

4. Comments and Responses

This chapter includes a reproduction of comments received, and responses to each significant environmental issue raised during the public review period. Comments are presented in their original format in Appendix E, *Comment Letters on the Draft EIR*, of this Final Environmental Impact Report (EIR), along with annotations that identify each comment number. Comment letters in this chapter follow the same order as listed in Chapter 3, *List of Commenters*, of this Final EIR. The comments are organized and categorized by government agencies (GOV), private organizations (ORG), members of the public (PUB), and public hearing (PH).

Responses to those individual comments are provided in this chapter alongside the text of each corresponding comment. Letters are identified by category and each comment is labeled with the comment reference number in the margin. Where the same comment has been made more than once, a response may direct the reader to another numbered comment and response. Where a response requires revisions to analysis presented in the Draft EIR, these revisions are explained and shown in Chapter 5, *Revisions to the Draft EIR*, of this Final EIR. All comments included in this document are formally acknowledged for the record and will be forwarded to the decision-making bodies as part of this Final EIR for their consideration in reviewing the project.

Certain topics raised by commenters require a lengthy response, and certain topics addressed in this Final EIR require a detailed explanation. In addition, certain topics were raised repeatedly, albeit in slightly different forms, in comments on the Draft EIR. To minimize duplication and provide a more comprehensive discussion, “master responses” have been prepared for some of these issues. Responses to individual comments reference these master responses as appropriate. A particular master response may provide more information than requested by any individual comment. Conversely, the master response may not provide a complete response to a given comment, and additional information may be contained in the individual response to that comment. Master responses in this Final EIR address the topics of Standards for Responses and Focus of Review, Mitigation, and Vehicles Miles Traveled (VMT).

4.1 MASTER RESPONSES

MASTER RESPONSE 1. STANDARDS FOR RESPONSES AND FOCUS OF REVIEW

PROJECT MERITS

During the review of the EIR, some commenters raised issues that related to qualities of the project itself (in this case, the project includes the proposed Santa Rosa General Plan 2050 (also known as Santa Rosa Forward), along with the associated Specific Plan and Santa Rosa City Code (SRCC) amendments, and the

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Community-wide Greenhouse Gas Reduction Strategy (GHG Reduction Strategy) or the project's community consequences or benefits, personal well-being and quality of life, and economic or financial issues (referred to here as "project merits"), rather than the environmental analyses or impacts and mitigations raised in the EIR. However, consistent with the California Environmental Quality Act (CEQA) Guidelines Section 15131, *Economic and Social Effects*, the Draft EIR is not meant to address these project merits, rather, the purpose of CEQA and the Draft EIR is to fully analyze and mitigate the project's potentially significant physical impacts on the environment to the extent feasible.

In accordance with CEQA Guidelines Sections 15088, *Evaluation of and Response to Comments*, and 15132, *Contents of Final Environmental Impact Report*, a Final EIR must include a response to comments on the Draft EIR pertaining to environmental issues analyzed under CEQA. Several of the comments provided in response to the Draft EIR express an opinion for or against the components of the project, but do not address the adequacy of the analysis or conclusions in the Draft EIR. Rather, these opinions relate to the merits of the project.

Lead Agency review of environmental issues and project merits are both important in the decision of what action to take on a project, and both are considered in the decision-making process for a project. However, as part of the environmental review process, a lead agency is only required by CEQA to respond to environmental issues that are raised. The City of Santa Rosa (City) will hold a publicly noticed hearing to consider action on the merits of the proposed project for approval or disapproval. The City will consider both the EIR and project merit issues that have been raised prior to acting to approve or disapprove the proposed project.

Section 15204(a), *Focus of Review*, of the State CEQA Guidelines provides direction for parties reviewing and providing comment on a Draft EIR, as follows:

In reviewing draft EIRs, persons and public agencies should focus on the sufficiency of the document in identifying and analyzing the possible impacts on the environment and ways in which the significant effects of the project might be avoided or mitigated. Comments are most helpful when they suggest additional specific alternatives or mitigation measures that would provide better ways to avoid or mitigate the significant environmental effects. At the same time, reviewers should be aware that the adequacy of an EIR is determined in terms of what is reasonably feasible, in light of factors such as the magnitude of the project at issue, the severity of its likely environmental impacts, and the geographic scope of the project. CEQA does not require a lead agency to conduct every test or perform all research, study, and experimentation recommended or demanded by commenters. When responding to comments, lead agencies need only respond to significant environmental issues and do not need to provide all information requested by reviewers, as long as a good faith effort at full disclosure is made in the EIR.

Therefore, in accordance with CEQA Guidelines Section 15204(a), the City is not required to respond to comments that express an opinion about the project merits, but do not relate to environmental issues covered in the Draft EIR. Although such opinions and comments on the project merits that were received during the EIR process do not require responses in the EIR, as previously noted, they do provide important input to the process of reviewing the project overall. Therefore, merits and opinion-based comment letters are included in Appendix F, *Comment Letters on the Draft General Plan*, of this Final EIR to be

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available for consideration by the City decision-makers at the merits stage of the project. City decision-makers may consider these letters and issues as part of their deliberations on the merits of the project and whether to approve, modify, or disapprove the project.

SPECULATION WITHOUT SUBSTANTIAL EVIDENCE

Various commenters stated or requested that significance conclusions of the EIR should be revised but fail to provide substantial evidence in support of their statement or request. Predicting the project's physical impacts on the environment without substantial evidence based on facts to support the analysis would require a level of speculation that is inappropriate for an EIR.

CEQA Statute Section 21082.2(a), *Significant Effect on Environment; Determination; Environmental Impact Report Preparation*, requires that the lead agency "shall determine whether a project may have a significant effect on the environment based on substantial evidence in light of the whole record." CEQA Guidelines Section 15384(a), *Substantial Evidence*, clarifies that "'substantial evidence'... means enough relevant information and reasonable inferences from this information that a fair argument can be made to support a conclusion, even though other conclusions might also be reached. Whether a fair argument can be made that the project may have a significant effect on the environment is to be determined by examining the whole record before the lead agency. Argument, speculation, unsubstantiated opinion or narrative evidence which is clearly erroneous or inaccurate, or evidence of social or economic impacts which do not contribute to or are not caused by physical impacts on the environment, does not constitute substantial evidence." CEQA Guidelines Section 15384(b) goes on to state that "substantial evidence shall include facts, reasonable assumptions predicated upon facts, and expert opinion supported by facts." Where there are no facts available to substantiate a commenter's assertion that the physical environment could ultimately be significantly impacted as a result of the project, the City acting as the lead agency, is not required to analyze that effect, nor to mitigate for that effect. CEQA Guidelines Section 15204(c) advises reviewers that comments should be accompanied by factual support:

Reviewers should explain the basis for their comments, and should submit data or references offering facts, reasonable assumptions based on facts, or expert opinion supported by facts in support of the comments. Pursuant to Section 15064, an effect shall not be considered significant in the absence of substantial evidence.

Under CEQA, the decision as to whether an environmental effect should be considered significant is reserved at the discretion of the lead agency based on substantial evidence in the record as a whole. The analysis of the Draft EIR is based on scientific and factual data, which has been reviewed by the lead agency and reflects its independent judgment and conclusions. CEQA permits disagreements of opinion with respect to environmental issues addressed in an EIR. As Section 15151, *Standards for Adequacy of an EIR*, of the CEQA Guidelines states, even "[d]isagreement among experts does not make an EIR inadequate, but the EIR should summarize the main points of disagreement among experts."

CEQA Guidelines Section 15145, *Speculation*, provides that:

If, after thorough investigation, a lead agency finds that a particular impact is too speculative for evaluation, the agency should note its conclusion and terminate discussion of the impact.

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ADDITIONAL ANALYSIS

During the review period for the Draft EIR, some commenters requested additional analysis, mitigation measures, or revisions that are not provided in this Final EIR for reasons more specifically addressed in the individual comments in Section 4.2, *Individual Responses*. As previously described, CEQA Guidelines Section 15204(a) provides that CEQA does not require a lead agency to conduct every test or perform all research, study, and experimentation recommended or demanded by commenters.

CEQA Guidelines Section 15003, *Policies*, also explains the emphasis of CEQA upon good-faith efforts at full disclosure rather than technical perfection:

(i) CEQA does not require technical perfection in an EIR, but rather adequacy, completeness, and a good-faith effort at full disclosure. A court does not pass upon the correctness of an EIR's environmental conclusions but only determines if the EIR is sufficient as an informational document. (*Kings County Farm Bureau v. City of Hanford* (1990) 221 Cal.App.3d 692).

(j) CEQA requires that decisions be informed and balanced. It must not be subverted into an instrument for the oppression and delay of social, economic, or recreational development or advancement. (*Laurel Heights Improvement Assoc. v. Regents of U.C.* (1993) 6 Cal.4th 1112 and *Citizens of Goleta Valley v. Board of Supervisors* (1990) 52 Cal.3d 553).

CEQA Guidelines Sections 15204(a) and 15003 reflect judicial interpretation of CEQA. Under CEQA, lead agencies need only respond to significant environmental issues, and do not need to provide all information requested by reviewers, so long as a good-faith effort at full disclosure is made in the EIR.

MASTER RESPONSE 2. MITIGATION

Some comments on the Draft EIR are about the mitigation measures identified to reduce impacts that were found to be potentially significant. Some comments request new and/or modified mitigation measures and others question how and when mitigation measures will be implemented. Lastly, some comments suggest that every General Plan policy and action apply to every project. This master response provides greater detail on each of the issues raised by commenters with respect to mitigation.

IDENTIFYING SIGNIFICANT IMPACTS AND FEASIBLE MITIGATION

Pursuant to CEQA, the decision as to whether an environmental effect should be considered significant is reserved for the discretion of the City, acting as the lead agency, based on substantial evidence in the record as a whole, including the views held by members of the public. An ironclad definition of significant effect is not always possible because the significance of an activity may vary with the setting and other factors. However, the analysis in the Draft EIR is based on scientific and factual data, which has been reviewed by the lead agency and reflects its independent judgment and conclusions. CEQA Guidelines Section 15126.4(a)(3), *Consideration and Discussion of Mitigation Measures Proposed to Minimize Significant Effects*, does not require mitigation measures for impacts that are not found to be significant; therefore, the mitigation measures in this EIR are only for impacts that were found to be significant, and additional mitigation is not required.

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As described in Chapters 4.1 through 4.18 of the Draft EIR, implementation of the proposed project, in combination with long-term regional growth projections prepared by the Association of Bay Area Governments (ABAG), has the potential to generate significant environmental impacts. Accordingly, consistent with CEQA Guidelines Section 15126.4, the Draft EIR proposes and describes mitigation measures designed to minimize, reduce, or avoid each identified potentially significant impact whenever it is feasible to do so. The term “feasible” is defined in CEQA Guidelines Section 15364, *Feasible*, to mean, “capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, legal, social, and technological factors.”

CEQA Guidelines Section 15370, *Mitigation*, defines “mitigation” as including: (1) avoiding the impact altogether by not taking a certain action or parts of an action; (2) minimizing impacts by limiting the degree or magnitude of an action and its implementation; (3) rectifying the impact by repairing, rehabilitating, or restoring the impacted environment; (4) reducing or eliminating the impact over time by preservation and maintenance operations during the life of the action; and (5) compensating for the impact by replacing or providing substitute resources or environments.

While, by definition, mitigation measures may be imposed to require changes be made to the proposed project for purposes of reducing environmental impacts, the proposed mitigation measures in this Final EIR do not alter the description of the project contained in Chapter 3, *Project Description*, of the Draft EIR, or the analysis. Rather, the purpose of the Draft EIR is to fully disclose the environmental impacts of the project as proposed. Consistent with CEQA Guidelines Section 15126.2, *Consideration and Discussion of Significant Environmental Impacts*, where there are impacts that cannot be avoided without imposing changes to the project’s design, the EIR identifies the significant and unavoidable impact and the reasons why the project is being proposed, notwithstanding the impact.

Consistent with CEQA Guidelines Section 15126.4(a)(4)(A), the mitigation measures in this Final EIR have a direct nexus (i.e., connection) with the identified significant impact (*Nollan v. California Coastal Commission*, 483 U.S. 825 (1987)). In addition, consistent with CEQA Guidelines Section 15126.4(a)(4)(B), the mitigation measures are “roughly proportional” to the potential significant impacts of the project (*Dolan v. City of Tigard*, 512 U.S. 374 (1994)).

As part of the impact analysis process under CEQA, the lead agency must consider the feasibility of proposed mitigation measures. If the City, acting as the lead agency, determines that a mitigation measure is not feasible or cannot be legally imposed, the measure need not be proposed or analyzed. Instead, CEQA Guidelines Section 15126.4(a)(5) allows that the EIR may simply reference that fact and briefly explain the reasons underlying the lead agency’s determination. When a lead agency approves a project that would result in significant and unavoidable impacts (where mitigation measures are either infeasible or do not reduce the impact to less-than-significant levels) the lead agency must prepare a statement of overriding considerations that discloses the reasons for supporting the approved action (including the views held by members of the public), in spite of the identified significant environmental impact. This statement of overriding considerations must be supported by substantial evidence in the record, including the EIR, in compliance with CEQA Guidelines Section 15043, *Authority to Approve Projects Despite Significant Effects*. As described in CEQA Guidelines Section 15043, the City may approve the project even though the project would cause a significant effect on the environment if the City makes a fully informed and publicly disclosed decision that describes how the merits of the project outweigh reducing or

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avoiding the significant environmental impacts. Because the proposed project would result in significant and unavoidable impacts, the City would be required to adopt a statement of overriding considerations if it approves the proposed project, consistent with CEQA Guidelines Section 15093, *Statement of Overriding Considerations*.

IMPLEMENTING MITIGATION MEASURES

The mitigation measures described in this EIR are fully enforceable through permit conditions, agreements, or other legally binding instruments. Under CEQA, an EIR is required to identify feasible mitigation measures that could reduce identified impacts to less-than-significant levels. Under the CEQA Statute Section 21081.6, a lead agency is required to adopt a “reporting or monitoring program for the changes made to the project or conditions of project approval, adopted in order to mitigate or avoid significant effects on the environment” (CEQA Guidelines Section 15097, *Mitigation Monitoring or Reporting*, provides additional direction on mitigation monitoring or reporting). This program is often referred to as a Mitigation Monitoring and Reporting Program (MMRP). The City is the lead agency for the project and is, therefore, responsible for enforcing and monitoring the mitigation measures in the MMRP (see Chapter 6, *Mitigation Monitoring and Reporting Program*, of this Final EIR).

