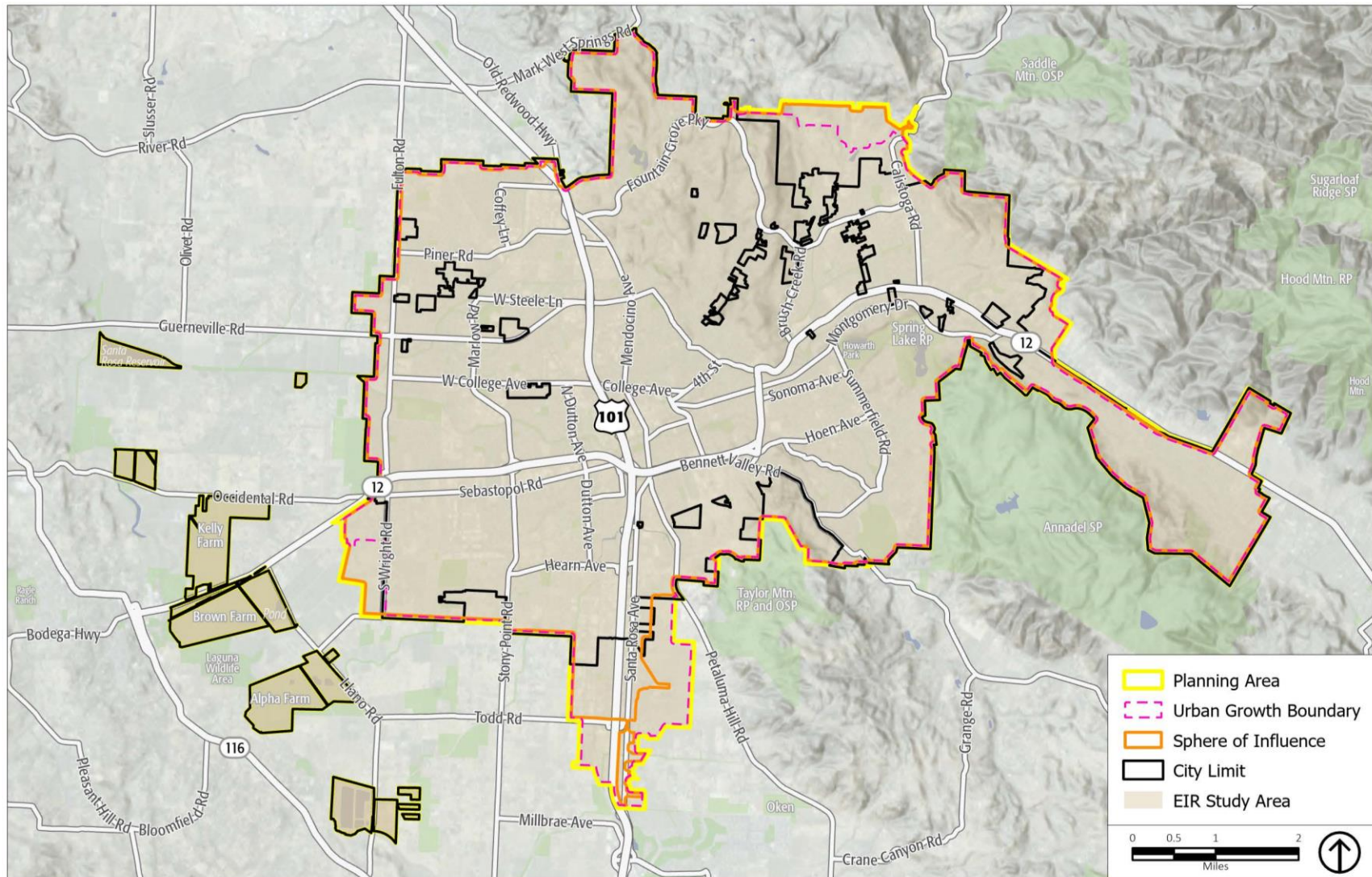
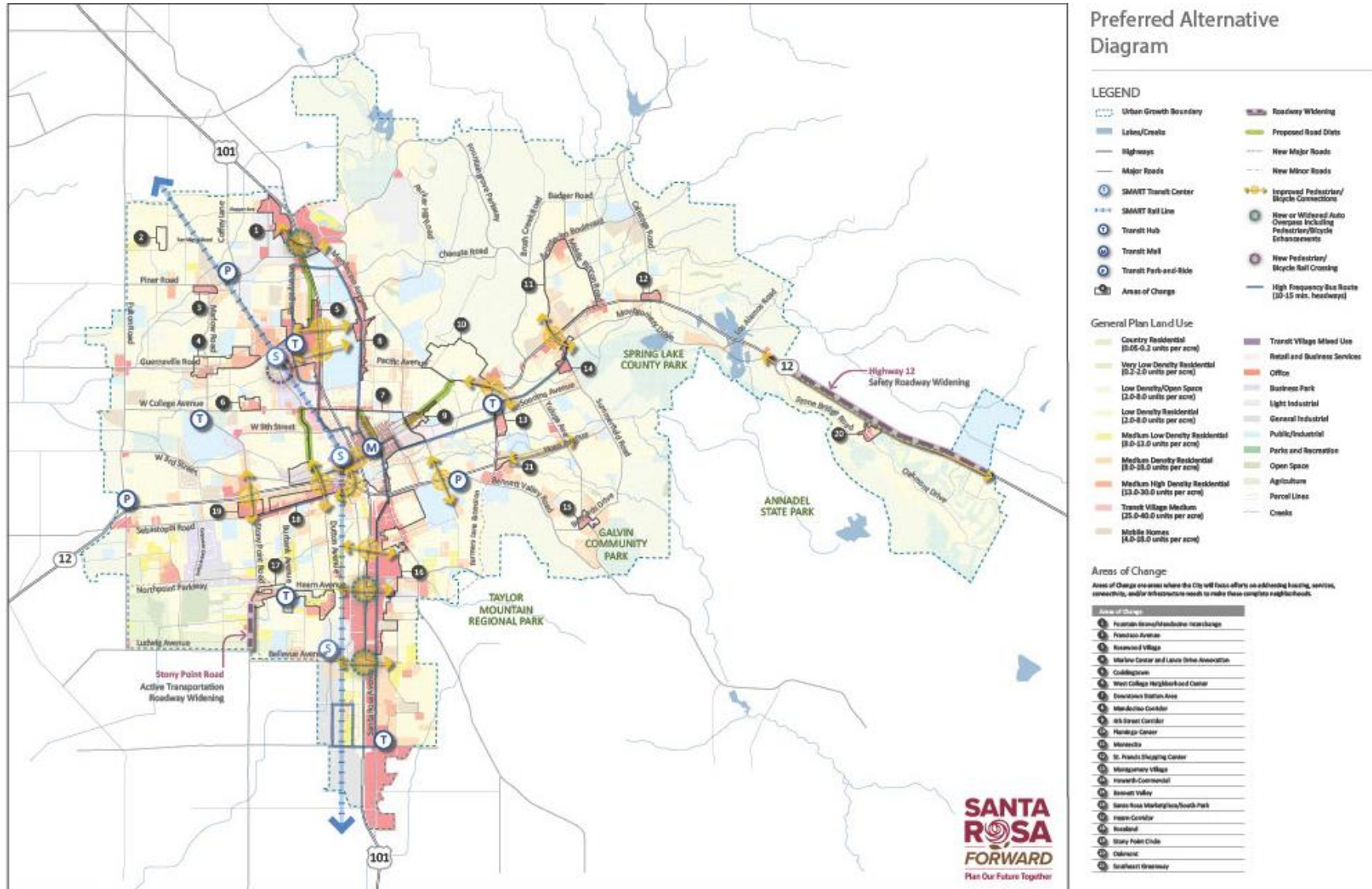


FIGURE 3: FINAL PREFERRED ALTERNATIVE





NATIVE AMERICAN HERITAGE COMMISSION

Governor's Office of Planning & Research

February 8, 2023

FEB 10 2023

STATE CLEARING HOUSE

Amy Lyle
City of Santa Rosa Planning and Economic Development Department
100 Santa Rosa Avenue
Santa Rosa, CA 95404

Re: 2023020166, Santa Rosa General Plan 2050 Project, Sonoma County

Dear Ms. Lyle:

The Native American Heritage Commission (NAHC) has received the Notice of Preparation (NOP), Draft Environmental Impact Report (DEIR) or Early Consultation for the project referenced above. The California Environmental Quality Act (CEQA) (Pub. Resources Code §21000 et seq.), specifically Public Resources Code §21084.1, states that a project that may cause a substantial adverse change in the significance of a historical resource, is a project that may have a significant effect on the environment. (Pub. Resources Code § 21084.1; Cal. Code Regs., tit.14, §15064.5 (b) (CEQA Guidelines §15064.5 (b)). If there is substantial evidence, in light of the whole record before a lead agency, that a project may have a significant effect on the environment, an Environmental Impact Report (EIR) shall be prepared. (Pub. Resources Code §21080 (d); Cal. Code Regs., tit. 14, § 5064 subd.(a)(1) (CEQA Guidelines §15064 (a)(1)). In order to determine whether a project will cause a substantial adverse change in the significance of a historical resource, a lead agency will need to determine whether there are historical resources within the area of potential effect (APE).