DEFERRED MITIGATION

CEQA Guidelines Section 15126.4 prohibits the formulation of mitigation measures to be deferred until some future time. The CEQA Guidelines acknowledge an exception, explaining that mitigation measures may specify performance standards for mitigating a significant impact that might be accomplished in various ways. Therefore, when it is known that mitigation is feasible, but it is impractical to devise specific measures during the planning process, the agency can commit itself to devising measures that satisfy performance criteria. Accordingly, pursuant to CEQA Guidelines Section 15126.4(a)(1)(B), the mitigation measures described in this EIR specify performance standards to mitigate the significant effect of the project or show how mitigation can be accomplished in more than one specified way.

GENERAL PLAN POLICIES AND ACTIONS AS MITIGATION

As described in Chapter 3, *Project Description*, and Chapter 4.0, *Environmental Analysis*, CEQA Statute Section 21081.6(b) and CEQA Guidelines Section 15126.4(a)(2) establish that when a project examined in an EIR is a plan (such as a General Plan), policy, regulation, or other public project, mitigation measures may be incorporated into the plan, policy, regulation, or project design. Therefore, as this is a General Plan EIR, some policies and actions in the proposed General Plan 2050 are also required as means to mitigate environmental impacts under CEQA. These mitigating policies and actions are fully enforceable at the discretion of the decision maker regarding applicability to a proposed future development and use the imperative “shall,” and in all such cases are mandatory. Not every General Plan policy or action applies to every future project in Santa Rosa. Because a General Plan consists of policies reflecting a wide range of competing interests, projects need not satisfy each and every policy. “It is beyond cavil that no project could completely satisfy every policy stated in [a General Plan], and that state law does not impose such a requirement” (*Sequoia Hills Homeowners Association v. City of Oakland* (1993) 23 Cal. App. 4th 704, 719). For example, proposed General Plan 2050 *Policy 5-1.1 only applies to projects where there are known geological hazards, and as such would not apply to every proposed future development. As described in

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Chapter 1, *Introduction*, of the Draft EIR, as a program EIR, this document and the mitigation measures presented herein, will be used as a guide for implementing the proposed General Plan 2050 goals, policies, and actions, as well as adopting changes in City codes, regulations, and practices. This program EIR will also be used as a base resource for reviewing future development projects. This EIR will assist in guiding the assessment of projects and provide environmental review tiering, where appropriate.

As described in Chapter 4.0, *Environmental Analysis*, the mitigating policies and actions described in the EIR that are fully enforceable through permit conditions, agreements, or other legally binding instruments and include performance criteria are marked with an asterisk (*). In addition, these mitigating actions and policies are also denoted with an asterisk (*) in the General Plan to show they are required as a means to mitigate potential impacts from all future development in Santa Rosa. These proposed General Plan policies and actions are listed in the impact discussions of Chapters 4.1 through 4.18 of the Draft EIR to illustrate where the proposed policies and actions would reduce impacts from future development in Santa Rosa. The proposed General Plan 2050 and EIR were prepared concurrently and as such the policies and actions were crafted to mitigate environmental impacts that would otherwise occur without the added policies or actions.

PROPOSED CHANGES TO MITIGATION MEASURES

Where commenters' recommendations to change mitigation measures included typographical corrections, insignificant modifications, and amplifications and clarifications, these changes are shown in Chapter 5, *Revisions to the Draft EIR*, of this Final EIR. However, not all recommended new mitigation measures, or changes to mitigation measures, were accepted by the City. Pursuant to CEQA Guidelines Section 15204(a), CEQA does not require a lead agency to conduct every test or perform all research, study, and experimentation recommended or demanded by commenters, so long as a good-faith effort at full disclosure is made in the EIR. Where impacts are already found to be less than significant, there is no direct nexus to an impact and no mitigation is required, as previously discussed in this master response. Therefore, suggestions to include additional mitigation measures were not accepted. Some recommendations were determined not to be necessary because existing City procedures, including compliance with City policies, already address the concern. Therefore, suggestions to include additional mitigation measures were also not accepted. In some cases, the City found the recommended mitigation measures to be infeasible, and those recommendations were not accepted as well. Responses are provided and the specific reason why a recommended change to a mitigation measure or new mitigation was not accepted are given in Table 4-1, *Responses to Individual Comments on the Draft EIR*.

Additionally, Table 2-1, *Significant Impacts and Mitigation Measures*, in Chapter 2, *Executive Summary*, of this Final EIR presents a summary of impacts and mitigation measures identified in the Draft EIR, including those that have been revised and any new mitigation measures that have been added in response to comments made on the Draft EIR. These tables are organized to correspond with the environmental issues discussed in Chapters 4.1 through 4.18 of the Draft EIR. These revisions do not affect any conclusions or significance determinations provided in the Draft EIR.

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MASTER RESPONSE 3. VEHICLE MILES TRAVELED

Some commenters expressed concerns about the VMT findings discussed in Chapter 4.15, *Transportation*, of the Draft EIR, with emphasis on the additional VMT that would be added over the buildout horizon of the proposed General Plan 2050. As identified under Impact Discussion TRANS-2 in Chapter 4.15 of the Draft EIR, the proposed General Plan 2050 is anticipated to result in significant and unavoidable impacts relative to two different categories of VMT at the program level, which does not preclude the finding of less than significant for future development projects in Santa Rosa over the 2050 buildout horizon. The following is an expanded discussion of these impacts to address comments received on transportation-related VMT impacts.

The Draft EIR transportation assessment analyzes four distinct VMT categories. The first three are performance metrics:

- Household VMT per capita, or the amount of VMT generated on average by each resident, is used to determine whether residential-type land uses associated with the proposed General Plan 2050 would have a VMT impact.
- Employment VMT per worker, or the amount of commute-related VMT generated on average by each employee, is used to determine whether employment-based land uses (such as offices) associated with the proposed General Plan 2050 would have a VMT impact.
- Total VMT per service population is a performance metric constituting the total VMT generated by all land uses in Santa Rosa divided by the sum of residents and employees (the “service population”) and is used to capture the broad VMT impacts of all land development, including consideration of the interactions among uses.
- Roadway Network VMT is substantially different from the first three categories and targets the VMT effects created by expansion of roadways; specifically, roadway network VMT is focused on the “induced” travel caused through making travel by vehicle easier as a result of expanded roadways and less congestion.

The Draft EIR concludes that the proposed General Plan 2050 could result in significant-and-unavoidable impacts related to residential development (household VMT per capita) and roadway network VMT (induced travel) at the program level.

RESIDENTIAL VMT IMPACT

Residential VMT was assessed by performing dedicated “runs” of the regional travel demand model maintained by the Sonoma County Transportation Authority (SCTA). The custom runs include all land use and roadway network modifications associated with the proposed General Plan 2050. Through analysis of VMT data and output produced by the SCTA model, the home-based VMT per capita generated by the city’s residents (current as well as new residents associated with continued buildout of residential land uses per the proposed General Plan 2050) was calculated. This value was then compared to the significance threshold for residential uses, which is set at a level of 15 percent below the existing countywide VMT per capita. The resulting analysis indicates that with buildout of the proposed General Plan 2050, the applicable residential VMT significance threshold would be exceeded by approximately 8 percent, which is considered to be a significant impact.

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Chapter 3, *Circulation, Open Space, Conservation, and Greenhouse Gas Reduction*, of the proposed General Plan 2050, as well as the proposed *Draft Greenhouse Gas Reduction Strategy* prepared in August 2024, include extensive policies and strategies intended to reduce VMT and combat the effects of climate change. The land use areas of change identified in the proposed General Plan 2050 have also been intentionally and carefully chosen to focus new development in VMT-efficient areas such as downtown and along major transit corridors. However, the proposed General Plan 2050 also retains many lower-density land use areas in the peripheral areas of Santa Rosa that were identified in prior General Plans. Residents in these lower-density areas tend to generate higher levels of VMT, primarily attributable to their longer distances from jobs and services, as well as lower levels of transit service. When considering all future residential uses associated with proposed General Plan 2050 buildout in aggregate, Santa Rosa's overall residential VMT per capita is projected to exceed the significance threshold and cause a significant impact.

Despite the significant residential VMT finding in the Draft EIR, future residential development projects in the city will still be required to achieve a standard of 15 percent below the countywide average residential VMT per capita. Proposed General Plan 2050 *Action 3-1.1 requires that all projects with the potential to increase VMT prepare an analysis of projected VMT and mitigation, as necessary. Accordingly, for individual residential development projects that do not achieve this standard, applicants shall be required to implement mitigation measures to meet the standard. In addition to incorporation transportation demand management (TDM) measures and/or constructing facilities to support non-auto travel, mitigation may take the form of paying into a VMT mitigation bank or exchange, allowing developers in higher-VMT areas to contribute funds toward regional improvements to reduce VMT through other means. While such VMT bank or exchange programs currently do not exist, they are anticipated to become available in the future during the 2050 buildout horizon and are currently being studied by SCTA for implementation in Sonoma County. While it may be possible for most residential development in Santa Rosa to ultimately meet VMT significance thresholds or satisfy one or more of the screening criteria contained in the City's VMT Guidelines, the Draft EIR conservatively identifies a significant and unavoidable impact for several reasons. First, specific development plans defining the size, configuration, and characteristics of individual residential projects are unknown; this type of site-specific information affects VMT but cannot be analyzed at this time. Second, until programs such as VMT mitigation banks or exchanges are implemented and available to developers, some residential development projects (particularly in suburban locations on the periphery of the city) may be unable to fully mitigate their project-level VMT impacts. For these reasons, it was necessary to categorize the residential VMT impact as significant and unavoidable.

ROADWAY NETWORK VMT IMPACT

VMT analyses for transportation projects, specifically those related to adding vehicular capacity to major roadways, are conducted for CEQA purposes, including for programmatic plans like the proposed General Plan 2050. Unlike other types of VMT analyses that are tied to specific development projects, transportation project (or roadway network) VMT focuses specifically on the phenomenon of induced travel. Induced travel and VMT consists of driving that otherwise would not have occurred without the transportation project and is typically associated with roadway projects that increase capacity in a manner that encourages people to drive more. Reasons for induced travel can include shorter driving times and improved ease of driving compared to using other modes of travel.

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While research supports the premise that induced VMT occurs as a result of major roadway expansions, the phenomenon involves behavioral variables that cannot be captured by conventional models, including the SCTA regional model. CEQA guidance provided by the State directs practitioners to use a tool developed by the National Center for Sustainable Transportation (NCST) that is based on research, including the elasticities of VMT in relation to vehicle lane miles. The NCST tool uses net change in added vehicle lane miles as its primary input variable. The proposed General Plan 2050 identifies several arterial streets on which vehicle lanes would be added or removed. In aggregate, buildout of the proposed General Plan 2050 is estimated to result in a net increase of 17.3 lane miles, which based on output from the NCST calculator, is estimated to result in approximately 158,630 daily induced VMT. This increase in VMT is considered a significant VMT impact.

In addressing the topic of induced VMT for roadway expansion projects, the California Department of Transportation (Caltrans) states that the measures resulting in the largest VMT decreases are generally related to land use patterns and TDM strategies rather than modifications to the transportation project itself. As discussed previously, the proposed General Plan 2050 is consistent with this guidance in that it has focused land development intensification in VMT-efficient areas of Santa Rosa, and has incorporated policies and actions aimed at reducing VMT and greenhouse gas emissions, including Action 3-1.2, which calls for the City to work with SCTA and other local and regional partners to develop a VMT mitigation bank or exchange. Such banks or exchanges, once implemented, are anticipated to be valuable tools allowing the VMT impacts of both transportation projects and development projects to be effectively and feasibly mitigated.

In considering significant impacts related to induced VMT in Santa Rosa, it is also helpful to consider the nature of the roadway expansions themselves. The largest capacity-increasing project is the Farmers Lane extension, which would also incorporate facilities for non-auto travel and would reduce driving distances for travel between many parts of eastern and southern Santa Rosa. Other major projects include widening along Highway 12 in eastern Santa Rosa, which is adjacent to the planned Sonoma Valley Trail, and widening a portion of Stony Point Road in the southern part of the city. All three of these roadway expansion projects would also play a role in providing adequate facilities for emergency evacuations. Finally, while buildout of the proposed General Plan 2050 would add arterial lane miles, it is also important to recognize that many City projects, including several in the proposed General Plan 2050 would *reduce* lane miles, reallocating roadway width to provide more robust non-auto facilities, including bike lanes. The Draft EIR ultimately deems the roadway network VMT impact to be significant and unavoidable given the uncertain timing of effective mitigation strategies such as VMT exchanges or banks, which, beyond the land use changes already incorporated into the proposed General Plan 2050, are expected to be the most effective strategies to mitigate the VMT impacts associated with roadway expansions.

4.2 INDIVIDUAL RESPONSES

Responses to individual comments on the Draft EIR are presented in Table 4-1. Individual comments are reproduced from the original versions in Appendix E, *Comment Letters on the Draft EIR*, of this Final EIR, along with the comment numbers shown in Appendix E, followed by the response.

TABLE 4-1 RESPONSES TO INDIVIDUAL COMMENTS ON THE DRAFT EIR

Government Organizations

Comment Letter GOV1: Brian Olson, California Geological Survey, October 24, 2024

Comment-GOV1-1:

Thank you for providing the City's Draft EIR for the 2050 Santa Rosa General Plan for our review. This email conveys the following recommendations from CGS concerning geologic issues within the General Plan document:

1. Fault Hazards

- The DEIR provides a discussion of earthquake surface fault rupture and CGS' Alquist-Priolo Earthquake Fault Zones (APEFZ) in the region, including a map depicting the locations of APEFZ within the City limits (Figure 4.7-1). However, CGS notes the surfaces traces of the Rodgers Creek Fault Zone and related APEFZ were recently revised in February 2024. The City should update their figure with these new fault traces and zones.
- Current CGS APEFZ maps and GIS data are available here:
 - Alquist-Priolo Fault Zones-https://cadoc.maps.arcgis.com/home/item.html?id=29d2f0e222924896833b69ff1_b6d2ca3
 - Fault Traces- https://cadoc.maps.arcgis.com/home/item.html?id=15b355c071_ab4ef78831_daef25490a70
 - EQZ App- <https://maps.conservation.ca.gov/cgs/informationwarehouse/index.html?map=regulatorymaps>

Response-GOV1-1:

As shown in Chapter 5, *Revisions to the Draft EIR*, of this Final EIR, Figure 4.7-1, *Regional Faults*, in Chapter 4.7, *Geology and Soils*, of the Draft EIR has been updated to include the most recent version of California Geological Survey's Alquist-Priolo Earthquake Fault Zones. This revision does not affect any conclusions or significance determinations in the Draft EIR. Therefore, no recirculation of the Draft EIR is required pursuant to CEQA Guidelines Section 15088.5(a), *Recirculation of an EIR Prior to Certification*.