CEQA was amended significantly in 2014. Assembly Bill 52 (Gatto, Chapter 532, Statutes of 2014) (AB 52) amended CEQA to create a separate category of cultural resources, "tribal cultural resources" (Pub. Resources Code §21074) and provides that a project with an effect that may cause a substantial adverse change in the significance of a tribal cultural resource is a project that may have a significant effect on the environment. (Pub. Resources Code §21084.2). Public agencies shall, when feasible, avoid damaging effects to any tribal cultural resource. (Pub. Resources Code §21084.3 (a)). **AB 52 applies to any project for which a notice of preparation, a notice of negative declaration, or a mitigated negative declaration is filed on or after July 1, 2015.** If your project involves the adoption of or amendment to a general plan or a specific plan, or the designation or proposed designation of open space, on or after March 1, 2005, it may also be subject to Senate Bill 18 (Burton, Chapter 905, Statutes of 2004) (SB 18). **Both SB 18 and AB 52 have tribal consultation requirements.** If your project is also subject to the federal National Environmental Policy Act (42 U.S.C. § 4321 et seq.) (NEPA), the tribal consultation requirements of Section 106 of the National Historic Preservation Act of 1966 (154 U.S.C. 300101, 36 C.F.R. §800 et seq.) may also apply.

The NAHC recommends consultation with California Native American tribes that are traditionally and culturally affiliated with the geographic area of your proposed project as early as possible in order to avoid inadvertent discoveries of Native American human remains and best protect tribal cultural resources. Below is a brief summary of portions of AB 52 and SB 18 as well as the NAHC's recommendations for conducting cultural resources assessments.

Consult your legal counsel about compliance with AB 52 and SB 18 as well as compliance with any other applicable laws.

AB 52

CHAIRPERSON
Laura Miranda
Luiseño

VICE CHAIRPERSON
Reginald Pagaling
Chumash

SECRETARY
Sara Dutschke
Miwok

COMMISSIONER
Isaac Bojorquez
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COMMISSIONER
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COMMISSIONER
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EXECUTIVE SECRETARY
**Raymond C.
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Miwok/Nisenan

NAHC HEADQUARTERS
1550 Harbor Boulevard
Suite 100
West Sacramento,
California 95691
(916) 373-3710
nahc@nahc.ca.gov
NAHC.ca.gov

AB 52 has added to CEQA the additional requirements listed below, along with many other requirements:

1. Fourteen Day Period to Provide Notice of Completion of an Application/Decision to Undertake a Project:

Within fourteen (14) days of determining that an application for a project is complete or of a decision by a public agency to undertake a project, a lead agency shall provide formal notification to a designated contact of, or tribal representative of, traditionally and culturally affiliated California Native American tribes that have requested notice, to be accomplished by at least one written notice that includes:

- a. A brief description of the project.
- b. The lead agency contact information.
- c. Notification that the California Native American tribe has 30 days to request consultation. (Pub. Resources Code §21080.3.1 (d)).
- d. A "California Native American tribe" is defined as a Native American tribe located in California that is on the contact list maintained by the NAHC for the purposes of Chapter 905 of Statutes of 2004 (SB 18). (Pub. Resources Code §21073).

2. Begin Consultation Within 30 Days of Receiving a Tribe's Request for Consultation and Before Releasing a Negative Declaration, Mitigated Negative Declaration, or Environmental Impact Report: A lead agency shall begin the consultation process within 30 days of receiving a request for consultation from a California Native American tribe that is traditionally and culturally affiliated with the geographic area of the proposed project. (Pub. Resources Code §21080.3.1, subds. (d) and (e)) and prior to the release of a negative declaration, mitigated negative declaration or Environmental Impact Report. (Pub. Resources Code §21080.3.1(b)).

- a. For purposes of AB 52, "consultation shall have the same meaning as provided in Gov. Code §65352.4 (SB 18). (Pub. Resources Code §21080.3.1 (b)).

3. Mandatory Topics of Consultation If Requested by a Tribe: The following topics of consultation, if a tribe requests to discuss them, are mandatory topics of consultation:

- a. Alternatives to the project.
- b. Recommended mitigation measures.
- c. Significant effects. (Pub. Resources Code §21080.3.2 (a)).

4. Discretionary Topics of Consultation: The following topics are discretionary topics of consultation:

- a. Type of environmental review necessary.
- b. Significance of the tribal cultural resources.
- c. Significance of the project's impacts on tribal cultural resources.
- d. If necessary, project alternatives or appropriate measures for preservation or mitigation that the tribe may recommend to the lead agency. (Pub. Resources Code §21080.3.2 (a)).

5. Confidentiality of Information Submitted by a Tribe During the Environmental Review Process: With some exceptions, any information, including but not limited to, the location, description, and use of tribal cultural resources submitted by a California Native American tribe during the environmental review process shall not be included in the environmental document or otherwise disclosed by the lead agency or any other public agency to the public, consistent with Government Code §6254 (r) and §6254.10. Any information submitted by a California Native American tribe during the consultation or environmental review process shall be published in a confidential appendix to the environmental document unless the tribe that provided the information consents, in writing, to the disclosure of some or all of the information to the public. (Pub. Resources Code §21082.3 (c)(1)).

6. Discussion of Impacts to Tribal Cultural Resources in the Environmental Document: If a project may have a significant impact on a tribal cultural resource, the lead agency's environmental document shall discuss both of the following:

- a. Whether the proposed project has a significant impact on an identified tribal cultural resource.
- b. Whether feasible alternatives or mitigation measures, including those measures that may be agreed to pursuant to Public Resources Code §21082.3, subdivision (a), avoid or substantially lessen the impact on the identified tribal cultural resource. (Pub. Resources Code §21082.3 (b)).

- 7. Conclusion of Consultation:** Consultation with a tribe shall be considered concluded when either of the following occurs:
- a.** The parties agree to measures to mitigate or avoid a significant effect, if a significant effect exists, on a tribal cultural resource; or
 - b.** A party, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached. (Pub. Resources Code §21080.3.2 (b)).
- 8. Recommending Mitigation Measures Agreed Upon in Consultation in the Environmental Document:** Any mitigation measures agreed upon in the consultation conducted pursuant to Public Resources Code §21080.3.2 shall be recommended for inclusion in the environmental document and in an adopted mitigation monitoring and reporting program, if determined to avoid or lessen the impact pursuant to Public Resources Code §21082.3, subdivision (b), paragraph 2, and shall be fully enforceable. (Pub. Resources Code §21082.3 (a)).
- 9. Required Consideration of Feasible Mitigation:** If mitigation measures recommended by the staff of the lead agency as a result of the consultation process are not included in the environmental document or if there are no agreed upon mitigation measures at the conclusion of consultation, or if consultation does not occur, and if substantial evidence demonstrates that a project will cause a significant effect to a tribal cultural resource, the lead agency shall consider feasible mitigation pursuant to Public Resources Code §21084.3 (b). (Pub. Resources Code §21082.3 (e)).
- 10. Examples of Mitigation Measures That, If Feasible, May Be Considered to Avoid or Minimize Significant Adverse Impacts to Tribal Cultural Resources:**
- a.** Avoidance and preservation of the resources in place, including, but not limited to:
 - i.** Planning and construction to avoid the resources and protect the cultural and natural context.
 - ii.** Planning greenspace, parks, or other open space, to incorporate the resources with culturally appropriate protection and management criteria.
 - b.** Treating the resource with culturally appropriate dignity, taking into account the tribal cultural values and meaning of the resource, including, but not limited to, the following:
 - i.** Protecting the cultural character and integrity of the resource.
 - ii.** Protecting the traditional use of the resource.
 - iii.** Protecting the confidentiality of the resource.
 - c.** Permanent conservation easements or other interests in real property, with culturally appropriate management criteria for the purposes of preserving or utilizing the resources or places.
 - d.** Protecting the resource. (Pub. Resource Code §21084.3 (b)).
 - e.** Please note that a federally recognized California Native American tribe or a non-federally recognized California Native American tribe that is on the contact list maintained by the NAHC to protect a California prehistoric, archaeological, cultural, spiritual, or ceremonial place may acquire and hold conservation easements if the conservation easement is voluntarily conveyed. (Civ. Code §815.3 (c)).
 - f.** Please note that it is the policy of the state that Native American remains and associated grave artifacts shall be repatriated. (Pub. Resources Code §5097.991).