Comment Letter GOV2: Erin Chappell, California Department of Fish and Wildlife, November 19, 2024

Comment-GOV2-1:

The California Department of Fish and Wildlife (CDFW) received a Notice of Availability of the Draft Program Environmental Impact Report (EIR) from the City of Santa Rosa (City) for the Santa Rosa General Plan 2050 Project (Project) pursuant the California Environmental Quality Act (CEQA) and CEQA Guidelines.¹ CDFW previously submitted a letter dated March 2, 2023 in response to the EIR Notice to Preparation (NOP) for the Project.

CDFW is submitting comments on the EIR to inform the City, as the Lead Agency, of our concerns regarding potentially significant impacts to biological resources associated with the Project. **The City is a participant in the planned Sonoma County Natural Community Conservation Plan/Habitat Conservation Plan and an adequate Program EIR protective of biological resources, including CDFW's comments presented in this letter, may facilitate this process.**

Response-GOV2-1:

This comment serves as an opening remark.

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TABLE 4-1 RESPONSES TO INDIVIDUAL COMMENTS ON THE DRAFT EIR

Comment-GOV2-2:

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.

Response-GOV2-2:

The comment is acknowledged. Because the comment does not address the adequacy of the Draft EIR, no further response is required pursuant to CEQA. Please see Master Response 1, *Standards for Responses and Focus of Review*, regarding project merits.

Comment-GOV2-3:

PROJECT DESCRIPTION SUMMARY

Proponent: City of Santa Rosa

Objective: The Project would replace the City’s existing General Plan, which was last comprehensively updated in 2009 and has a buildout horizon of 2035. The proposed Project is intended to guide development and conservation in the City. The proposed General Plan 2050 would build off the current General Plan 2035 and provide a direct framework for the upcoming changes in the City and the expected growth in the coming decades; as well as land use, transportation, and conservation decisions through the horizon year of 2050.

Location: The approximately 49-square-mile planning area, which includes the City of Santa Rosa and its Sphere of Influence, with an approximate center at 38.445699°N, 122.717849°W.

Response-GOV2-3:

The comment is acknowledged. Because the comment does not address the adequacy of the Draft EIR, no further response is required pursuant to CEQA. Please see Master Response 1, *Standards for Responses and Focus of Review*, regarding project merits.

Comment-GOV2-4:

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 or candidates for listing under CESA, either during construction or over the life of the project. **The Project has the potential to result in take of California tiger salamander (*Ambystoma californiense*), which is CESA listed as threatened, Coho salmon (*Oncorhynchus kisutch*), which is CESA listed as endangered, California freshwater shrimp (*Syncaris pacifica*), which is CESA listed as endangered, Northern Spotted Owl (*Strix occidentalis caurina*), which is CESA listed as threatened, and several plant species listed in the EIR Table 4.4-2 including, but not limited to, Sonoma sunshine (*Blennosperma***

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bakeri), Sebastopol meadowfoam (*Limnanthes vinculans*), and Burke’s goldfields (*Lasthenia burkei*), which are CESA listed as endangered species, and burrowing owl (*Athene cunicularia*), which is a CESA candidate species, as further described below. 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, early consultation is encouraged, as significant modification to the Project and mitigation measures may be required in order to obtain a CESA ITP.

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, & 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

An LSA Notification, pursuant to Fish and Game Code section 1600 et seq., is required for Project activities affecting lakes or streams and associated riparian habitat. Notification is required for any activity that may 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. Project activities may impact streams or lakes, therefore an LSA Notification may be warranted, as further described below. Work within ephemeral streams, washes, watercourses with a subsurface flow, and floodplains are subject to LSA Notification requirements. CDFW would consider the CEQA document for the Project and may issue an LSA Agreement. CDFW may not execute the final LSA Agreement until it has complied with CEQA as a Responsible Agency.

Raptors and Other Nesting Birds

CDFW has jurisdiction over actions that may result in the disturbance or destruction of active nest sites or the unauthorized take of birds. Fish and Game Code sections protecting birds, their eggs, and nests include sections 3503 (regarding unlawful take, possession or needless destruction of the nests or eggs of any bird), 3503.5 (regarding the take, possession or destruction of any birds-of-prey or their nests or eggs), and 3513 (regarding unlawful take of any migratory nongame bird). Migratory birds are also protected under the federal Migratory Bird Treaty Act.

Response-GOV2-4:

The City appreciates the summary of the regulatory setting provided by the commenter. Please note that Chapter 4.4, *Biological Resources*, of the Draft EIR also provides a summary of these regulations. Please see the following pages of the Draft EIR for summaries of the regulations identified by the commenter: California Endangered Species Act, page 4.4-3; California Fish and Game Code with respect to take of birds and Lake and Streambed Alteration, page 4.4-4; and Migratory Bird Treaty Act, page 4.4-3. The City of Santa Rosa routinely complies with all required federal, State, and local regulations, including the California Endangered Species Act, Fish and Game Code, and Migratory Bird Treaty Act, and will continue this practice in the future.

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Comment-GOV2-5:

COMMENTS AND RECOMMENDATIONS

CDFW offers the comments and recommendations below and in Attachment 1 to assist the City in adequately identifying and/or mitigating the Project's significant, or potentially significant, direct and indirect impacts on fish and wildlife (biological) resources.

I. Project Description and Related Impact Shortcoming

COMMENT 1: Program Environmental Impact Report Subsequent Project Review

The EIR is a Program EIR but does not include a checklist for subsequent Project review. As described in CDFW's letter response to the NOP, 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 (e.g., California Vegetation Treatment Program Environmental Impact Report and associated checklist at <https://bof.fire.ca.gov/projects-and-programs/calvtp-homepage-and-storymap/#:~:text=The%20CalVTP%20Program%20Environmental%20Impact,with%20the%20CalVTP%20Program%20EIR and template-psa-checklist-508-compliant.dotx, https://view.officeapps.live.com/op/view.aspx?src=https%3A%2F%2Fbof.fire.ca.gov%2Fmedia%2Fuqbpmcuq%2Ftemplate-psa-checklist-508-compliant.dotx&wdOrigin=BROWSELINK>), **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 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.

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Response-GOV2-5:

The City appreciates the suggestions made by the commenter and respectfully disagrees that the Draft EIR does not adequately identify and/or mitigate potential impacts from implementation of the proposed project, which is a long-term policy document that does not propose any specific development. The City also appreciates the suggestions made by the commenter regarding a procedure and/or checklist for evaluating future development projects in the EIR Study Area for potential impacts to biological resources and will consider the preparation of a procedure or checklist as suggested by the commenter, as appropriate. However, please note that there is no requirement under CEQA or otherwise to have such a checklist at this time in the General Plan or CEQA process for the evaluation of the proposed General Plan 2050.

Please see Section 1.4, *Use of the General Plan EIR*, in Chapter 1, *Introduction*, of the Draft EIR, for a summary of how the City will use the programmatic analysis in the EIR when a new development project is filed with the City. Where future specific development projects qualify for the CEQA streamlining options described by the commenter and identified in Section 1.4.1, *Tiering Process*, in Chapter 1 of the Draft EIR, the City will continue to use their standard process and rely on the CEQA Guidelines Appendix G, *Environmental Checklist Form*, or Appendix N, *Infill Environmental Checklist Form*, as is or as modified, to determine what impacts have been adequately addressed in the program EIR and what impacts require additional analysis and project-specific mitigation.

The CEQA-required MMRP included as Chapter 6, *Mitigation Monitoring and Reporting Program*, of this Final EIR includes columns that would serve to assist the City and future developers in determining which of the mitigation measures identified in the EIR would apply to a specific development project. Please see Table 6-1, *Santa Rosa General Plan 2050 Mitigation Monitoring and Reporting Program*, in Chapter 6 of this Final EIR.

Comment-GOV2-6:

II. Environmental Setting and Related Impacts Shortcomings

Mandatory Findings of Significance: Does the Project have the potential to substantially reduce the number or restrict the range of an endangered, rare, or threatened species?

And,

Would the Project have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by CDFW or United States Fish and Wildlife Service (USFWS)?

COMMENT 2: Deferred Mitigation

Issue, specific impacts, why they may occur and be potentially significant: If the Project may result in physical changes in the environment, such as facilitating development, then the Project could: 1) reduce the number or restrict the range of an endangered, rare, or threatened species, or 2) have a substantial adverse effect, either directly or through habitat modifications, on candidate, sensitive, or special-status species. The EIR documents 69 special-status plant species and 55 special-status animal species either within or in the vicinity of the City (4.4-19 through 4.4-27). The Project area has potential to support special-status species including, but not limited to Sonoma sunshine, Sebastopol meadowfoam, and Burke’s goldfields, CESA listed as endangered, California tiger salamander, a CESA listed as threatened species, and burrowing owl, a CESA candidate species and California Species of

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Special Concern, in addition to the other species mentioned above and in CDFW’s NOP response letter, however, the EIR does not include any mitigation measures for impacts to biological resources.

As described in CDFW’s letter response to the NOP, California tiger salamander may be directly or indirectly impacted by the Project resulting in mortality of individuals from direct impacts or indirect impacts from degradation of habitat adjacent to ground disturbance and other factors. Additionally, the Project may result in the permanent and temporary loss of California tiger salamander habitat.

The EIR indicates that wetlands may be present within Project sites. As described in CDFW’s letter response to the NOP, wetlands in the Santa Rosa Plain may support Sonoma sunshine, Sebastopol meadowfoam, and Burke’s goldfields, and loss of wetland habitat may result in mortality of individuals and/or indirect impacts from degradation of habitat adjacent to ground disturbance due to altering hydrological conditions or other factors may occur.

The Project could result in burrowing owl injury or mortality of adults, and permanent wintering (i.e., non-nesting) habitat loss. Additionally, the Project may result in a permanent reduction of burrowing owl foraging habitat in Sonoma County. Burrowing owl is a special-status species and was recently approved as a candidate species under CESA because the species’ population viability and survival are adversely affected by risk factors such as precipitous declines from habitat loss, fragmentation, and degradation; evictions from wintering sites without habitat mitigation; and human disturbance (Shuford and Gardali 2008; Department of Fish and Game Staff Report on Burrowing Owl Mitigation (2012); personal communication, CDFW Statewide Burrowing Owl Coordinator Esther Burkett, May 13, 2022, CDFW Petition for western burrowing owl (*Athene cunicularia hypugaea*), 2024). Based on the foregoing, if burrowing owl are wintering on or within 500 meters (1,640 feet) of the Project site, or if burrowing owl foraging habitat is removed, Project impacts to burrowing owl would be potentially significant.

Response-GOV2-6:

The commenter correctly lists some, but not all, of the species and sensitive habitat that could be impacted from potential future development over the course of the 25-year buildout horizon of the proposed General Plan 2050 and potentially misunderstands how the EIR has included mitigation for potential impacts to these species and habitats and the others identified in Chapter 4.4, *Biological Resources*, of the Draft EIR.

As described in Chapter 3, *Project Description*, and Chapter 4.0, *Environmental Analysis*, of the Draft EIR, some policies and actions in the proposed General Plan 2050 are also required as means to mitigate environmental impacts under CEQA. This is also briefly described in Chapters 4.1 through 4.18 of the Draft EIR. Specifically, for Chapter 4.4, *Biological Resources*, please see the first paragraph in Section 4.4.3, *Impact Discussion*. Additional detail is also provided in Master Response 2, *Mitigation*, under subheading “General Plan Policies and Actions as Mitigation” regarding incorporating mitigation measures as General Plan policies and actions .

As described under impact discussion BIO-1 in Chapter 4.4, *Biological Resources*, of the Draft EIR, because potential future development under the proposed General Plan 2050 has the potential to occur where there is habitat for special-status species and sensitive natural communities, including wetlands and nesting areas, as stated by the commenter and identified in Chapter 4.4 of the Draft EIR, impacts from the proposed project were found to be potentially significant without (i.e., prior to) mitigation. Impacts were found to be less than significant with (i.e., after) implementation of mitigating General Plan actions included in Chapter 3, *Circulation, Open Space, Conservation, and Greenhouse Gas Reduction*, of the proposed General Plan 2050

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that require local planning and development decisions to consider impacts to biological resources, including special-status species, sensitive habitat, and active bird nests, on a project-by-project basis. As described in the Draft EIR, proposed General Plan 2050 *Action 3-5.7 requires the City to consult with CDFW to identify significant environments and develop a strategy for maintaining areas that will preserve special-status species; *Action 3-5.10 requires the City to continue to require the implementation of existing regulations to conserve habitat for special-status species; and *Action 3-5.11 requires the City to have biological resource assessments (BRA) prepared by qualified biologists that identify potential project- and site-specific impacts and mitigation measures for protecting the resources on sites that may support or have the potential to affect special-status species, habitat, and nesting birds. In addition, proposed *Action 3-5.12 and *Action 3-5.13 require the protection of bird habitat, including the possible loss or disturbance to bird nests in active use, which conflicts with both the federal Migratory Bird Treaty Act and California Fish and Game Code. Consultation with CDFW to identify environments that host special-status species, develop strategies for maintaining these areas, as well as the continued implementation of existing regulations to conserve special-status species would ensure that existing habitat for special-status species is protected, thus ensuring the ongoing protection of the species (proposed *Action 3-5.7 and *Action 3-5.10). The preparation of site-specific BRAs would include site-specific resource assessments and field surveys prepared by qualified biologists to determine the presence or absence of any sensitive resources that could be affected by proposed development, would provide an assessment of the potential impacts, and would define measures for protecting the resource and surrounding buffer habitat, in compliance with City policy and state and federal laws. They would also include following the agency-promulgated protocols and recommended methods and standards of review, including the consultation with CDFW and the United States Fish and Wildlife Service (USFWS) (proposed *Action 3-5.11). Implementing nesting bird protections would ensure any young birds are allowed to mature to the stage where they can successfully leave the nest, thus ensuring their chances for survival (proposed *Action 3-5.12). Bird-safe guidelines provide specific criteria to protect birds from injury and mortality from collisions with buildings, towers, and other human-made structures (proposed *Action 3-5.13). As demonstrated, implementation of these proposed General Plan 2050 actions, in conjunction with adherence to State and federal regulations related to the protection of special-status species, would address potential impacts of anticipated future development under the proposed project.

Future development would continue to be reviewed through the City’s entitlement process and CEQA, when applicable, to ensure consistency with local, State, and federal regulations and all General Plan policies and actions intended to protect sensitive biological resources. Ultimately, potential future development in Santa Rosa over the buildout horizon of the proposed General Plan 2050 would be performed in accordance with the proposed General Plan 2050 actions discussed herein and in Chapter 4.4, *Biological Resources*, of the Draft EIR, which would ensure that potential impacts on special-status species would be less than significant.

As shown in Chapter 5, *Revisions to the Draft EIR*, of this Final EIR, in response to the comment and information provided regarding the fact that the California Fish and Game Commission recently named burrowing owl as a candidate for listing under the California Endangered Species Act, Table 4.4-3, *Special-Status Animal Species in the EIR Study Area*, in Chapter 4.4, *Biological Resources*, of the Draft EIR has been revised to update the state status of burrowing owl to “Candidate.” This revision does not affect any conclusions or significance determinations in the Draft EIR. Therefore, no recirculation of the Draft EIR is required pursuant to CEQA Guidelines Section 15088.5(a), *Recirculation of an EIR Prior to Certification*.

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Comment-GOV2-7:

The EIR states that projects facilitated by the EIR will follow existing local government policies and applicable protective measures in the *Santa Rosa Plain Conservation Strategy* (SRP CS) (EIR pages 4.4-43 to 4.4-44). However, the SRP CS is a guidance document that was developed several years ago and conditions for some species have deteriorated since it was developed, therefore the SRP CS conservation measures may not adequately mitigate impacts to special-status species to less-than-significant. Additionally, the SRP CS does not cover all special-status species in the Project area. Therefore, while the SRP CS is a useful reference, the EIR should not rely on the SRP CS's measures to mitigate impacts to less-than-significant and should instead conduct a current evaluation of impacts and appropriate mitigation measures.

Response-GOV2-7:

Please note that the Santa Rosa Plain Conservation Strategy (SRPCS) is only one of the guidance documents recognized in the Draft EIR to be used when assessing impacts to biological resources from potential future development in the EIR Study Area. For reference, the full context of the statement referenced by the commenter in Chapter 4.4, *Biological Resources*, on page 4.4-44 of the Draft EIR, reads "Implementation of the proposed General Plan 2050 goal, policies, and actions listed above, in conjunction with adherence to State and federal regulations related to the protection of special-status species, including the Santa Rosa Plain Conservation Strategy (SRPCS) where applicable, would address potential impacts of anticipated future development under the proposed project." At no point in Chapter 4.4 of the Draft EIR is a significance conclusion based solely on the use of the SRPCS.

As recognized by the commenter, current evaluation of impacts and appropriate mitigation measures would be needed for potential future development in Santa Rosa, as required by proposed General Plan 2050 *Action 3-5.11 through the preparation of site-specific BRAs prepared by qualified biologists. It is the purpose of the site-specific BRA to consider the existing conditions on the ground as well as the current regulatory setting that may change over the course of the 25-year buildout horizon to identify impacts and mitigation that are appropriate to that moment in time of a future proposed development project.

As shown in Chapter 5, *Revisions to the Draft EIR*, of this Final EIR, the text referencing the SRPCS in Chapter 4.4, *Biological Resources*, of the Draft EIR has been updated to recognize that this document may be updated over time. This revision does not affect any conclusions or significance determinations in the Draft EIR. Therefore, no recirculation of the Draft EIR is required pursuant to CEQA Guidelines Section 15088.5(a), *Recirculation of an EIR Prior to Certification*.

Comment-GOV2-8:

The EIR also states that projects facilitated by the EIR "As part of the permitting project with the [US Army Corps of Engineers, Corps], projects affecting federally regulated waters must demonstrate that they would not have an adverse effect on federally listed species or would be required to provide adequate compensatory mitigation where avoidance is infeasible. For those projects within the boundaries of the SRP CS, including western and southern Santa Rosa, they must comply with the rigorous conditions of the Biological Opinion issued by the [US Fish and Wildlife Service, USFWS] in addressing potential effects on California tiger salamander, Burke's goldfields, Sebastopol meadowfoam, and Sonoma sunshine." (EIR pages 4.4-42). This does not address Projects that may not be subject to Corps and USFWS jurisdiction, where "take" as defined under CESA may occur.

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Response-GOV2-8:

The paragraph referenced by the commenter is part of the overall discussion on impacts to biological resources under impact discussion BIO-1 in Chapter 4.4, *Biological Resources*, of the Draft EIR and can be taken out of context as a stand-alone statement. For clarification, as described in Response-GOV2-6, project applicants of proposed development projects would be required to comply with General Plan actions, and all local, State, and federal laws, including the CESA. There is nothing in Chapter 4.4 of the Draft EIR that limits any future development project to compliance with one set of regulations. On the contrary, proposed General Plan 2050 *Action 3-5.10, requires the City to continue to implement existing regulations and procedures, including subdivision guidelines, zoning, design review, and environmental law, to conserve wetlands and rare plants, riparian habitat and other sensitive natural communities, and essential habitat for special-status species.

Comment-GOV2-9:

The EIR states that impacts to biological resources would be less-than-significant in part because of a requirement for “the City to have biological resource assessments prepared that identify potential impacts and mitigation measures for protecting the resources for proposed development on sites that may support special-status species.” (See EIR page 4.4-43). **However, the proposed biological resource assessments inappropriately defer formulating mitigation measures and may not appropriately identify special-status species that may be impacted and measures reducing such impacts to less-than-significant.** Further, the proposed biological resource assessments would not be subject to public review under CEQA, thereby circumventing key purposes of CEQA including informing the public and governmental decision makers about the potential, significant environmental effects of a proposed project and identifying ways that environmental damage can be avoided or significantly reduced (CEQA Guidelines, § 15002). CEQA Guidelines section 15126.4, subdivision (b) states: “Formulation of mitigation measures shall not be deferred until some future time. The specific details of a mitigation measure, however, may be developed after Project approval when it is impractical or infeasible to include those details during the Project’s environmental review provided that the agency (1) commits itself to the mitigation, (2) adopts specific performance standards the mitigation will achieve, and (3) identifies the type(s) of potential action(s) that can feasibly achieve that performance standard and that will be considered, analyzed, and potentially incorporated in the mitigation measure. Compliance with a regulatory permit or other similar process may be identified as mitigation if compliance would result in implementation of measures that would be reasonably expected, based on substantial evidence in the record, to reduce the significant impact to the specified performance standards.”

No specific mitigation measures are included in the biological resources section of the EIR, especially relating to take of CESA-listed species. The Lead Agency (the City) has therefore not committed itself to mitigation, nor does the EIR adopt specific performance standards for mitigation goals, nor does it identify types of actions that could meet these standards. In addition, the City of Santa Rosa General Plan 2035 EIR includes Mitigation Measure 4.F-5, which specifically requires that the City “...shall incorporate the avoidance and mitigation measures described in the SRP CS and the USFWS Programmatic Biological Opinion, as conditions of approval for development in or near areas with suitable habitat for California tiger salamander, Burke’s goldfields, Sonoma sunshine, Sebastopol meadowfoam, and many-flowered navarretia.” This mitigation measure should be included in the EIR and recognize the updated 2020 USFWS Programmatic Biological Opinion (2020 PBO).

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It is conceivable based on the lack of mitigation measures that California tiger salamander, Coho salmon, California freshwater shrimp, Northern Spotted Owl, Sonoma sunshine, Sebastopol meadowfoam, Burke’s goldfields, burrowing owl, and other special-status species would: 1) not be appropriately evaluated in subsequent biological surveys, or 2) that future environmental review pursuant to CEQA would not require appropriate mitigation measures to reduce impacts to less-than-significant.

Therefore, if special-status species occur on or adjacent to Project sites, impacts to special-status species would be potentially significant, and impacts to species considered threatened, endangered, or rare may be considered a mandatory finding of significance (CEQA Guidelines, §§ 15065 & 15380).

Response-GOV2-9:

It is important to note, as recognized by the commenter in Comment-GOV2-5, the proposed General Plan 2050 is a policy-level document that does not include any development projects. Accordingly, the development of detailed, site-specific information is not feasible until such time as a future project is known and reviewed on a more limited geographical scale. The certification of the EIR and the approval of the proposed General Plan 2050 does not approve or deny any potential future development in the City of Santa Rosa or the EIR Study Area. As described in Section 3.9, *Intended Uses of the EIR*, in Chapter 3, *Project Description*, of the Draft EIR, this EIR is intended to review potential environmental impacts associated with the adoption and implementation of the proposed project and determine corresponding mitigation measures, as necessary. This EIR is a program-level EIR and does not evaluate the impacts of specific, individual developments that may occur under the buildout horizon of the proposed General Plan 2050. Each specific future project will conduct separate project approval processes, including environmental review as required by CEQA, if necessary, to secure the necessary development permits. For projects that are not subject to CEQA, compliance with the General Plan policies and actions, and other local, State, and federal laws would still be required. Therefore, while subsequent environmental review may be tiered off this EIR, this EIR is not intended to address impacts of individual projects. Subsequent projects will be reviewed by the City for consistency with the General Plan 2050 and this EIR. Because this EIR is a program-level evaluation, the specific details of future projects and the conditions at the time they are proposed are not known, it would be speculative to estimate any potential long-term or permanent changes, including those to the regulatory setting as noted by the commenter(CEQA Guidelines Section 15145, *Speculation*). Please see Master Response 1, *Standards for Responses and Focus of Review*, regarding speculation without substantial evidence.

As described in Section 1.4.1.1, *Base Resource for General Plan Implementation and Review of Future Development Projects*, in Chapter 1, *Introduction*, of the Draft EIR, when a new development project is filed with the City, it is reviewed for completeness and consistency with the General Plan goals, policies, and actions, and City codes and practices. Because City policies, actions, and codes, presented in this program EIR will minimize impacts, development projects will inherently implement these measures to: (a) mitigate environmental impacts and (b) achieve consistency with the General Plan and compliance with City codes. Pursuant to CEQA and the CEQA Guidelines, where the “project” subject to CEQA is a “plan, policy, regulation, or other public project,” the obligation to mitigate impacts can be effectuated “by incorporating the mitigation measures into the plan, policy, regulation, or project design” (CEQA Statute Section 21081.6(b); CEQA Guidelines, Section 15126.4(a)(2)).

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The Draft EIR states that mandatory compliance with federal, State, and local regulations described under Section 4.4.1.1, *Regulatory Framework*, in Chapter 4.4, *Biological Resources*, of the Draft EIR, would reduce impacts to biological resources. The proposed General Plan 2050 also includes specific mandatory actions that would also reduce impacts to biological resources, including the State threatened and federally endangered species listed by the commenter throughout their letter, other special-status species, nesting birds, and sensitive habitat such as streams, creeks, and wetlands. These actions are based on the recommendations of the professional biologist who was part of the General Plan 2050 team. Specific proposed General Plan 2050 actions that address potential impacts to biological resources, including those identified by the commenter, are identified under Section 4.4.3, *Impact Discussion*, in Chapter 4.4 of the Draft EIR. Each of the proposed General Plan 2050 actions identified require local planning and development decisions to consider impacts to biological resources.

As previously stated, the preparation of a site-specific BRA prepared by a qualified biologist would identify special-status species that may be impacted by a potential future development and a site-specific study would identify site-specific mitigation measures. Proposed General Plan 2050 *Action 3-5.11 requires future project applicants to prepare a BRA by a qualified biologist for proposed development on sites that may support special-status species, sensitive natural communities, important wildlife corridors, or regulated wetlands and waters to identify potential impacts and measures for protecting the resource and surrounding habitat. The project-specific BRAs would determine what site- and project-specific mitigation measures would be required for sensitive natural communities at the time of the proposed development throughout the 25-year buildout horizon (2025 to 2050) to ensure sensitive resources identified at the time of future project developments are adequately protected or appropriate project-specific compensatory mitigation is provided as part of new development to reduce impacts to a less-than-significant level, which is appropriate for a city-wide program-level EIR. Site-specific biological resources assessments and field surveys prepared by qualified biologists would follow the agency-promulgated protocols and recommended methods and standards of review including the consultation with CDFW and the USFWS and rely on standard protocol sources, including, but not limited to, those identified by the commenter (e.g., CDFW's 2018 *Protocols for Surveying and Evaluating Impacts to Special-Status Native Plant Populations and Sensitive Natural Communities*; SRPCS, Appendix D: *Guidelines for Conducting and Reporting Botanical Inventories for Federally Listed Plants on the Santa Rosa Plain* CDFW Staff Report on *Burrowing Owl Mitigation*; USFWS Protocol for *Surveying Proposed Management Activities That May Impact Northern Spotted Owls*, dated (revised) January 9, 2012, including Section 9 of the survey protocol, *Surveys for Disturbance-Only Projects*; and, USFWS guidance, *Estimating the Effects of Auditory and Visual Disturbance to Northern Spotted Owls and Marbled Murrelets in Northwestern California*, dated October 1, 2020). Additionally, as described in Chapter 4.4, *Biological Resources*, of the Draft EIR and recognized by the commenter, where applicable, future projects would be required to comply with the *Programmatic Biological Opinion for U.S. Army Corps of Engineers Permitted Projects That May Affect California Tiger Salamander and Three Endangered Plant Species on the Santa Rosa Plain, California* (PBO), which was originally issued by the USFWS in 2007, amended in 2009, and reissued in 2020. As described in Chapter 4.4 on pages 4.4-8 and 4.4-9 of the Draft EIR, the PBO provides guidance to the U.S. Army Corps of Engineers (USACE) on projects that may affect these listed species, by defining "Conservation Areas" and "preserves" in the Santa Rosa Plain, describing mitigation and minimization requirements and procedures as they apply to projects that impact the four target species, and providing a comprehensive status report for these species, which includes species descriptions, historical and current distribution, habitat and life history, threats to survival, and environmental baseline information. In 2016, the USFWS adopted a *Recovery Plan for the Santa Rosa Plain* (Recovery Plan), which was considered as part of the latest PBO. The Recovery Plan identified actions to reduce the threats to these four species

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and ensure their long-term viability. Although the 2005 SRPCS has not been formally adopted, the USFWS PBO can still be invoked for projects that have suitable habitat for California tiger salamander, Burke's goldfields, Sonoma sunshine, and Sebastopol meadowfoam, and that impact regulated wetlands in the Santa Rosa Plain requiring permit authorization by the USACE.