11. Prerequisites for Certifying an Environmental Impact Report or Adopting a Mitigated Negative Declaration or Negative Declaration with a Significant Impact on an Identified Tribal Cultural Resource: An Environmental Impact Report may not be certified, nor may a mitigated negative declaration or a negative declaration be adopted unless one of the following occurs:

- a.** The consultation process between the tribes and the lead agency has occurred as provided in Public Resources Code §21080.3.1 and §21080.3.2 and concluded pursuant to Public Resources Code §21080.3.2.
- b.** The tribe that requested consultation failed to provide comments to the lead agency or otherwise failed to engage in the consultation process.
- c.** The lead agency provided notice of the project to the tribe in compliance with Public Resources Code §21080.3.1 (d) and the tribe failed to request consultation within 30 days. (Pub. Resources Code §21082.3 (d)).

The NAHC's PowerPoint presentation titled, "Tribal Consultation Under AB 52: Requirements and Best Practices" may be found online at: http://nahc.ca.gov/wp-content/uploads/2015/10/AB52TribalConsultation_CalEPAPDF.pdf

SB 18 applies to local governments and requires local governments to contact, provide notice to, refer plans to, and consult with tribes prior to the adoption or amendment of a general plan or a specific plan, or the designation of open space. (Gov. Code §65352.3). Local governments should consult the Governor's Office of Planning and Research's "Tribal Consultation Guidelines," which can be found online at: https://www.opr.ca.gov/docs/09_14_05_Updated_Guidelines_922.pdf.

Some of SB 18's provisions include:

1. **Tribal Consultation**: If a local government considers a proposal to adopt or amend a general plan or a specific plan, or to designate open space it is required to contact the appropriate tribes identified by the NAHC by requesting a "Tribal Consultation List." If a tribe, once contacted, requests consultation the local government must consult with the tribe on the plan proposal. **A tribe has 90 days from the date of receipt of notification to request consultation unless a shorter timeframe has been agreed to by the tribe.** (Gov. Code §65352.3 (a)(2)).
2. **No Statutory Time Limit on SB 18 Tribal Consultation**. There is no statutory time limit on SB 18 tribal consultation.
3. **Confidentiality**: Consistent with the guidelines developed and adopted by the Office of Planning and Research pursuant to Gov. Code §65040.2, the city or county shall protect the confidentiality of the information concerning the specific identity, location, character, and use of places, features and objects described in Public Resources Code §5097.9 and §5097.993 that are within the city's or county's jurisdiction. (Gov. Code §65352.3 (b)).
4. **Conclusion of SB 18 Tribal Consultation**: Consultation should be concluded at the point in which:
 - a. The parties to the consultation come to a mutual agreement concerning the appropriate measures for preservation or mitigation; or
 - b. Either the local government or the tribe, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached concerning the appropriate measures of preservation or mitigation. (Tribal Consultation Guidelines, Governor's Office of Planning and Research (2005) at p. 18).

Agencies should be aware that neither AB 52 nor SB 18 precludes agencies from initiating tribal consultation with tribes that are traditionally and culturally affiliated with their jurisdictions before the timeframes provided in AB 52 and SB 18. For that reason, we urge you to continue to request Native American Tribal Contact Lists and "Sacred Lands File" searches from the NAHC. The request forms can be found online at: <http://nahc.ca.gov/resources/forms/>.

NAHC Recommendations for Cultural Resources Assessments

To adequately assess the existence and significance of tribal cultural resources and plan for avoidance, preservation in place, or barring both, mitigation of project-related impacts to tribal cultural resources, the NAHC recommends the following actions:

1. Contact the appropriate regional California Historical Research Information System (CHRIS) Center (https://ohp.parks.ca.gov/?page_id=30331) for an archaeological records search. The records search will determine:
 - a. If part or all of the APE has been previously surveyed for cultural resources.
 - b. If any known cultural resources have already been recorded on or adjacent to the APE.
 - c. If the probability is low, moderate, or high that cultural resources are located in the APE.
 - d. If a survey is required to determine whether previously unrecorded cultural resources are present.
2. If an archaeological inventory survey is required, the final stage is the preparation of a professional report detailing the findings and recommendations of the records search and field survey.
 - a. The final report containing site forms, site significance, and mitigation measures should be submitted immediately to the planning department. All information regarding site locations, Native American human remains, and associated funerary objects should be in a separate confidential addendum and not be made available for public disclosure.
 - b. The final written report should be submitted within 3 months after work has been completed to the appropriate regional CHRIS center.

3. Contact the NAHC for:
 - a. A Sacred Lands File search. Remember that tribes do not always record their sacred sites in the Sacred Lands File, nor are they required to do so. A Sacred Lands File search is not a substitute for consultation with tribes that are traditionally and culturally affiliated with the geographic area of the project's APE.
 - b. A Native American Tribal Consultation List of appropriate tribes for consultation concerning the project site and to assist in planning for avoidance, preservation in place, or, failing both, mitigation measures.
4. Remember that the lack of surface evidence of archaeological resources (including tribal cultural resources) does not preclude their subsurface existence.
 - a. Lead agencies should include in their mitigation and monitoring reporting program plan provisions for the identification and evaluation of inadvertently discovered archaeological resources per Cal. Code Regs., tit. 14, §15064.5(f) (CEQA Guidelines §15064.5(f)). In areas of identified archaeological sensitivity, a certified archaeologist and a culturally affiliated Native American with knowledge of cultural resources should monitor all ground-disturbing activities.
 - b. Lead agencies should include in their mitigation and monitoring reporting program plans provisions for the disposition of recovered cultural items that are not burial associated in consultation with culturally affiliated Native Americans.
 - c. Lead agencies should include in their mitigation and monitoring reporting program plans provisions for the treatment and disposition of inadvertently discovered Native American human remains. Health and Safety Code §7050.5, Public Resources Code §5097.98, and Cal. Code Regs., tit. 14, §15064.5, subdivisions (d) and (e) (CEQA Guidelines §15064.5, subds. (d) and (e)) address the processes to be followed in the event of an inadvertent discovery of any Native American human remains and associated grave goods in a location other than a dedicated cemetery.

If you have any questions or need additional information, please contact me at my email address:

Cameron.Vela@nahc.ca.gov

Sincerely,

Cameron Vela

Cameron Vela
Cultural Resources Analyst

cc: State Clearinghouse

February 22, 2023

Ms. Amy Lyle
Supervising Planner
Planning & Economic Development Dept.
City of Santa Rosa
100 Santa Rosa Avenue
Santa Rosa, CA 95404

RE: Santa Rosa General Plan 2050
Comments on Notice of Preparation of an Environmental Impact Report
SCH# 2023020166

Dear Ms. Lyle:

Thank you for the opportunity to provide input on the scope and content of the Environmental Impact Report (EIR) being prepared for the Santa Rosa General Plan 2050 update. At a City Council meeting held on October 11, 2022, owners of properties located in the northerly portion of the area designated by the City's current General Plan as the "area not to be developed prior to 2010" ("2010 Area") requested that the 2010 Area be identified as a priority annexation area in the 2050 General Plan update and analyzed as such in the 2050 General Plan EIR. On January 24, 2023, the City Council held a study session during which two annexation options were presented for consideration, one involving annexation of the Moorland, Industry West, South Santa Rosa Avenue and 2010 areas, the other involving annexation of all unincorporated areas within the City's Urban Growth Boundary. Both options would be City-initiated, and both options include annexation of the 2010 Area. The study session concluded with the City Council giving direction to staff to present more detailed information on the two annexation options for further consideration at the Council's annual goal setting session to be held in March, 2023.

The 2050 General Plan and 2050 General Plan EIR present an opportunity to recognize and analyze the potential for City-initiated or privately initiated annexations of the subject areas as they are likely to occur before the end of the Plan's horizon year. Identification and prioritization of these annexation areas in the 2050 General Plan and 2050 General Plan EIR will serve to inform and guide subsequent environmental analysis required by the California Environmental Quality Act (CEQA) as annexation efforts proceed, and will also help to substantiate future land use planning efforts and capital investments by the City.