With respect to the portion of the comment regarding the concern that BRAs would not be subject to public review under CEQA, thereby circumventing key purposes of CEQA, including informing the public and governmental decision makers about the potential, significant environmental effects of a proposed project and identifying ways that environmental damage can be avoided or significantly reduced (CEQA Guidelines Section 15002, *General Concepts*), this misses the purpose of preparing BRAs. The preparation of a BRA itself is not subject to CEQA. However, the preparation of a BRA would not preclude a project that is subject to CEQA from complying with CEQA, and undergoing appropriate public review and comment, including any conclusions and information contained in a BRA prepared as part of that process. It is not the intent of proposed General Plan 2050 *Action 3-5.11 to bypass the public or governmental decision makers any more than any other required technical report such as a geotechnical, transportation, air quality, or noise report. The BRA, like these other types of reports, are to study the effects of project-specific developments and identify any project- and site-specific measures to ensure the protection of the residents and visitors to Santa Rosa and the environment. The results of this BRA would be incorporated into the CEQA document, where appropriate. Furthermore, proposed General Plan 2050 *Action 3-5.7 specifically requires the City to continue to consult with the CDFW to identify significant environments and priorities for acquisition or maintenance of open space areas based on biological and environmental concerns and develop a strategy for maintaining areas that will preserve the populations of plants and animals currently found in the Urban Growth Boundary. Lastly, it is important to note that not every proposed future development in the EIR Study Area that may occur over the 25-year buildout horizon will be subject to CEQA. Some future development projects may be exempt from CEQA, such as redevelopment or in-fill projects in locations that have no potential for presence of special-status species or other sensitive resources. However, even projects that are exempt from CEQA are required to comply with the General Plan policies and actions, and other local, State, and federal laws, thereby ensuring the protection of biological resources.

Comment-GOV2-10:

Recommended Mitigation Measures: To reduce potential impacts to less-than-significant and comply with CESA, CDFW recommends including mitigation measures in the EIR which evaluate such foreseeable potentially significant impacts. Where future site-specific impacts may not be presently foreseeable based on the Project's broad scope, the checklist discussed in Comment 1 above should be used to determine if a future CEQA environmental document is required. CDFW would appreciate the opportunity to review a revised EIR and may have further comments once more specific-species information is provided.

For example, CDFW recommends including the mitigation measures below in this EIR:

MM-BIO-1. Prior to commencing construction-related activities on grassland or wetland habitat suitable to support California tiger salamander, the Project shall obtain a CESA ITP from CDFW for impacts to California tiger salamander and comply with the ITP. Copies of the ITP shall be provided to the City prior to the commencement of construction-related activities. The Project shall obtain authorization from the USFWS for impacts to California tiger salamander and comply with the authorization. The Project shall also provide habitat compensation for California tiger salamander in accordance with

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the ITP, SRP CS, and 2020 PBO. Please note that the CESA ITP habitat compensation requirements are often consistent with the SRP CS and 2020 PBO but may differ based on site-specific conditions.

MM-BIO-2: Prior to ground disturbance, the Project shall submit a special-status plant habitat assessment and an evaluation of potential direct and indirect impacts to any special-status plant habitat, such as modification of hydrological conditions, to CDFW for review and obtain CDFW’s written acceptance of the assessment and evaluation, unless otherwise approved in writing by CDFW.

If direct or indirect impacts to wetlands, which are generally suitable habitat for Sonoma sunshine, Sebastopol meadowfoam, and Burke’s goldfields may occur, the Project shall submit to CDFW two years of completed botanical survey results and obtain CDFW’s written approval of the results prior to Project construction. The botanical survey results should follow CDFW’s 2018 *Protocols for Surveying and Evaluating Impacts to Special-Status Native Plant Populations and Sensitive Natural Communities* (available here: <https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=18959&inline>) and the SRP CS, Appendix D: *Guidelines for Conducting and Reporting Botanical Inventories for Federally Listed Plants on the Santa Rosa Plain* (available here: <https://www.fws.gov/media/santa-rosa-plain-conservation-strategy-appendix-c-through-e>). If suitable habitat for other special-status plants may be impacted, the above 2018 *Protocols for Surveying and Evaluating Impacts to Special-Status Native Plant Populations and Sensitive Natural Communities* shall be conducted and the Project shall obtain CDFW’s written approval of the results prior to Project construction. If CDFW is unable to accept the survey results, the Project shall conduct additional surveys prior to initiation of Project activities or may assume presence of special-status plants, such as Sonoma sunshine, Burke’s goldfields, and Sebastopol meadowfoam. Please be advised that for CDFW to accept the results, they should be completed in conformance with the above survey protocols and guidelines, including, but not limited to conducting 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. 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, the Project shall obtain a CESA ITP from CDFW prior to construction and comply with all requirements of the ITP including, but not limited to, providing habitat compensation. In addition, the Project shall consult with the USFWS for any impacts to suitable habitat for plants listed under the federal Endangered Species Act (e.g., wetlands, ESA) and provide compensatory habitat mitigation as required. Impacts to non-CESA listed special-status plants shall be mitigated through compensatory habitat mitigation at a minimum 3:1 mitigation to impact ratio, including a conservation easement and funding and implementing a long-term management plan, unless otherwise approved in writing by CDFW.

MM-BIO-3: If the Project occurs during the burrowing owl wintering season from September 1 to through January 31, prior to Project activities a Qualified Biologist shall conduct a burrowing owl habitat assessment within 1,640 feet of the Project area pursuant to the California Department of Fish and Game (now CDFW) 2012 Staff Report on Burrowing Owl Mitigation (CDFW 2012 Staff Report, available here: <https://wildlife.ca.gov/Conservation/Survey-Protocols#377281284-birds>), unless otherwise approved in writing by CDFW. The Qualified Biologist shall have a minimum of two years of experience implementing the CDFW 2012 Staff Report survey methodology resulting in detections. The habitat assessment shall focus on searching the California Natural Diversity Database (CNDDDB) and potentially other sources for any burrowing owl records on or within one mile of the Project area, vegetation type and height, suitable burrows (with an opening of greater than 11 centimeters [cm] in diameter and a

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depth of greater than 150 cm), burrow surrogates (culverts, piles of concrete rubble, piles of soil, burrows created along soft banks of ditches and canals, pipes, and similar structures), and presence of burrowing owl sign (tracks, molted feathers, cast pellets, prey remains, egg shell fragments, owl white wash, and nest burrow decoration material), and the presence of burrowing owl individuals or pairs. If the habitat assessment does not identify suitable habitat and surveys are not conducted as described below, an additional habitat assessment shall be conducted within 14 days prior to construction and if new potentially suitable burrowing owl refugia are present surveys shall be conducted as described below, unless otherwise approved in writing by CDFW. The results of the habitat assessment shall be emailed to the CDFW contact below (see Contact Information section), and the Project shall obtain CDFW's written approval of the habitat assessment prior to starting Project activities.

If a suitable burrowing owl habitat is observed, four surveys shall be conducted to detect the presence of burrowing owl pursuant to the CDFW 2012 Staff Report. The site visits shall be spread evenly throughout the non-breeding season. The survey results shall be emailed to the CDFW contact below, or if unavailable another CDFW representative, and the Project shall obtain CDFW's written approval of the survey results prior to starting Project activities. In addition, a take avoidance survey shall be completed within 14 days prior to the start of construction, as described in the CDFW 2012 Staff Report.

If burrowing owl is detected, the Project shall immediately notify CDFW. The Project shall avoid impacts to the burrowing owl and implement a 1,640-foot buffer area around the owl site in which no Project activities shall occur, unless otherwise approved in writing by CDFW. A Qualified Biologist shall monitor any detected owl to ensure it is not disturbed.

If the Project cannot ensure burrowing owl and their burrows are fully avoided, the Project shall consult with CDFW and obtain a take authorization or otherwise demonstrate compliance with CESA. Take is likely to occur and the Project shall obtain an ITP if: 1) burrowing owl surveys of the Project site detect burrowing owl occupancy of burrows or burrow surrogates, or 2) there is sign of burrowing owl occupancy on the Project site within the past three years and habitat has not had any substantial change that would make it no longer suitable within the past three years. Occupancy means a site that is assumed occupied if at least one burrowing owl has been observed occupying a burrow or burrow surrogate within the last three years. Occupancy of suitable burrowing owl habitat may also be indicated by burrowing owl sign including its molted feathers, cast pellets, prey remains, eggshell fragments, or excrement at or near a burrow entrance or perch site. If burrowing owl, or their burrows or burrow surrogates, are detected within 500 meters (1,640 feet) of the Project site during burrowing owl surveys, but not on the Project site, the Project shall consult with CDFW to determine if avoidance is feasible or an ITP is warranted and shall obtain an ITP if deemed necessary by CDFW.

MM-BIO-4: Project activities shall not occur within 0.25 miles of Northern Spotted Owl nesting habitat from March 15 to July 31, unless Northern Spotted Owl surveys have been completed by a Qualified Biologist following the U.S. Fish and Wildlife Service's (USFWS) *Protocol for Surveying Proposed Management Activities That May Impact Northern Spotted Owls*, dated (revised) January 9, 2012, and the survey report is accepted in writing by CDFW. Surveys shall be conducted in accordance with Section 9 of the survey protocol, *Surveys for Disturbance-Only Projects*. If breeding Northern Spotted Owl are detected during surveys, the CDFW Bay Delta Region office shall be immediately notified, and a 0.25-mile construction avoidance buffer zone shall be implemented around the nest. Survey results shall be provided to CDFW and to the Spotted Owl Observations Database (<https://wildlife.ca.gov/Data/CNDDDB/Spotted-Owl-Info>). No project activities shall occur within the buffer zone until the end of breeding season, or a

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Qualified Biologist determines that the nest is no longer active, unless otherwise approved in writing by CDFW. If take of Northern spotted owl cannot be avoided by project activities, The Project shall obtain a CESA incidental take permit from CDFW prior to starting project activities, and authorization from USFWS may be required.

Alternate buffer zones may be proposed by a Qualified Biologist after conducting an auditory and visual disturbance analysis following the USFWS guidance, *Estimating the Effects of Auditory and Visual Disturbance to Northern Spotted Owls and Marbled Murrelets in Northwestern California*, dated October 1, 2020. Alternate buffers must be approved in writing by CDFW.

MM-BIO-5: In water work shall be avoided where Coho salmon or California freshwater shrimp may occur, as determined by a Qualified Biologist based on a review of CNDDDB and consultation with CDFW. If take of Coho salmon cannot be avoided, the Project shall obtain a CESA ITP from CDFW prior to commencing project activities and shall comply with the ITP.

III. Would the Project have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by CDFW or USFWS?

COMMENT 3: Riparian Habitat, Wetlands, and Lake and Streambed Alteration Notification

Issue, specific impacts, why they may occur and be potentially significant: If the Project may result in physical changes in the environment, then the Project could result in potentially significant impacts to riparian habitat, wetlands, or other sensitive natural communities.

Recommended Mitigation Measure: If impacts to riparian habitat, wetlands, or other sensitive natural communities may occur, to reduce potential impacts to less-than-significant and comply with Fish and Game Code section 1600 et seq., CDFW recommends including the mitigation measure below.

MM-BIO-6: The Project shall submit an LSA notification for any direct on-site or indirect off-site impacts to streams or lakes. For Project activities that may substantially alter the bed, bank, or channel of any streams (including ephemeral or intermittent streams), an LSA Notification shall be submitted to CDFW pursuant to Fish and Game Code section 1602 prior to Project construction. If CDFW determines that an LSA Agreement is warranted, the Project shall comply with all required measures in the LSA Agreement, including, but not limited to requirements to mitigate impacts to the streams and riparian habitat. Permanent impacts to the stream and associated riparian habitat shall be mitigated by restoration of riparian habitat at a 3:1 mitigation to impact ratio based on acreage and linear distance as close to the Project area as possible and within the same watershed and year as the impact, unless otherwise approved in writing by CDFW. Temporary impacts shall be restored on-site in the same year as the impact. The Project shall also consult with the Regional Water Quality Control Board (RWQCB) and Corps to impacts to waters such as streams, lakes, and wetlands, and obtain permits if necessary pursuant to the Clean Water Act and Porter Cologne Water Quality Control Act.

Response-GOV2-10:

While the City appreciates the recommended project-specific mitigation measures provided by the commenter, these mitigation measures include specific controls and requirements that could be subject to considerable revision over the 25-year buildout horizon, may in fact not be applicable to conditions found on a particular site, or may not be appropriate for each specific development application received by the City. The mitigation measures recommended by the commenter are already required pursuant to current regulations including California Endangered Species Act (CESA) and California

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Fish and Game Code (CFGF). Please see subheading “State Regulations” under Section 4.4.1.1, *Regulatory Framework*, in Chapter 4.4, *Biological Resources*, of the Draft EIR for a summary of the regulations required for the protection of protected species. Additionally, as described in Response-GOV2-9, proposed General Plan 2050 *Action 3-5.11 requires future project applicants to prepare a BRA by a qualified biologist for proposed development on sites that may support special-status species, sensitive natural communities, important wildlife corridors, or regulated wetlands and waters to identify potential impacts and measures for protecting the resource and surrounding habitat. The project-specific BRAs would determine what site- and project-specific mitigation measures would be required for sensitive natural communities at the time of the proposed development such as these listed by the commenter. Site-specific biological resources assessments and field surveys prepared by qualified biologists would follow the agency-promulgated protocols and recommended methods and standards of review including the consultation with CDFW and the USFWS and rely on standard protocol sources, including, but not limited to, those identified by the commenter.

Comment-GOV2-11:

ENVIRONMENTAL DATA

CEQA requires that information developed in environmental impact reports and negative declarations be incorporated into a database which may be used to make subsequent or supplemental environmental determinations. (Pub. Resources Code, § 21003, subd. €.) Accordingly, please report any special-status species and natural communities detected during Project surveys to CNDDDB. The CNDDDB field survey form can be filled out and submitted online 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://www.wildlife.ca.gov/Data/CNDDDB/Plants-and-Animals>.

ENVIRONMENTAL DOCUMENT FILING FEES

The Project, as proposed, would have an impact on fish and/or wildlife, and assessment of environmental document filing fees is necessary. 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. Payment of the environmental document filing fee is required in order for the underlying Project approval to be operative, vested, and final. (See Cal. Code Regs, tit. 14, § 753.5; Fish & G. Code, § 711.4; Pub. Resources Code, § 21089.)

Response-GOV2-11:

The City of Santa Rosa routinely complies with all required federal, State, and local regulations, including those of CDFW, and will continue this practice in the future, including payment of any required environmental document filing fees.

Comment-GOV2-12:

CONCLUSION

CDFW appreciates the opportunity to comment on the EIR to assist the City in identifying and mitigating Project impacts on biological resources. 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.

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Response-GOV2-12:

This comment serves as a closing remark. The City appreciates the input from CDFW and will rely on their expertise if and when future development is proposed throughout implementation of the General Plan.

Comment-GOV2-Attachment 1:

The attachment is a Draft Mitigation Monitoring and Reporting Program prepared by CDFW that includes the CDFW project-specific mitigation measure listed in Comment-GOV2-10.

Response-GOV2-Attachment 1:

Please see Response-GOV2-2 through Response-GOV2-11 regarding the recommended mitigation measures.

Comment Letter GOV3: Yunsheng Luo, California Department of Transportation, November 20, 2024

Comment-GOV3-1:

Thank you for including the California Department of Transportation (Caltrans) in the environmental review process for the Santa Rosa General Plan 2050 Project. The Local Development Review (LDR) Program reviews land use projects and plans to ensure consistency with our mission and state planning priorities. The following comments are based on our review of the October 2024 DEIR.

Please note this correspondence does not indicate an official position by Caltrans on this project and is for informational purposes only.

Response-GOV3-1:

This comment serves as an opening remark.

Comment-GOV3-2:

Project Understanding

The proposed project will include revisions to the policies and land use map of the existing General Plan. The overall purpose 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 proposed project 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. 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 U.S. 101 and State Route (SR) 12, road diets, and roadway widenings.

Response-GOV3-2:

The comment summarizes the proposed project.

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Comment-GOV3-3:

Travel Demand Analysis

With the enactment of Senate Bill (SB) 743, Caltrans is focused on maximizing efficient development patterns, innovative travel demand reduction strategies, and multimodal improvements. For more information on how Caltrans assesses Vehicle Miles Traveled (VMT) analysis for land use projects, please review Caltrans' Transportation Impact Study Guide ([link](#)).

The project VMT analysis and significance determination are undertaken in a manner consistent with the Office of Planning and Research's (OPR) Technical Advisory. Per the DEIR, this project is found to have a significant and unavoidable VMT impact. Caltrans acknowledges that the General Plan has identified Action 3-1.1, Action 3-1.2, and Action 3-1.3 to help mitigate future developments' potential VMT impact. We commend the City for working with Sonoma County Transportation Authority (SCTA) and other local and regional partners to explore developing a VMT mitigation bank alternative which would help further reduce VMT.

Response-GOV3-3:

The comment confirms that the VMT analysis presented in the Draft EIR was conducted in a manner consistent with the Office of Land Use and Climate Innovation's (previously Office of Planning and Research) Technical Advisory and acknowledges the proposed General Plan actions would help to mitigate potential VMT impacts. No further response is required.

Comment-GOV3-4:

Additionally, given that City of Santa Rosa is a large growing city that may see substantial developments in the future, the City should continue to research and explore funding opportunities for investing the appropriate local transit system based on the City's future needs, particularly for the east-west axis. A strong reliance on U.S. 101 and Sonoma-Marin Area Rail Transit (SMART) would concentrate growth and investments in the north-south direction, which might result in increased VMT compared to a similar-sized city with various axes of importance. We encourage the City to consider strategies to further improve east-west connections that would create a complete, interconnected transportation network that helps advance the General Plan's goals.

Response-GOV3-4:

The comment encourages continued research and exploration of funding opportunities for investing in the appropriate local transit system.

Comment-GOV3-5:

Multimodal Transportation Planning

Please review and include the reference to the *Caltrans District 4 Pedestrian Plan* (2021) in the DEIR. This plan studies existing conditions for walking along and across the State Transportation Network (STN) in the nine-county Bay Area and developed a list of location-based and prioritized needs.

Please note that any Complete Streets reference should be updated to reflect Caltrans Director's Policy 37 ([link](#)) that highlights the importance of addressing the needs of non-motorists and prioritizing space-efficient forms of mobility, while also facilitating goods movement in a manner with the

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least environmental and social impacts. This supersedes Deputy Directive 64-R1, and further builds upon its goals of focusing on the movement of people and goods.

Response-GOV3-5:

As shown in Chapter 5, *Revisions to the Draft EIR*, of this Final EIR, Chapter 4.15, *Transportation*, of the Draft EIR has been revised to include discussion on the Caltrans District 4 Pedestrian Plan and to reflect the updated Caltrans Director’s Policy 37. This revision does not affect any conclusions or significance determinations in the Draft EIR. Therefore, no recirculation of the Draft EIR is required pursuant to CEQA Guidelines Section 15088.5(a), *Recirculation of an EIR Prior to Certification*.

Comment-GOV3-6:

Equity and Public Engagement

We will achieve equity when everyone has access to what they need to thrive no matter their race, socioeconomic status, identity, where they live, or how they travel.

Caltrans is committed to advancing equity and livability in all communities. We look forward to collaborating with the City to prioritize projects that are equitable and provide meaningful benefits to historically underserved communities.

Caltrans encourages the City to foster meaningful, equitable and ongoing public engagement in the General Plan development process to ensure future transportation decisions and investments reflect community interests and values. The public engagement process should include community-sensitive and equity-focused approaches seeking out the needs of individuals from underserved, Tribal, and low-income communities, the elderly, and individuals with disabilities.

Response-GOV3-6:

The comment encourages collaboration with the City to prioritize projects that are equitable and provide meaningful benefits to historically underserved communities.

Comment-GOV3-7:

Thank you again for including Caltrans in the environmental review process. Should you have any questions regarding this letter, please contact Melissa Hernandez, Associate Transportation Planner, via LDResponseD4@dot.ca.gov.

For future early coordination opportunities or project referrals, please visit Caltrans LDR website ([link](#)) or contact LDResponseD4@dot.ca.gov.

Response-GOV3-7:

This comment serves as a closing remark. The City appreciates the input from Caltrans and will rely on their expertise if and when future development is proposed throughout implementation of the General Plan.

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Comment Letter GOV4: Tennis Wick, Sonoma County, November 20, 2024

Comment-GOV4-1:

Thank you for providing the Notice of Availability for the Draft Environmental Impact Report (DEIR) for the City of Santa Rosa’s General Plan Update as issued on 7 October 2024. We appreciate the opportunity to review the DEIR and the Project.

Response-GOV4-1:

This comment serves as an opening remark.

Comment-GOV4-2:

As neighboring jurisdictions striving to support a sustainable future, we share many common issues and challenges. The development of a new General Plan is a unique and valuable opportunity to address these challenges. With Santa Rosa moving toward completion of Santa Rosa Forward and the County of Sonoma beginning the visioning process for General Plan Sonoma, we have an opportunity to not only address local issues, but to recognize local issues of regional significance, and identify opportunities for collaboration to achieve mutual benefits.

Santa Rosa and the unincorporated County have the largest populations in the county (first and second, respectively). Santa Rosa is the fifth largest city in the Bay Area. Land-use policies within these jurisdictions have far-reaching effects on land-use throughout the region. Santa Rosa Forward includes multiple goals and policies that acknowledge this relationship and call for coordination between our jurisdictions.

Natural resource conservation within the city, like transportation, housing, and other land use issues, has significant implications for local ecosystems. Ongoing commitment to initiatives such as the Citywide Creek Master Plan can enhance waterways, regional trails, and active transportation networks, while also promoting equitable access to parks throughout the city. Projects like the Southeast Greenway offer promising opportunities to improve access to city, county, and state parks.

City-centered growth is fundamental to Santa Rosa Forward and General Plan Sonoma. The unincorporated County and all nine cities share a compact built upon city-centered growth around transit nodes, contained within urban growth boundaries, buttressed by community separators and agricultural preservation and open space acquisitions. These interrelated measures protect our identity, agricultural economy, and open space.

Residents and businesses within multiple unincorporated areas surrounded by or close to city limits are part of the Santa Rosa community. I appreciate Santa Rosa’s Vision represented in the 13 ideals of Santa Rosa Forward, recognizing the impact of land use policies on communities throughout the region, and welcoming the input from all members of the public in the general plan process.

Looking forward to the upcoming Regional Housing Needs Allocation (RHNA) cycle, we recognize the importance of ensuring a fair and equitable housing allocation for all residents of Sonoma County. Instead of relying on the Association of Bay Area Governments (ABAG) to determine the regional fair share of housing, the County is committed to supporting and promoting the formation of a RHNA subregion, as allowed by state law. This approach offers the opportunity for a more equitable and tailored allocation process, benefiting all cities within the subregion. I invite the City to join us in future discussions to further this effort and to work collaboratively with the other cities for a fairer distribution of housing.

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Response-GOV4-2:

The comment describes the relationship between the City and the County and encourages collaboration to achieve mutual benefits.

Comment-GOV4-3:

Thank you for the opportunity to review the DEIR and Project. I look forward to more opportunities to connect as Santa Rosa and the County of Sonoma continue [sic] advance our new General Plans.

Response-GOV4-3:

This comment serves as a closing remark. The City appreciates the input from Sonoma County and will rely on their expertise if and when future development is proposed throughout implementation of the General Plan.

Private Organizations

Comment Letter ORG1: Chris Guenther, Bikeable Santa Rosa, on behalf of multiple organizations (see Chapter 3, *List of Commenters*, of this Final EIR for the full list) November 20, 2024

Comment-ORG1-1:

We are writing on behalf of the groups listed below to provide feedback on the Draft Environmental Impact Report (EIR) for the proposed General Plan 2050. In particular, we are concerned about the findings of the Transportation chapter of the Draft EIR, which states that the proposed General Plan would result in 57.9 million additional vehicle miles traveled (VMT) per year, or approximately 158,630 daily VMT. We recognize that calculating average projected VMT per capita is complex, and roadway VMT is just one part of the equation. Nevertheless, we are concerned that this additional VMT represents an unnecessary undermining of city and state goals.

Response-ORG1-1:

Please see Master Response 3, *Vehicle Miles Traveled*, regarding the roadway network VMT impact for a more detailed response to the VMT findings in the Draft EIR. As discussed in Master Response 3 and in Chapter 4.15, *Transportation*, of the Draft EIR, the significant and unavoidable finding is related to the unknown nature and timing of future projects and mitigation options, which affect VMT but cannot be analyzed at this time. Future projects will be evaluated on a case-by-case basis where these details will be known and adequately mitigated; therefore, meeting the City and State goals with respect to VMT. Further, the General Plan has many competing interests that the City must balance. As discussed in Master Response 3, the largest capacity-increasing project is the Farmers Lane extension, which would also incorporate facilities for non-auto travel and would reduce driving distances for travel between many parts of eastern and southern Santa Rosa. While this adds new lanes, it also reduces the length of many daily trips. Other major projects include widening along Highway 12 in eastern Santa Rosa, which is adjacent to the planned Sonoma Valley Trail, and widening a portion of Stony Point Road in the southern part of the city. As stated, all three of these roadway expansion projects would also play a role in providing adequate facilities for emergency evacuations as the General Plan is built out, thereby meeting important safety goals for the City. In addition, as described under impact discussion TRAN-1 in Chapter 4.15 of the Draft EIR, the proposed General Plan 2050 calls for the City to implement the Santa Rosa 2018 *Bicycle and Pedestrian Master Plan* (currently being updated and renamed the Active Transportation Plan, *Reimagining CityBus*, and the *Short-Range Transit Plan* (as

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well as future updates to these plans), all of which identify prioritized lists of projects for the City to implement. Additionally, as described under impact discussion GHG-2 in Chapter 4.8, *Greenhouse Gas Emissions*, of the Draft EIR, the proposed General Plan 2050 would not conflict with applicable plans adopted for the purpose of reducing GHG emissions, which include California Air Resources Board’s (CARB) Scoping Plan and Metropolitan Transportation Commission (MTC)/ABAG’s Plan Bay Area. Accordingly, the findings do not reflect a conflict or undermining of the City and State goals.

Comment-ORG1-2:

As you no doubt understand, an increase in VMT is undesirable, contributing to a host of negative consequences for cities including increased air and noise pollution, greenhouse gas emissions, traffic congestion, traffic violence, high infrastructure costs, and more. For these reasons, the State of California has made it clear that cities should be doing everything in their power to reduce VMT – a goal that is repeatedly and forcefully endorsed by the General Plan itself. And yet the Draft EIR not only finds that the proposed General Plan will result in the opposite, but that that outcome is supposedly *unavoidable*. We disagree. We can and must do better.