Of the areas the City is considering for annexation, the 2010 Area is the largest and perhaps most potentially significant with respect to potential physical changes to the environment that could result from future annexation and development. Annexation of the 2010 Area will involve development of over 2,500 needed housing units, provision of new middle school and park sites, inclusion of neighborhood serving commercial uses, preservation and protection of Todd Creek, and advancement of long-planned arterial street extensions including Farmers Lane and Bellevue Avenue. In light of the fact that the 2010 Area is currently being considered as part of a City-initiated annexation program, the following issues should be addressed in the General Plan 2050 EIR to the extent possible.

- 1. Air Quality/Greenhouse Gas Emissions.** The EIR should consider potential air quality/greenhouse gas emission impacts associated with future development within the annexation areas and the 2010 Area in particular. The analysis should consider the following:
 - a) Reduction in VMT resulting from:
 - Proximity of the 2010 Area to commercial services along Santa Rosa Avenue, Petaluma Hill Road and within the 2010 Area.
 - Proximity of new homes to existing elementary and future middle school sites.
 - Reduction in vehicle commuting resulting from teleworking.
 - Use of transit service resulting from planned service improvements to along Santa Rosa Avenue (i.e., increased frequency of service).
 - b) Reduction in vehicle emissions resulting from increased production and ownership of electric vehicles.
 - c) Reduction in greenhouse gas emissions resulting from use of solar panels and “all electric” appliances in future residential homes within 2010 Area.
 - d) Reduction in greenhouse gas emissions that factors in historic and future reductions achieved as a result of City, SCTA/RCPA, ABAG, MTC and State programs and laws addressing greenhouse gas emissions.
- 2. Public Services.** The EIR should consider and analyze potential public service impacts, including impacts to police and fire services, associated with annexation of areas located in southern Santa Rosa, including Moorland, Industry West, south Santa Rosa Avenue and the 2010 Area.

3. **Hydrology/Storm Water.** The EIR should consider and analyze potential storm water and flooding impacts associated with annexation areas, specifically addressing potential impacts in the Todd Creek/Hunter Creek and Wilfred Channel areas.
4. **Water, Wastewater and Recycled Re-Use.** The EIR should consider potential increases in water demand, wastewater treatment and re-use of treated wastewater resulting from future development in the annexation areas. Specifically, the analysis should consider:
 - a) Adequacy of water supply for meeting future demands resulting from new development in the contemplated annexation areas.
 - b) Impact of use of water efficient fixtures and appliances and drought tolerant landscaping in new development in reducing the water demand of new development.
 - c) Capacity of wastewater infrastructure systems to serve and treat wastewater generated by new development in the annexation areas.
 - c) Potential for expanded use of recycled water in meeting domestic water needs that may occur within the planning period.
5. **Traffic Circulation.** If level-of-service impact are evaluated, the EIR should consider potential level-of-service impacts associated with future development within the annexation areas and the 2010 Area in particular. The analysis should consider the following:
 - a) Corridor and intersection level of service conditions at the intersections of Santa Rosa Avenue and Bellevue Avenue, Santa Rosa Avenue and Todd Road, and Santa Rosa Avenue at Hearn Avenue.
 - b) Intersection level of service conditions at the planned future intersection at Petaluma Hill Road and the future southern extension of Farmers Lane.
 - c) Impact of future extension of Farmers Lane from Bennett Valley Road to Bellevue Avenue/Santa Rosa Avenue in relieving congestion along Santa Rosa Avenue and potential reduction to VMT in cross-town vehicle trips.
 - e) Impact of future street connections between Petaluma Hill Road and Santa Rosa Avenue (i.e., Farmers Lane Extension to Bellevue Avenue, extension of Bellevue

Avenue to Petaluma Hill Road, and future street connections from 2010 Area to Todd Road) in emergency evacuations.

In closing, inclusion of the areas being considered for annexation by the City in the 2050 General Plan and 2050 General Plan EIR will be of benefit to future annexation efforts by providing a clear statement of intention and a basis for committing resources to future planning work and capital investments. Addressing the issues outlined above as part of the 2050 General Plan EIR will also be of benefit for guiding and tiering future environmental analysis. If you have any questions regarding this letter, please contact me at ken@kmacadvising.com.

Respectfully,

A handwritten signature in blue ink, appearing to read 'Ken MacNab', with a long horizontal flourish extending to the right.

Ken MacNab
KMac Advising, LLC

From: Frost, Erik@DOC <Erik.Frost@conservation.ca.gov>
Sent: Friday, February 24, 2023 3:02 PM
To: Lyle, Amy <ALyle@srcity.org>
Cc: OLRA@DOC <OLRA@conservation.ca.gov>; OPR State Clearinghouse <State.Clearinghouse@opr.ca.gov>
Subject: [EXTERNAL] Santa Rosa General Plan 2050 EIR (SCH #2023020166) - CGS comments

Hello Amy Lyle,

The California Geological Survey (CGS) has received a Notice of Preparation for an Environmental Impact Report (DEIR) supporting the proposed City of Santa Rosa General Plan 2050. This email conveys the following comments from CGS concerning geologic issues related to the project area:

1. Surface Fault Rupture

The CGS is planning to release preliminary earthquake zones of require investigation maps (EZRIM) in spring 2023. It is anticipated that zones of required investigation for surface fault rupture will be mapped within the City of Santa Rosa.

When the preliminary EZRIM are completed, CGS will transmit them to all affected lead agencies for review and comment. If you have any questions about these zones, please contact Judy Zachariasen at judith.zachariasen@conservation.ca.gov.

Erik

Dr. Erik Frost

Senior Engineering Geologist | Seismic Hazards Program
California Geological Survey
715 P Street, MS 1901, Sacramento, CA 95814
(916) 205-8255
erik.frost@conservation.ca.gov

From: Ken MacNab <ken@kmacadvising.com>

Sent: Tuesday, February 28, 2023 8:54 AM

To: Lyle, Amy <ALyle@srcity.org>

Cc: Smith, Maraskeshia <msmith@srcity.org>; Hartman, Clare <CHartman@srcity.org>; Jones, Jessica <jjones@srcity.org>; tim massey <tim@uprightcapital.com>

Subject: [EXTERNAL] Water Supply Assessment for 2050 General Plan

Hi Amy-

I am writing to follow up on our brief discussion last night on the Water Supply Assessment (WSA) that will be prepared for the 2050 General Plan. It seems that there may be an opportunity to eliminate redundancy and potentially reduce future costs to the City if the WSA being prepared for the 2050 General Plan specifically considers the adequacy of the City's water supply for serving existing populations in unincorporated areas currently being considered for annexation and new population that will occur with development of vacant lands in these areas, including the 2010 Area.

By specifically referencing and analyzing the annexation areas now under consideration, the City may eliminate the need to prepare a second WSA in a couple of years if/when a Specific Plan is prepared for the annexation areas or if annexation of the 2010 area ends up being privately initiated (versus City initiated).

Your thoughts on this would be appreciated. I also would like to know if/how the WSA integrates with the 2050 General Plan EIR.

Thank you-

Ken

Ken MacNab | KMac Advising, LLC

Email: ken@kmacadvising.com



State of California – Natural Resources Agency
DEPARTMENT OF FISH AND WILDLIFE
Bay Delta Region
2825 Cordelia Road, Suite 100
Fairfield, CA 94534
(707) 428-2002
www.wildlife.ca.gov

GAVIN NEWSOM, Governor
CHARLTON H. BONHAM, Director



March 2, 2023

Amy Lyle, Supervising Planner – Advanced Planning
City of Santa Rosa Planning and Economic Development Department
100 Santa Rosa Avenue, Room 3
Santa Rosa, CA, 95404
alyle@srcity.org

Subject: Santa Rosa General Plan 2050, Notice of Preparation of a Program
Environmental Impact Report, SCH No. 2023020166, City of Santa Rosa,
Sonoma County

Dear Ms. Lyle:

The California Department of Fish and Wildlife (CDFW) reviewed the Notice of Preparation (NOP) of a Program Environmental Impact Report (EIR) for the Santa Rosa 2050 General Plan (project).

CDFW is providing the City of Santa Rosa (City), as the Lead Agency, with specific detail about the scope and content of the environmental information related to CDFW's area of statutory responsibility that must be included in the EIR (Cal. Code Regs., tit. 14, § 15082, subd. (b)).

CDFW ROLE

CDFW is a **Trustee Agency** with responsibility under CEQA (Pub. Resources Code, § 21000 et seq.) pursuant to CEQA Guidelines section 15386 for commenting on projects that could impact fish, plant, and wildlife resources. CDFW is also considered a **Responsible Agency** if a project would require discretionary approval, such as permits issued under the California Endangered Species Act (CESA), Lake and Streambed Alteration (LSA) Program, or other provisions of the Fish and Game Code that afford protection to the state's fish and wildlife trust resources.

PROJECT DESCRIPTION AND LOCATION SUMMARY

The City of Santa Rosa in Sonoma County encompasses approximately 42-square-miles and is surrounded by mixed use agricultural, residential, and rural unincorporated land. The City is located approximately 50 miles north of San Francisco on what is known as the Santa Rosa Plain.

The project entails updates to the City of Santa Rosa's General Plan including comprehensive updates to reflect changes in eight distinct elements as required by state law: Land Use, Circulation, Housing, Open Space, Noise, Safety, Conservation,

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and Environmental Justice. Additional project objectives include maintaining quality of life, addressing climate resiliency, and sustainable development. The expected time of completion for the updated General Plan is 2024.

The CEQA Guidelines (Cal. Code Regs., tit. 14, § 15000 et seq.) require that the EIR incorporate a full project description, including reasonably foreseeable future phases of the project, that contains sufficient information to evaluate and review the project's environmental impact (CEQA Guidelines, §§ 15124 & 15378). Please include a complete description of the following project components in the project description:

- Land use changes resulting from, for example, rezoning certain areas.
- Footprints of permanent project features and temporarily impacted areas, such as staging areas and access routes.
- Area and plans for any proposed buildings/structures, ground-disturbing activities, fencing, paving, stationary machinery, landscaping, and stormwater systems.
- Operational features of the project, including level of anticipated human presence (describe seasonal or daily peaks in activity, if relevant), artificial lighting/light reflection, noise, traffic generation, and other features.
- Construction schedule, activities, equipment, and crew sizes.

The NOP identifies that the EIR will be a Program EIR. While Program EIRs have a necessarily broad scope, CDFW recommends providing as much information related to anticipated future activities as possible. CDFW recognizes that pursuant to CEQA Guidelines section 15152, subdivision (c), if a Lead Agency is using the tiering process in connection with an EIR or large-scale planning approval, the development of detailed, site-specific information may not be feasible and can be deferred, in many instances, until such time as the Lead Agency prepares a future environmental document. This future environmental document would cover a project of a more limited geographical scale and is appropriate if the deferred information does not prevent adequate identification of significant effects of the planning approval at hand. The CEQA Guidelines section 15168, subdivision (c)(4) states, "Where the later activities involve site-specific operations, the agency should use a written checklist or similar device to document the evaluation of the site and the activity to determine whether the environmental effects of the operation were within the scope of the program EIR." Based on CEQA Guidelines section 15183.3 and associated Appendix N Checklist, and consistent with other program EIRs, CDFW recommends creating a procedure or checklist for evaluating subsequent project impacts on biological resources to determine if they are within the scope of the Program EIR or if an additional environmental

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document is warranted. This checklist should be included as an attachment to the EIR. Future analysis should include all special-status species and sensitive habitat including, but not limited to, species considered rare, threatened, or endangered species pursuant to CEQA Guidelines, section 15380.

When used appropriately, the checklist should be accompanied by enough relevant information and reasonable inferences to support a “within the scope” of the EIR conclusion. For subsequent project activities that may affect sensitive biological resources, a site-specific analysis should be prepared by a qualified biologist to provide the necessary supporting information. In addition, the checklist should cite the specific portions of the EIR, including page and section references, containing the analysis of the subsequent project activities’ significant effects and indicate whether it incorporates all applicable mitigation measures from the EIR.

REGULATORY REQUIREMENTS

California Endangered Species Act

Please be advised that a CESA Incidental Take Permit (ITP) must be obtained if the project has the potential to result in “take” of plants or animals listed under CESA, either during construction or over the life of the project. Issuance of a CESA ITP is subject to CEQA documentation; the CEQA document must specify impacts, mitigation measures, and a mitigation monitoring and reporting program. If the project will impact CESA listed species, such as **California tiger salamander (*Ambystoma californiense*)**, **Sonoma sunshine (*Blennosperma bakeri*)**, **Sebastopol meadowfoam (*Limnathes vinculans*)**, **Burke’s goldfields (*Lasthenia burkei*)**, and **many-flowered navarretia (*Navarretia leucocephala* ssp. *plieantha*)** or other species identified in **Attachment 1**, early consultation is encouraged, as significant modification to the project and mitigation measures may be required in order to obtain a CESA ITP. **If a CESA ITP is necessary, CDFW recommends that the EIR include a mitigation measure requiring the project to obtain an ITP from CDFW.**

CEQA requires a Mandatory Finding of Significance if a project is likely to substantially restrict the range or reduce the population of a threatened or endangered species (Pub. Resources Code, §§ 21001, subd. (c) & 21083; CEQA Guidelines, §§ 15380, 15064, and 15065). Impacts must be avoided or mitigated to less-than-significant levels unless the CEQA Lead Agency makes and supports Findings of Overriding Consideration (FOC). The CEQA Lead Agency’s FOC does not eliminate the project proponent’s obligation to comply with CESA.

Lake and Streambed Alteration

CDFW will require an LSA Notification, pursuant to Fish and Game Code sections 1600 et. seq. for project activities affecting lakes or streams and associated riparian habitat.

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Notification is required for any activity that will substantially divert or obstruct the natural flow; change or use material from the bed, channel, or bank including associated riparian or wetland resources; or deposit or dispose of material where it may pass into a river, lake, or stream. Work within ephemeral streams, washes, watercourses with a subsurface flow, and floodplains are subject to notification requirements. **It appears that the project may impact Santa Rosa Creek, Oakmont Creek, Matanzas Creek, Piner Creek, Paulin Creek, and other named and unnamed streams. Impacts to any stream would likely require an LSA Notification. If an LSA Notification is required, CDFW recommends that the EIR include a mitigation measure requiring the project to submit an LSA Notification and compliance with the LSA Agreement, if issued.** CDFW, as a Responsible Agency under CEQA, will consider the CEQA document for the project. CDFW may not execute the final LSA Agreement until it has complied with CEQA as a Responsible Agency.

Fully Protected Species

Fully Protected species, including any listed in **Attachment 1**, may not be taken or possessed at any time except for collecting these species for necessary scientific research, relocation of the bird species for the protection of livestock, or if they are a covered species whose conservation and management is provided for in a Natural Community Conservation Plan (Fish & G. Code, §§ 3511, 4700, 5050, & 5515).

Raptors and Other Nesting Birds

CDFW also has authority over actions that may disturb or destroy active nest sites or take birds. Fish and Game Code sections 3503, 3503.5, and 3513 protect birds, their eggs, and nests. Migratory birds are also protected under the federal Migratory Bird Treaty Act.

ENVIRONMENTAL SETTING

The EIR should provide sufficient information regarding the environmental setting ("baseline") to understand the project's, and its alternative's (if applicable), potentially significant impacts on the environment (CEQA Guidelines, §§ 15125 & 15360).

CDFW recommends that the CEQA document prepared for the project provide baseline habitat assessments for special-status plant, fish and wildlife species located and potentially located within the project area and surrounding lands, including, but not limited to, all rare, threatened, or endangered species (CEQA Guidelines, § 15380). The EIR should describe aquatic habitats, such as wetlands or waters of the U.S. or State, and any sensitive natural communities or riparian habitat occurring on or adjacent to the project site (for sensitive natural communities see:

<https://wildlife.ca.gov/Data/VegCAMP/NaturalCommunities#sensitive%20natural%20communities>), and any stream or wetland set back distances the City may require. Fully

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protected, threatened, or endangered, candidate, and other special-status species and sensitive natural communities that are known to occur or have the potential to occur in or near the project site, include but are not limited to those listed in **Attachment 1**.

Habitat descriptions and the potential for species occurrence should include information from multiple sources: aerial imagery, historical and recent survey data, field reconnaissance, scientific literature and reports, U.S. Fish and Wildlife Service's (USFWS) Information, Planning, and Consultation System, California Aquatic Resources Inventory, and findings from "positive occurrence" databases such as California Natural Diversity Database (CNDDB). Based on the data and information from the habitat assessment, the EIR should adequately assess which special-status species are likely to occur on or near the project site, and whether they could be impacted by the project.

IMPACT ANALYSIS AND MITIGATION MEASURES

The EIR should discuss all direct and indirect impacts (temporary and permanent) that may occur with implementation of the project (CEQA Guidelines, § 15126.2). This includes evaluating and describing impacts such as:

- Land use changes that would reduce open space or agricultural land uses and increase residential or other land use involving increased development;
- Encroachments into riparian habitats, wetlands or other sensitive areas;
- Potential for impacts to special-status species;
- Loss or modification of breeding, nesting, dispersal and foraging habitat, including vegetation removal, alternation of soils and hydrology, and removal of habitat structural features (e.g., snags, roosts, vegetation overhanging banks);
- Permanent and temporary habitat disturbances associated with ground disturbance, noise, lighting, reflection, air pollution, traffic, or human presence; and
- Obstruction of movement corridors, fish passage, or access to water sources and other core habitat features.