Response-ORG1-2:

Please see Master Response 3, *Vehicle Miles Traveled*, for additional explanation on the VMT impact calculations and impact conclusions. It is important to understand that “unavoidable” impact description is strictly applied to the program-level findings of the long-range General Plan that will span a 25-year buildout horizon and for which specific development timing and the nature of projects and potential features to reduce VMT on a case-by-case basis is not known. This finding does not mean that over the life of the General Plan 2050 no project can ever achieve the acceptable threshold adopted by the City or other agencies and regulations. As described in Chapter 1, *Introduction*, of the Draft EIR, this EIR is a program EIR that analyzes the adoption and implementation of the proposed project (General Plan 2050), which is in contrast to a project-level EIR that is used to identify and analyze the potential impacts of site-specific construction and operation. As concluded Master Response 3 and in Chapter 4.15, *Transportation*, of the Draft EIR, given the programmatic nature of the proposed project, uncertainties as to whether individual development projects will be able to successfully meet VMT standards even with mitigation, and uncertainties as to the availability of other mitigation strategies such as VMT exchanges or banks, the impact is considered significant and unavoidable at the program level. However, this impact conclusion does not preclude the finding of less than significant at the project level for future projects over the 2050 buildout horizon. As discussed in Chapter 4.15 of the Draft EIR, proposed General Plan 2050 *Action 3-1.1, requires that all projects with the potential to increase VMT prepare an analysis of projected VMT and mitigation, as necessary. Likewise, with respect to air quality and noise from automobiles, as discussed in Chapter 4.3, *Air Quality*, and Chapter 4.12, *Noise*, of the Draft EIR, due to the unknown nature of project-specific details, it is not possible to state definitely that all Bay Area Air District (Air District) or City noise thresholds will be met by all future development projects over the buildout horizon. Like VMT, the proposed General Plan has mitigation in place that requires project-level analysis on a case-by-case basis to ensure individual projects implement measures to ensure air pollutant emissions and automobile noise meet acceptable thresholds. Additionally, the proposed General Plan 2050 goals, policies, and actions covering topics such as expansion of the pedestrian and bicycle networks, promotion of public and active transit, and support to increase building energy efficiency and energy conservation would also reduce criteria air pollutants and the use of automobiles in the EIR Study Area. Specifically, proposed *Action 3-6.31 requires potential future development in Santa

COMMENTS AND RESPONSES

TABLE 4-1 **RESPONSES TO INDIVIDUAL COMMENTS ON THE DRAFT EIR**

Rosa that exceeds the Air District screening sizes to evaluate project-specific operation emissions in conformance with the Air District methodology and proposed *Action 5-7.1 requires the preparation of acoustical studies prepared by qualified acoustical consultants to evaluate and mitigate impacts. With respect to greenhouse gas emissions, as discussed in Response-ORG1-1, impact discussion GHG-2 in Chapter 4.8, *Greenhouse Gas Emissions*, of the Draft EIR finds that proposed General Plan 2050 would not conflict with applicable plans adopted for the purpose of reducing GHG emissions, which include CARB's Scoping Plan and MTC/ABAG's Plan Bay Area. The evaluation of traffic congestion, traffic violence, and high infrastructure costs, are outside the scope of CEQA and this EIR.

Comment-ORG1-3:

We understand that the General Plan calls for many positive VMT reduction strategies, which we applaud. We are concerned that these steps are being negated by continued allegiance to car-centric growth. Specifically, we learned from the analysis and from discussion at the November 14 meeting of the Planning Commission, that the projected growth in VMT is driven primarily by the proposed increase in arterial lane miles and the expected increase in vehicle travel this will induce. On that basis, we believe it is in the best interest of the city and its residents to remove many (if not all) of the projects that would increase road capacity from the proposed General Plan. This is not only desirable as a strategy to limit vehicle miles traveled and their many externalities, but also as a matter of fiscal responsibility. New road infrastructure is expensive to build and even more expensive to maintain over time. As we currently struggle to maintain the roads we already have, we should not build costly and counter-productive infrastructure liabilities into our general plan.

Response-ORG1-3:

Please see Master Response 3, *Vehicle Miles Traveled*, for additional explanation on the VMT impact calculations and impact conclusions. It is important to note, as stated in Response-ORG1-1, there are many competing interests that the City must address for projects as big and broad as a long-term General Plan and as stated in Master Response 3, all three of the roadway expansion projects also play a role in providing adequate facilities for emergency evacuations. Additionally, as stated in Master Response 3, and as shown in Table 3-4, *Major Planned Roadway Circulation Improvements*, in Chapter 3, *Project Description*, of the Draft EIR, while buildout of the proposed General Plan 2050 would add arterial lane miles, it is also important to recognize that many City projects, including several in the proposed General Plan 2050 would *reduce* lane miles, reallocating roadway width to provide more robust non-auto facilities, including bike lanes. Accordingly, the City maintains that the need for the roadway infrastructure improvements is important for these reasons and the General Plan 2050 requires project-level analysis and mitigation to ensure that VMT as well as air and noise pollution standards are met.

Comment-ORG1-4:

As a final note, in preparing this letter, we found it very easy to access the information and documents available on the General Plan website. We appreciate your continued efforts to keep the site updated for the benefit of the public.

Response-ORG1-4:

The comment expresses appreciation for the accessibility of the information and documents on the project website.

COMMENTS AND RESPONSES

TABLE 4-1 RESPONSES TO INDIVIDUAL COMMENTS ON THE DRAFT EIR

Members of the Public

Comment Letter PUB1: Andrew Smith, October 20, 2024

Comment-PUB1-1:

Greetings. Wanted to give some comments on this huge report and process going on for a few years.

The city of Santa Rosa has housing obligations to meet under state requirements and overall doing a good job especially for affordable housing.

Response-PUB1-1:

This comment serves as an opening remark.

Comment-PUB1-2:

My biggest criticism for the city council is the focus on making downtown an urban area and restricting of housing being built on the westside where there seems to be plenty of open spaces to build for all types of housing. The two should not be mutually exclusive. Santa Rosa is a suburban-rural city and while density is increasing naturally over time for housing and where people live, it is not an urban area. Wanting to get people out of their cars to use public transportation, bicycles and walking are good ideas but you can't transform Santa Rosa to be more urban.

In fact, one of the biggest issues to get people to use public transportation is an outdated bus model in Sonoma County with 3 transit systems. Merging Santa Rosa's Transit system with Sonoma County Transit means better integration of bus schedules and with SMART train. Right now, the focus is to do a better job of connecting buses and SMART trains but is it happening which the Metro Transportation Commission has recommended doing? Answer seems to be no! Worse, we don't know the future of the SMART train as it needs to renew its sales tax by 2029 in a 2/3 vote in Sonoma County where there was failure to do that a few years. The hiring of bus personnel for Santa Rosa Transit means competing with Sonoma County Transit. A story in the Press Democrat earlier this year on the inability to hire bus drivers and other important personnel leaving buses not being used. Not a good way to ensure that those people wanting this urban environment will want to live downtown.

In fact, one area that Santa Rosa should focus on is making it easier to use public transportation a policy to go to the three hospitals in our city and related offices for medical appointments. Healthcare is a huge sector in our city. It is used not just by people in Santa Rosa but those in Northern and Southern Sonoma County and probably in Mendocino and Lake Counties. If SMART survives and at least gets to Healdsburg, people in Mendocino and Lake Counties could drive down to the SMART station in Healdsburg and take the train to one of the three hospitals and medical offices as long as there are shuttles or buses available.

One area for home ownership that is lacking in Santa Rosa and I have written the city council on it is building condominiums for first time buyers. A way for home ownership and to build equity. Seems like the focus is just on single family homes and townhouses in Santa Rosa. Condominiums are a good use of land for higher density housing and brings in more needed property taxes and other fees for Santa Rosa. This could help the middle class to stay in Santa Rosa who have to deal with rising costs to live here.

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TABLE 4-1 RESPONSES TO INDIVIDUAL COMMENTS ON THE DRAFT EIR

The city council has allowed housing to be built in the downtown area without at least one parking place per unit. Supposedly that forces some tenants to pay for parking at a city lot. But what happens if that tenant parks on the street in front of homeowner's housing? Next thing you have is Santa Rosa implementing Permit Fee parking to park in front of their own houses. That is wrong! If Santa Rosa wants to allow this type of housing built in the downtown area without the minimum one parking place per unit, then a restriction should be made that no one can rent an apartment if they have a vehicle and no parking places in the building are available.

Response-PUB1-2:

The comment expresses an opinion about the proposed project but does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR, nor does the comment raise a new environmental issue. Please see Master Response 1, *Standards for Responses and Focus of Review*, regarding project merits.

Comment-PUB1-3:

I am not sure if this part of the EIR includes Santa Rosa annexing properties inside the city limit. There was a Press Democrat story in 2023 on this issue and 30 islands of Sonoma County property located inside the city limits. Why not annex them which would bring in extra property taxes and other fees needed by Santa Rosa government. And some other areas as well that are within the city's boundary. There will not be a problem for police and fire services as they just drive by these areas all the time. As long as the annexation is within city limits, a good policy for more property tax revenue and other city fees without stressing important city services.

Response-PUB1-3:

The comment expresses an opinion about annexation but does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR, nor does the comment raise a new environmental issue. As described in Section 3.4.1.4, *Sphere of Influence*, in Chapter 3, *Project Description*, of the Draft EIR, the Sphere of Influence, which is considered the City's ultimate potential area for future annexation and provision of City services, was approved by the Sonoma Local Agency Formation Commission (Sonoma LAFCO) in May 2024. Annexations must go through a legal process that requires input from residents or property owners and are subject to Sonoma LAFCO review and approval. The proposed project would not result in any changes to the city limit. As described in Chapter 4.11, *Land Use and Planning*, on page 4.11-4 of the Draft EIR, although the City does not propose to annex or de-annex any areas of the Sphere of Influence as part of the proposed General Plan 2050, annexation proposals could occur during the buildout horizon of the proposed General Plan 2050.

The commenters opinion regarding the annexation of unincorporated county islands into the city limit is acknowledged for the record and will be forwarded to the decision-making bodies as part of this Final EIR for their consideration in reviewing the project and EIR.

Comment Letter PUB2: Mark Garay, November 5, 2024

Comment-PUB2-1:

Where should we direct any comments regarding the GPU for consideration by Planning Commission.

COMMENTS AND RESPONSES

TABLE 4-1 RESPONSES TO INDIVIDUAL COMMENTS ON THE DRAFT EIR

Response-PUB2-1:

As stated in the Notice of Availability and on the project website, written comments on the Draft EIR were accepted by mail or email to Amy Nicholson, Supervising Planner – Advance Planning at the following addresses:

Submit Comments by Mail

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

Submit Comment by Email

Send an email to: anicholson@srcity.org with the subject “Santa Rosa General Plan 2050 EIR.”

Comment-PUB2-2:

The Acacia sites which we have been exchanging emails about are part of a combined rezoning application PRJ24--019. They are the proposed as the No Net Loss component of the downzoning of the 3150 Dutton Ave site. We would request that those parcels be footnoted in the EIR to reflect these parcels as being a part of this joint application. Please see attached Notice Of Application.

Response-PUB2-2:

Table 3-2, *General Plan Land Use and Zoning Revisions*, of the Draft EIR lists the parcels that are proposed to be redesignated and/or rezoned. The Acacia sites are listed as sites with map numbers 6 and 7. The table does not consider applications, as it is not relevant to the analysis presented in the Draft EIR. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies as part of this Final EIR for their consideration in reviewing the project and EIR.

Comment Letter PUB3: Mark Garay, November 6, 2024

Comment-PUB3-1:

Thank you very much for forwarding my request to Amy Nicholson.

Amy, please submit this request to the Planning Commission and make them part of the comments file.

Response-PUB3-1:

This comment serves as an opening remark.

COMMENTS AND RESPONSES

TABLE 4-1 RESPONSES TO INDIVIDUAL COMMENTS ON THE DRAFT EIR

Comment-PUB3-2:

As stated, The Acacia sites which we have been exchanging emails about are part of a combined rezoning application with 3150 Dutton Ave. The two parcels are proposed as the upzoning to satisfy the No Net Loss component of the downzoning of the 3150 Dutton Ave site. We would request that those parcels 615 & 625 Acacia Lane, APNs 182-520-098 & 182-520-099 be footnoted in the EIR to reflect the nexus that these parcels as being a part of this current joint application PRJ24-019 . Please see attached Notice Of Application. We want the Council to be aware that this application is in process and may in fact come to them shortly after their approval of the GPU, so they may be fully informed and anticipate this land use change.

Response-PUB3-2:

Please see Response-PUB2-2 regarding the Acacia sites. The commenter’s note that this application is in process and may come to City Council shortly after approval of the proposed project is acknowledged for the record and will be forwarded to the decision-making bodies as part of this Final EIR for their consideration in reviewing the project and EIR.

Comment Letter PUB4: Kelsey Cody, November 8, 2024

Comment-PUB4-1:

I notice that Figure 4-4.3, Special-Status Animals and Critical Habitats, from the Biological Resources chapter does not have a legend indicating what species correspond to the abbreviations. It would be helpful if the map was revised to include that legend, or if a separate legend could be provided in an errata.

Response-PUB4-1:

As shown in Chapter 5, *Revisions to the Draft EIR*, of this Final EIR, Figure 4-4.3, *Special-Status Animals and Critical Habitats*, in Chapter 4.4, *Biological Resources*, of the Draft EIR has been revised to correct the legend and include species names and acronyms. This revision does not affect any conclusions or significance determinations in the Draft EIR. Therefore, no recirculation of the Draft EIR is required pursuant to CEQA Guidelines Section 15088.5(a), *Recirculation of an EIR Prior to Certification*.

Comment Letter PUB5: Ken MacNab, November 12, 2024

Comment-PUB5-1:

Thank you for the opportunity to provide comments on the Draft EIR for the Santa Rosa 2050 General Plan. This letter is being submitted on behalf of property owners in the Todd Creek area of unincorporated southeast Santa Rosa, who have had a long-standing interest in annexing and developing their land with needed housing. Our comments on the Draft EIR and Draft 2050 General Plan document are summarized below followed by a more detailed statement.

Response-PUB5-1:

This comment serves as an opening remark.

COMMENTS AND RESPONSES

TABLE 4-1 RESPONSES TO INDIVIDUAL COMMENTS ON THE DRAFT EIR

Comment-PUB5-2:

The Draft Santa Rosa 2050 General Plan and corresponding Draft EIR do not recognize that a major planning study is underway for the 1,900-acre south Santa Rosa area (South Santa Rosa Specific Plan). Both the 2050 General Plan and Draft EIR should acknowledge this effort and anticipate that large areas of land within the south Santa Rosa area will be annexed over the next 25 years. More specifically, the Draft EIR should be revised to: (1) note the potential for large annexations to occur in the south Santa Rosa area; and (2) consider any potential impacts that may be associated with future annexation of land within the south Santa Rosa area.