The CEQA document should also identify reasonably foreseeable future projects in the project vicinity, disclose any cumulative impacts associated with these projects, determine the significance of each cumulative impact, and assess the significance of the project's contribution to the impact (CEQA Guidelines, §15355). Although a project's impacts may be insignificant individually, its contributions to a cumulative impact may be considerable; a contribution to a significant cumulative impact – e.g., reduction of

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available habitat for a special-status species – should be considered cumulatively considerable without mitigation to minimize or avoid the impact.

Based on the comprehensive analysis of the direct, indirect, and cumulative impacts of the project, the CEQA Guidelines direct the lead agency to consider and describe all feasible mitigation measures to avoid potentially significant impacts in the EIR, and/or mitigate significant impacts of the project on the environment (CEQA Guidelines, §§ 15021, 15063, 15071, 15126.2, 15126.4 & 15370). This includes a discussion of impact avoidance and minimization measures for special-status species, which are recommended to be developed in early consultation with CDFW, USFWS, and the National Marine Fisheries Service. These measures can then be incorporated as enforceable project conditions to reduce potential impacts to biological resources to less-than-significant levels.

CESA-Listed Plants and California Tiger Salamander

As projects often may impact suitable wetland or grassland habitat for CESA listed plants and California tiger salamander (CTS), CDFW is providing the following comments to facilitate adequate EIR preparation.

CESA-Listed Plants

Botanical surveys for Sonoma sunshine, Sebastopol meadowfoam, Burke's goldfields, and many-flowered navarretia must be conducted if direct or indirect impacts to suitable wetland habitat for these CESA listed species would occur as a result of the project. In order for CDFW to accept the results of these surveys, they should be completed in conformance with CDFW's 2018 *Protocols for Surveying and Evaluating Impacts to Special-Status Native Plant Populations and Sensitive Natural Communities* (available here: <https://wildlife.ca.gov/Conservation/Survey-Protocols#377281280-plants>) and the Santa Rosa Plain Conservation Strategy, Appendix D: *Guidelines for Conducting and Reporting Botanical Inventories for Federally Listed Plants on the Santa Rosa Plain* (available here: <https://www.fws.gov/library/collections/santa-rosa-plain-conservation-strategy>), including, but not limited to, conducting a minimum of two years of surveys during appropriate conditions, utilizing appropriate reference sites, and evaluating all direct and indirect impacts such as altering off-site hydrological conditions where the above species may be present. Surveys conducted during drought conditions may not be acceptable.

CDFW recommends that the EIR include a mitigation measure requiring the project to complete the above botanical surveys where suitable habitat for the above CESA listed plants may be impacted. If the botanical surveys result in the detection of CESA listed plants that may be impacted by the project, or the presence of these species is assumed, CDFW recommends that the EIR include a mitigation measure requiring the

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project to obtain and comply with an ITP from CDFW and authorization from the USFWS, as the above plant species are also listed under the federal Endangered Species Act (ESA). The EIR should also require habitat compensation for:

1) impacts to occupied habitat for the above CESA listed plant species at a minimum 3:1 mitigation to impact ratio, unless otherwise approved by CDFW, and 2) impacts to suitable habitat for the above federally listed plant species pursuant to the Santa Rosa Plain Conservation Strategy and 2020 USFWS Programmatic Biological Opinion (PBO) for projects on the Santa Rosa Plain, which requires a 1:5:1 ratio for mitigation within the same core area as the impact, and a 3:1 ratio if within a different core area. While often consistent with the Santa Rosa Plain Conservation Strategy and PBO, an ITP's habitat compensation requirements may differ based on a site-specific analysis.

California Tiger Salamander

If direct or indirect impacts to suitable grassland or wetland habitat for CTS would occur as a result of the project, CDFW recommends that the EIR include a mitigation measure requiring the project to obtain and comply with an ITP from CDFW and authorization from USFWS, as CTS is also listed under the federal ESA. The EIR should also require that compensatory habitat be provided consistent with the Santa Rosa Plain Conservation Strategy (available here: <https://www.fws.gov/library/collections/santa-rosa-plain-conservation-strategy>). While often consistent with the Santa Rosa Plain Conservation Strategy, an ITP's habitat compensation requirements may differ based on a site-specific analysis.

ENVIRONMENTAL DATA

CEQA requires that information developed in EIRs, and negative declarations be incorporated into a database which may be used to make subsequent or supplemental environmental determinations (Pub. Resources Code, § 21003, subd. (e)). Accordingly, please report any special-status species and natural communities detected during project surveys to CNDDDB. The CNDDDB online field survey form and other methods for submitting data can be found at the following link:

<https://wildlife.ca.gov/Data/CNDDDB/Submitting-Data>. The types of information reported to CNDDDB can be found at the following link:

<https://wildlife.ca.gov/Data/CNDDDB/Plantsand-Animals>.


ENVIRONMENTAL DOCUMENT FILING FEES

CDFW anticipates that the project will have an impact on fish and/or wildlife, and assessment of filing fees is necessary (Fish & G. Code, § 711.4; Pub. Resources Code, § 21089). Fees are payable upon filing of the Notice of Determination by the Lead Agency and serve to help defray the cost of environmental review by CDFW.

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Questions regarding this letter or further coordination should be directed to Nick Wagner, Senior Environmental Scientist (Specialist), at (707) 428-2075 or nicholas.wagner@wildlife.ca.gov; or Melanie Day, Senior Environmental Scientist (Supervisory), at (707) 210-4415 or melanie.day@wildlife.ca.gov.

Sincerely,

DocuSigned by:

B77F9A6211EF486
Erin Chappell
Regional Manager
Bay Delta Region

Attachment 1: Special-Status Species

ec: Office of Planning and Research, State Clearinghouse, Sacramento

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ATTACHMENT 1: Special-Status Species

Scientific Name	Common Name	Status
Amphibians & Reptiles		
<i>Ambystoma californiense</i>	California tiger salamander - Sonoma County DPS	FE, ST
<i>Rana draytonii</i>	California red-legged frog	FT, SSC
<i>Rana boylei</i>	foothill yellow-legged frog - north coast DPS	SSC
<i>Dicamptodon ensatus</i>	California giant salamander	SSC
<i>Taricha rivularis</i>	red-bellied newt	SSC
<i>Emys marmorata</i>	western pond turtle	SSC
Birds		
<i>Coccyzus americanus occidentalis</i>	western yellow-billed cuckoo	FT, SE
<i>Strix occidentalis caurina</i>	northern spotted owl	FT, ST
<i>Agelaius tricolor</i>	tricolored blackbird	ST, SSC
<i>Elanus leucurus</i>	white-tailed kite	FP
<i>Coturnicops noveboracensis</i>	yellow rail	SSC
<i>Athene cunicularia</i>	burrowing owl	SSC
Plants		
<i>Limnanthes vincularis</i>	Sebastopol meadowfoam	FE, SE, CRPR 1B.1
<i>Lasthenia burkei</i>	Burke's goldfields	FE, SE, CRPR 1B.1
<i>Chorizanthe valida</i>	Sonoma spineflower	FE, SE, CRPR 1B.1
<i>Sidalcea oregana</i> ssp. <i>valida</i>	Kenwood Marsh checkerbloom	FE, SE, CRPR 1B.1

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<i>Astragalus claranus</i>	Clara Hunt's milk-vetch	FE, SE, CRPR 1B.1
<i>Navarretia leucocephala</i> ssp. plieantha	many-flowered navarretia	FE, SE, CRPR 1B.2
<i>Blennosperma bakeri</i>	Sonoma sunshine	FE, SE, CRPR 1B.1
<i>Lilium pardalinum</i> ssp. pitkinense	Pitkin Marsh lily	FE, SE, CRPR 1B.1
<i>Gratiola heterosepala</i>	Boggs Lake hedge-hyssop	SE, CRPR 1B.2
<i>Pleuropogon hooverianus</i>	North Coast semaphore grass	ST, CRPR 1B.1
<i>Delphinium luteum</i>	golden larkspur	FE, SR, CRPR 1B.1
<i>Trifolium amoenum</i>	two-fork clover	FE, CRPR 1B.1
<i>Alopecurus aequalis</i> var. sonomensis	Sonoma alopecurus	FE, CRPR 1B.1
<i>Downingia pusilla</i>	dwarf downingia	CRPR 2B.2
<i>Amsinckia lunaris</i>	bent-flowered fiddleneck	CRPR 1B.2
<i>Trifolium hydrophilum</i>	saline clover	CRPR 1B.2
<i>Ceanothus foliosus</i> var. vineatus	Vine Hill ceanothus	CRPR 1B.1
<i>Horkelia tenuiloba</i>	thin-lobed horkelia	CRPR 1B.2
<i>Viburnum ellipticum</i>	oval-leaved viburnum	CRPR 2B.3
<i>Hemizonia congesta</i> ssp. congesta	congested-headed hayfield tarplant	CRPR 1B.2
<i>Campanula californica</i>	swamp harebell	CRPR 1B.2
<i>Lasthenia californica</i> ssp. bakeri	Baker's goldfields	CRPR 1B.2
<i>Legenere limosa</i>	legenere	CRPR 1B.1
<i>Potentilla uliginosa</i>	Cunningham Marsh cinquefoil	CRPR 1A
<i>Microseris paludosa</i>	marsh microseris	CRPR 1B.2
<i>Cuscuta obtusiflora</i> var. glandulosa	Peruvian dodder	CRPR 2B.2

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<i>Trifolium buckwestiorum</i>	Santa Cruz clover	CRPR 1B.1
<i>Balsamorhiza macrolepis</i>	big-scale balsamroot	CRPR 1B.2
<i>Layia septentrionalis</i>	Colusa layia	CRPR 1B.2
<i>Arctostaphylos stanfordiana</i> ssp. decumbens	Rincon Ridge manzanita	CRPR 1B.2
<i>Leptosiphon jepsonii</i>	Jepson's leptosiphon	CRPR 1B.2
<i>Ceanothus divergens</i>	Calistoga ceanothus	CRPR 1B.2
<i>Ceanothus purpureus</i>	holly-leaved ceanothus	CRPR 1B.2
<i>Ceanothus sonomensis</i>	Sonoma ceanothus	CRPR 1B.2
<i>Amorpha californica</i> var. napensis	Napa false indigo	CRPR 1B.2
<i>Penstemon newberryi</i> var. sonomensis	Sonoma beardtongue	CRPR 1B.3
<i>Centromadia parryi</i> ssp. parryi	pappose tarplant	CRPR 1B.2
<i>Lupinus sericatus</i>	Cobb Mountain lupine	CRPR 1B.2
<i>Rhynchospora globularis</i>	round-headed beaked-rush	CRPR 2B.1
<i>Fritillaria liliacea</i>	fragrant fritillary	CRPR 1B.2
<i>Rhynchospora capitellata</i>	brownish beaked-rush	CRPR 2B.2
<i>Brodiaea leptandra</i>	narrow-anthered brodiaea	CRPR 1B.2
<i>Allium peninsulare</i> var. franciscanum	Franciscan onion	CRPR 1B.2
<i>Navarretia leucocephala</i> ssp. bakeri	Baker's navarretia	CRPR 1B.1
<i>Ceanothus confusus</i>	Rincon Ridge ceanothus	CRPR 1B.1
<i>Calystegia collina</i> ssp. oxyphylla	Mt. Saint Helena morning-glory	CRPR 4.2
Fishes		
<i>Oncorhynchus kisutch</i>	Central Coast Coho Salmon	FE, SE
<i>Oncorhynchus mykiss</i>	Central California Coast winter steelhead	FT

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<i>Hesperoleucus venustus navarroensis</i>	northern coastal roach	SSC
<i>Cottus gulosus</i>	rifle sculpin	FSSC
<i>Entosphenus tridentata</i>	Pacific lamprey	FSSC
<i>Lavinia symmetricus symmetricus</i>	Central California roach	FSSC
<i>Gasterosteus aculeatus microcephalus</i>	inland threespine stickleback	FSSC
<i>Hysterocarpus traskii pomo</i>	Russian River tule perch	FSSC
<i>Lampetra richardsoni</i>	western brook lamprey	FSSC
<i>Lavinia symmetricus subspecies</i>	Russian River roach	FSSC
<i>Mylopharodon conocephalus</i>	hardhead	SSC
Invertebrates		
<i>Syncares pacifica</i>	California freshwater shrimp	FE, SE
<i>Bombus occidentalis</i>	western bumble bee	SC
Mammals		
<i>Taxidea taxus</i>	American badger	SSC
<i>Antrozous pallidus</i>	pallid bat	SSC

FP = state fully protected under Fish and Game Code; FE = federally listed as endangered under the Endangered Species Act (ESA); FT = federally listed as threatened under ESA; SE = state listed as endangered under CESA; ST = state listed as threatened under CESA; SC = state listed as CESA candidate species; FSSC = Fish Species of Special Concern Special Animals List; SSC = state Species of Special Concern; CRPR = California Rare Plant; SR = state listed as Rare pursuant to Native Plant Protection Act of 1977; DPS = distinct population segment

From: [Sidnee Cox](#)
To: [SR Forward: City Clerk](#)
Subject: [EXTERNAL] Re: Public Comments & Recommendations for General Plan update- EIRs & CEQA
Date: Monday, March 6, 2023 12:36:33 PM

From: **SafeTech4SantaRosa.org**
March 6, 2023

To: Amy Lyle, Supervising Planner
Planning and Economic Development Department
Old Chamber Building
637 1st Street
Santa Rosa, CA 95404

Re: General Plan Update, Environmental Impact Reports and CEQA

Dear Ms. Lyle and Members of the Planning and Economic Development Dept.,

We understand that the Planning Dept. is in the process of creating a general plan update with regard to the environment, EIRS and CEQA. **Under the CEQA Code Sect. 15168**, these particular items appear especially important:

(b) Use of a program EIRS can provide the following advantages:

- **Provide an occasion for more exhaustive consideration of effects and alternatives than would be practical in an EIR on an individual action.**
- **Ensure consideration of cumulative impacts that might be slighted in a case by case analysis.**
- **Allow the lead agency to consider broad policy alternatives and program wide mitigation measures at an early time when the agency has greater flexibility to deal with basic problems of cumulative impact.**

(d) ... A program EIR can be used to simplify the task of preparing environmental documents on later activities in the program. The program EIR can:

- **Provide the basis in an initial study for determining whether the later activity may have any significant effects.**
- **Focus an EIR on a later activity to permit discussion solely of new effects which had not been considered before.**

Currently, a pervasive and ever increasing environmental toxin that has virtually no regulation regarding CEQA, is the Radiofrequency Radiation (RFR) from wireless infrastructure (cell towers, small cells, and antenna arrays). These facilities are considered "categorically exempt." Why is that? Because the environmental effects are based on the infrastructure footprint, the square footage of the facility that is on the ground. No consideration is given to the RFR that is emitted from the antennas, as long as they are within the FCC guidelines. And what are those guidelines?

• **FCC Guidelines.** The current FCC guidelines are based specifically on thermal heating of tissue during a half hour of RFR exposure, where there is one degree C temperature rise of human tissue for a 30 minute time period. That's it! How can this FCC limit be used as a rational basis for approvals? In January 2021, the FCC lost a legal case in Federal Court that required them to take into consideration the thousands of research studies that detail non-thermal effects of RFR, and to revise their guidelines. They have yet to comply.

Since the Feds are obviously not paying attention and favor industry interests over public and environmental health, we believe it is the job of city governments to best support local control and decision making with scientific data and study. Therefore, to ensure objectivity and informed decision making, we are believe it would be appropriate for the City to authorize a study team to look into this important matter.

Please see the list of excellent resources accompanying this letter. In addition, we can put you in contact with scientists and experts who would be happy to assist you.

In July 2021, we were grateful that the City approved a Small Cell ordinance that gave neighborhoods some protection against RFR. But we believe the 50 foot setback that was specified did not give enough of a safety margin. However, we were told that larger setbacks would have been considered "an effective prohibition of wireless service." Thankfully, there is a 300 foot setback from schools, daycare facilities and churches. However,

with regard to large cell towers with multiple antenna arrays that emit strong frequency for several miles, certainly there needs to be substantially larger setbacks for these macrotowers.

The ever increasing RFR in our environment is now affecting up to 30% of the population to varying degrees (see link to 2019 peer reviewed research study):

https://www.researchgate.net/publication/331378367_The_Prevalence_of_People_With_Restricted_Access_to_Work_in_Man-Made_Electromagnetic_Environments

However, the negative effects of RFR/EMF on wildlife and our natural environment are perhaps even more alarming. Please review these groundbreaking peer reviewed papers by B.B. Levitt, H.C. Lai, and A.M. Manville that were published in 2021 and 2022:

- [Effects of non-ionizing electromagnetic fields on flora and fauna, Part 1. Rising ambient EMF levels in the environment. \(May 2021\)](#)
- [Effects of non-ionizing electromagnetic fields on flora and fauna, Part 2. Impacts: How species interact with natural and man-made EMF. \(Sept. 2022\)](#)
- [Effects of non-ionizing electromagnetic fields on flora and fauna, Part 3. Exposure standards, public policy, laws, and future directions. Abstract \(Dec. 2022\)](#)
- [Low-level EMF effects on wildlife and plants: What research tells us about an ecosystem approach. \(Nov. 22\)](#)

From the abstract in Part 2 (Sept. 2022), *Levitt et al* state:

"...Wildlife loss is often unseen and undocumented until tipping points are reached. It is time to recognize ambient EMF as a novel form of pollution and develop rules at regulatory agencies that designate air as 'habitat' so EMF can be regulated like other pollutants. Long-term chronic low-level EMF exposure standards, which do not now exist, should be set accordingly for wildlife, and environmental laws should be strictly enforced..."

There is a viable alternative to blanketing our environment with RFR, and that comes in the form of fiber optic networks.

Fiber to and through the premises is the only REAL way to end the "digital divide" that we hear so much about. Not only does it use more than ten times **less** energy that wireless (and is more sustainable for climate change), is it faster, more secure, easier to upgrade, safer in our fire-prone state, and is more reliable with multiple users. Most importantly, it does not rely on the proliferation of Wireless Transmitters and their uncontrolled RFR in our fragile environment.

Please consider prioritizing fiber optic networks as you update your general plan. Other cities throughout the US have established a municipal fiber network that can generate substantial income for their cities.

In 2021, the following California Cities were embracing the "Fiber for the Future" mindset: Riverside, Fullerton, Placentia, Simi Valley, Rancho Cordova, Lancaster, Palmdale, Pittsburg, Yuba City, Corona, Downey, Lynwood, Pico Rivera, Oceanside, Folsom, Cathedral City, Marysville. . The list keeps growing!

Other cities in various states include: Mesa, Arizona; Arlington, Texas; Rockford & Decatur Illinois; Kenosha, Wisconsin; Farmington area, Michigan; Saratoga Springs, NY; Salem, MA; East Hartford, CT; and many more. You can read more at the following link: <https://www.allconnect.com/blog/cities-with-cheap-high-speed-internet>

Here are just a few examples:

Longmont, CO

This Colorado town of a little more than 94,000 offers a 100% community-owned and community-based broadband option known as [NextLight Internet](#) with speeds of either 100 Mbps for \$39.95/mo. or 1 Gbps for \$69.95/mo. Both plans come with a symmetrical connection, meaning they have the same upload and download speeds. Gigabit customers who have had service for more than 12 consecutive months qualify for a Loyalty Member rate of \$59.95/mo.

Cedar Falls, IA

[FiberHome Broadband](#) offers fiber optic municipal internet service in Cedar Falls, IA. FiberHome Broadband offers some of the fastest internet speeds in the country. Plans start at \$45.50/mo. for 250 Mbps and plans reach all the way up to 10 Gig speeds.

Marshall, MO

[Marshall Municipal Utilities](#) offers extremely affordable deals. Its cheapest high-speed internet plans start at \$30/mo for 50 Mbps. However, for just an additional \$15/mo., you can get 150 Mbps. Max speeds available are 450 Mbps.

Wadsworth, OH

[The City of Wadsworth Electric & Communications Dept.](#) is the municipal cable internet provider in Wadsworth, OH. The cheapest plan is \$25/mo. for 20 Mbps. Max speeds can reach up to 500 Mbps.

Sandy, OR

In 2003, this city began offering [SandyNet](#), an internet service provider (ISP) "owned by the people of Sandy and operated as a public service" by the city. SandyNet is a non-profit utility and operates on a break-even basis. This allows the city to offer fiber-optic internet service of 300 Mbps (upload and download) for \$41.95/mo. with no contracts or data caps. Residents can also choose to upgrade to Gigabit internet for \$59.95/mo. Additionally, the city offers rural wireless to parts of the greater Sandy area. All plans require a \$100 installation fee.

Why should local governments consider municipal broadband? A [2018 study by the Berkman Klein Center for Internet and Society at Harvard University](#) found that "most community-owned [fiber-to-the-home] networks charged less and offered prices that were clear and unchanging, whereas private ISPs typically charged initial low promotional or 'teaser' rates that later sharply rose, usually after 12 months."

In 23 of the 27 markets where researchers could make direct comparisons, they found that prices for community-owned networks were between 2.9% and 50% cheaper than the lowest-cost service from a private ISP.

Additionally, a [2017 Pew Research Center study](#) found there's significant [public support for municipal broadband](#) options. Of the 4,000 American adults surveyed, 70% believe "local governments should be able to build their own broadband networks if existing services in the area are either too expensive or not good enough."

Thank you for your time and attention on this important matter.

Respectfully,

Sidnee A. Cox, Steering Committee

Safetech4santarosa.org

707-837-5032

PS: Attached: Reinventing Wires

Radiofrequency and Wifi Resources from SafeTech4SantaRosa:

- Physicians for Safe Technology – <http://www.mdsafetech.org>
- Americans for Safe Technology – <http://www.americansforresponsibletech.org>, <http://www.5gcrisis.com>
- Environmental Health Trust – <http://www.ehtrust.org>
- Cellular Phone Task Force – <http://www.cellphonetaskforce.org>
- 5G Free California – <http://www.5gfreecalifornia.org>
- Stop 5G International – <http://www.stop5ginternational.org>
- Global Union Against Radiation Deployment from Space (GUARDS) – <http://www.stopglobalwifi.org>
- International Appeal: Stop 5G on Earth and in Space – <http://www.5gspaceappeal.org>
- Scientists for Wired Technology- <https://scientists4wiredtech.com>
- Healthy Heavens Trust Initiative – <http://www.resiliencemultiplier.com/hhti/>
- Create Healthy Homes – createhealthyhomes.com/
- The BioInitiative Report- A Rationale for Biologically-based Public Exposure Standards for Electromagnetic Fields (ELF and RF). Read the studies- <https://bioinitiative.org> and <https://bioinitiative.org/rf-color-charts/>
- Safe in Schools and Parents for Safe Technology- safeinschool.org and <http://www.parentsforsafetechnology.org/>
- Wireless Education- <https://www.wirelesseducation.org>
- EMF Safety Network- emfsafetynetwork.org
- We are the Evidence- <https://wearetheevidence.org/>, Dafna Tachover's website. *Wireless Technology Injured Advocacy Group.*
- Environmental Health Trust- environmentalhealthtrust.org and <https://ehtrust.org/>
- <https://ehtrust.org/letter-on-health-risks-of-wi-fi-in-school-for-principal-and-school-administrators/>
Contains a great document to use for writing a letter to principals and school administrators.
- More from ehtrust- <https://ehtrust.org/resources-to-share/letters-doctors-wifi-schools/> and <https://ehtrust.org/wp-content/uploads/Doctors-Letters-on-Cell-Towers-and-Cell-Towers-at-Schools.pdf> *This link provides 78 pages of letters from doctors, PhD's, etc. discussing biological effects and concerns about wireless Radio Frequencies and cell towers.*
- <https://ehtrust.org/schools-worldwide-removing-wifi-reducing-exposure/>
<https://ehtrust.org/policy/international-policy-actions-on-wireless/>
States and Countries taking action to limit or remove wifi in schools.
- National Toxicology Program Study-https://ntp.niehs.nih.gov/whatwestudy/topics/cellphones/index.html?utm_source=direct&utm_medium=prod&utm_campaign=ntpgolinks&utm_term=cellphone *S. National Toxicology Study on wifi and rats.*
- Wifi in Schools in the UK- wifiinschools.org.uk
- SB Wire- <http://www.sbwire.com/press-releases/first-state-in-the-nation-maryland-state-advisory-council-recommends-reducing-school-wireless-to-protect-children-777904.htm> *Maryland State Office of Education recommends limiting wifi in schools.*
- Wireless Education- <https://www.wirelesseducation.org/1073-2/> *Why are some countries removing wifi in schools and not others? Also Council of Europe recommendations for wifi emissions: <http://assembly.coe.int/nw/xml/XRef/Xref-XML2HTML->*

[en.asp?fileid=17994&](#)

- Pub Med Study- <https://pubmed.ncbi.nlm.nih.gov/26151230/> From PubMed: *Oxidative Mechanisms of Biological Activity of Low-Intensity Radiofrequency Radiation*
- To order Meters or Shielding- [lessemf.com](#) and <https://www.electricsense.com>