Response-PUB5-2:

The Draft EIR does not include an evaluation of a potential South Santa Rosa Specific Plan described by the commenter, as it would be speculative to evaluate the impacts of such a potential plan when the details, including proposed boundaries, land uses, density, height limits, and projected buildout, have not been established. CEQA does not allow for speculation and does not require an evaluation of speculative issues or conditions (CEQA Guidelines Section 15145, *Speculation*). Because the preparation of a potential South Santa Rosa Specific Plan is in the conceptual stage, there is not sufficient data and information and inclusion of the plan as part of the proposed project would be considered speculative and, pursuant to the CEQA Guidelines, should not be considered in making environmental impact determinations. Therefore, exclusion of the potential South Santa Rosa Specific Plan as part of the proposed project in the Draft EIR is appropriate and no revisions to the Draft EIR are required. Please see Master Response 1, *Standards for Responses and Focus of Review*, regarding speculation without substantial evidence.

Additionally, the proposed General Plan 2050 includes Action 2-1.5 that requires the preparation of a specific plan prior to the annexation of land in south Santa Rosa to identify and accommodate needs related to City services. As the preparation of the South Santa Rosa Specific Plan progresses, it will have its own policies and undergo a separate environmental review as appropriate.

Comment-PUB5-3:

The Todd Creek area presents the single greatest opportunity for the City to secure its housing future. Its development will accommodate a variety of housing types at all income levels that will meet the needs of Santa Rosa residents, including young adults, families, empty nesters and seniors. Annexation and development of the Todd Creek area will also create a new neighborhood with amenities that are currently lacking for residents of the 1,300 existing homes along the south Santa Rosa Avenue corridor. This new neighborhood will feature a community park, neighborhood-serving stores, and access to open space areas. Future development will also help to support and sustain the operation of transit service along Santa Rosa Avenue by bringing hundreds of new homes in close proximity to bus routes serving the downtown area.

The City has recognized the opportunities presented by the Todd Creek area and has included it as part of the South Santa Rosa Specific Plan study area. The South Santa Rosa Specific Plan is a major planning effort that includes the City's Santa Rosa Ave Corridor Priority Development Area (PDA), the County of Sonoma's South Santa Rosa Ave PDA, and the Moorland Avenue and Industry West areas on the west side of Highway 101. In total, the South Santa Rosa Specific Plan encompasses approximately 1,900 acres – the largest of any Specific Plan prepared by the City.

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TABLE 4-1 RESPONSES TO INDIVIDUAL COMMENTS ON THE DRAFT EIR

Response-PUB5-3:

The City appreciates the background information on the Todd Creek area provided by the commenter. Please see Response-PUB5-2 regarding the South Santa Rosa Specific Plan.

Comment-PUB5-4:

It was surprising to find that there is no recognition of the South Santa Rosa Specific Plan planning effort in the current draft of the 2050 General Plan document or the Draft EIR for the 2050 General Plan. The City has been in discussions with representatives of the County of Sonoma about possible annexation of the south Santa Rosa area and is also aware of the development interests of property owners in the Todd Creek area. Large-scale annexations of land within the 1,900-acre South Santa Rosa Specific Plan area – whether City-initiated or developer initiated – are likely to occur within the time frame of the 2050 General Plan. Both the 2050 General Plan and Draft EIR should acknowledge this. The 2050 General Plan should provide guidance on the overarching planning interests to be addressed or achieved by the Specific Plan process and how future annexations in the south Santa Rosa area will be integrated into the City’s long-range plan for growth and development. The Draft EIR should note the potential for future large-scale annexations in the south Santa Rosa area as part of the project description and consider potential impacts as appropriate.

Response-PUB5-4:

Please see Response-PUB5-2 regarding the South Santa Rosa Specific Plan. As described, the Draft EIR does not include an evaluation of a potential South Santa Rosa Specific Plan described by the commenter as it would be speculative to evaluate the impacts of such a potential plan when the details, including proposed boundaries, land uses, density, height limits, and projected buildout, have not been established.

Comment-PUB5-5:

Thank you for your consideration of these comments.

Response-PUB5-5:

This comment serves as a closing remark.

Comment Letter PUB6: Sonia Taylor, November 20, 2024

Comment-PUB6-1:

Below are my comments to the Draft Environmental Impact Report for the proposed Santa Rosa General Plan 2050 (SR GP DEIR).

I appreciate the opportunity comment on this SR GP DEIR, and will be happy to answer any questions you might have.

Response-PUB6-1:

This comment serves as an opening remark.

COMMENTS AND RESPONSES

TABLE 4-1 RESPONSES TO INDIVIDUAL COMMENTS ON THE DRAFT EIR

Comment-PUB6-2:

1. The SR GP DEIR Relies on Discretionary Laws/Regulations/Rules, and Proposes Discretionary Actions

As a result of California’s housing crisis, over the past years the California Legislature has passed, and the Governor has signed into effect, multiple laws which streamline housing projects, including laws which allow projects to entirely bypass the California Environmental Quality Act (CEQA). While at least some of these laws don’t go into effect unless a jurisdiction such as Santa Rosa doesn’t have a Certified Housing Element, or when a jurisdiction is determined not to have met their Regional Housing Needs Assessment numbers (RHNA), some of the laws, such as this year’s AB 2243, eliminate the ability of a jurisdiction to use CEQA at all in project approvals.¹

Footnote 1: Given the continued erosion of the ability to use CEQA to evaluate projects, I believe it is necessary for Santa Rosa to establish their own local thresholds of significance, which are specific environmental thresholds Santa Rosa would use to determine whether a proposed project’s effects on what would normally be CEQA impacts would be considered significant in Santa Rosa.

Many, if not all, of these laws eliminate the ability of a jurisdiction to make any discretionary findings – only objective findings are permitted.

And, of course, in spite of Santa Rosa’s diligent efforts, it is probable that at some point during the duration of General Plan 2050 Santa Rosa will not meet RHNA and therefore will lose all ability to use any discretion in considering many housing project approvals.

Unfortunately, the SR GP DEIR in multiple instances impermissibly relies on ability of Santa Rosa to use discretion and/or CEQA before approving projects which will have environmental impacts. Further, the SR GP DEIR then reaches conclusions about whether impacts will be significant or less than significant (either with or without mitigation) based on its erroneous reliance on Santa Rosa’s continued ability to use discretion when evaluating projects.

Response-PUB6-2:

The commenter opines about the legislation in California aimed at streamlining the development of new housing in the state due to the ongoing housing crisis. Because this portion of the comment is not related to the EIR, no response is provided.

With respect to the commenter’s suggestion (shown in Footnote 1 of the comment letter), for the City to establish its own local environmental thresholds of significance for projects exempt from CEQA, the City’s General Plan and Municipal Code, as described in this EIR, already include standards that all future development, including those subject to CEQA and those exempt from CEQA, under their jurisdiction must comply with, as applicable, to protect the environment and ensure the conservation of resources in Santa Rosa. These are summarized in Chapters 4.1 through 4.18 of the Draft EIR under the subheading “Regulatory Framework” and where General Plan policies and actions establish standards, these are listed under each impact discussion under the subheading “Impact Discussion.” Further, it would be a conflict of State legislation for the City to impose a quasi-CEQA review process for projects exempt from CEQA.

COMMENTS AND RESPONSES**TABLE 4-1 RESPONSES TO INDIVIDUAL COMMENTS ON THE DRAFT EIR**

While some proposed future development projects may be subject to CEQA review and others may be exempt from CEQA review, the findings of the General Plan EIR do not rely on the City to review proposed future development projects pursuant to CEQA before the City can approve a project. As summarized in Master Response 2, *Mitigation*, under subheading “General Plan Policies and Actions as Mitigation, this EIR incorporates mitigation in the form of General Plan policies and actions pursuant to CEQA Statute Section 21081.6(b) and CEQA Guidelines Section 15126.4(a)(2) that are required for all projects under the jurisdiction of the City and not only those projects that are subject to CEQA. In other words, even future projects under the jurisdiction of the City that are exempt from CEQA are still required to comply with the General Plan policies and actions, and other local, State, and federal laws that are applicable to the proposed future project to protect the environment. Specifically, as discussed in Chapter 4.0, *Environmental Analysis*, on page 4-5 of the Draft EIR, the Draft EIR identifies policies and actions in the proposed General Plan that are also required as means to mitigate environmental impacts. The mitigating policies and actions described in this EIR are fully enforceable through permit conditions, agreements, or other legally binding instruments and include performance criteria. As stated, regardless of whether a project is subject to CEQA review, projects within the jurisdiction of the City would be required to be consistent with the applicable proposed General Plan policies and actions. Therefore, required compliance with the mitigating General Plan policies and actions would serve to minimize environmental impacts even if a project is exempt from CEQA. Chapter 6, *Mitigation Monitoring and Reporting Program*, of this Final EIR includes an MMRP that the City and future project applicants may use to ensure proper implementation of the mitigating General Plan policies and actions. Please note that not every General Plan policy and action is intended to directly mitigate an identified significant impact, and, because a General Plan consists of policies reflecting a wide range of competing interests, nor is every policy and action, mitigating or not, applicable to every project. Neither State law nor City regulation impose such a requirement. Please see Master Response 2 regarding implementing mitigation measures and General Plan policies and actions as mitigation.

The commenter speculates that the City may not meet its Regional Housing Needs Assessment (RHNA) allocation of housing units over the course of the 2050 horizon of the General Plan. However, as described in Chapter 4.13, *Population and Housing*, of the Draft EIR, the City’s 2023-2031 Housing Element was adopted on February 14, 2023, and therefore the City met its assigned 6th Cycle RHNA of 4,685 dwelling units. Further, as part of the proposed project, the City has made strategic planning decisions to meet future RHNA assignments over the 2050 buildout horizon. As described in Chapter 4.13 on page 4.13-7 of the Draft EIR, assuming continued eight-year RHNA cycles, and that the proposed General Plan expected life cycle is 2050, the proposed General Plan should designate sufficient residential land to accommodate the future 7th Cycle (2031–2039), the 8th Cycle (2039–2047), and some of the 9th Cycle (2047–2055). As described in the Draft EIR, the scale of future housing allocations is unknown and difficult to predict. However, if the 7th Cycle RHNA uses the same percentage change as the 5th to 6th Cycle RHNA, it would call for approximately 4,455 new units. If the 8th and 9th Cycles continue that trend, it could be expected to call for an additional 4,380 new units by 2047 and an additional 4,430 new units by 2055, for a combined total of around 17,950 new units over the 7th through 9th Cycles, covering the years 2031 to 2055. As described in Chapter 3, *Project Description*, of the Draft EIR, the EIR evaluates a projected growth of up to 24,090 housing units, thereby addressing future RHNA cycles over the buildout horizon of the proposed General Plan 2050 and the commenter’s concern.

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TABLE 4-1 **RESPONSES TO INDIVIDUAL COMMENTS ON THE DRAFT EIR**

Comment-PUB6-3:

Without being exhaustive, a few examples of this error in the SR GP DEIR are:

4.12 Noise

Table 4.12-4, Conditionally Acceptable “note”

New construction or development should be undertaken only after a detailed analysis of noise reduction requirements is made and needed noise insulation features included in design. Conventional construction, but with closed windows and fresh air supply systems or air conditioning, will normally suffice.

As is obvious, this is not objective – “should.” In the case of ministerial housing projects Santa Rosa will have no ability to require any analysis of noise reduction, because this is not objective. This is unacceptable.

Response-PUB6-3:

As described in Chapter 4.12, *Noise*, on page 4.12-7 of the Draft EIR, the City of Santa Rosa has not adopted its own noise and land use compatibility guidelines. Therefore, the State of California’s compatibility guidelines noted by the commenter and shown in Table 4.12-4, *State Community Noise and Land Use Compatibility*, in Chapter 4.12 of the Draft EIR, were shown for reference. The table is not an adopted standard or threshold. It is just a reference tool provided by the State. The commenter misunderstands how the State of California General Plan Guidelines presented in the Draft EIR are applied. The use of the term “should,” as noted by the commenter, is not a standard to which a noise impact would be determined or rectified. All future development would be required to meet the City’s noise thresholds. As described in Chapter 4.12 of the Draft EIR, proposed General Plan 2050 *Action 5-7.1 requires the City to continue to require acoustical studies prepared by qualified acoustical consultants in accordance with Municipal Code standards. In addition, proposed *Action 5-7.2 requires the City to use the Federal Transit Administration’s construction noise and vibration thresholds as applicable to assess impacts to surrounding land uses and identify mitigation during the project approval process; *Action 5-7.10 requires the City to update the Noise Ordinance to incorporate construction best management practices to minimize construction noise. As described in Response-PUB6-2, ministerial projects in Santa Rosa would still be required to comply with applicable laws, City ordinances, and regulations, including the proposed General Plan 2050 policies and actions. Please see Response-PUB6-2 and Master Response 2, *Mitigation*, regarding General Plan policies and actions as mitigation.

Comment-PUB6-4:

4.17 Utilities Services Systems

Sewer Design Standards

More stringent requirements may be imposed by the Director of Santa Rosa Water based on specific project conditions.

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As is obvious, this is not objective – “may.” In the case of ministerial housing projects Santa Rosa will have no ability to require any more stringent requirements that would be appropriate, because this is not objective. This is unacceptable.

Response-PUB6-4:

As described under impact discussion USS-4 in Chapter 4.17, *Utilities and Service Systems*, of the Draft EIR, implementation of the proposed project would not require the construction or expansion of the Laguna Treatment Plant or sewer collection system beyond what is already planned or under construction, which is the standard for assessing environmental impacts under CEQA. The increase in wastewater demand with buildout of the proposed project is estimated to be approximately 4.27 million gallons per day (MGD). Combined with the existing average daily flow of 13.1 MGD and the increase with other contributors to the Laguna Treatment Plant flow rates, the estimated total wastewater flow rate in 2050 is estimated to be approximately 18 MGD, which is less than the Laguna Treatment Plant’s permitted average daily flow rate of 21.34 MGD. This is absent any requirement to apply the City’s Sanitary Sewer Standard Specifications, which, as described, are guidelines for design of sewer systems that include sanitary sewer system design standards, standard plans, construction specifications, and an engineer’s list of approved items to reduce the time required for processing the plans. As described in the Draft EIR, in addition to the proposed buildout not exceeding the Laguna Treatment Plant capacity, adherence to the City’s municipal code requirements as well as the proposed General Plan 2050 goal, policy, and actions listed under impact discussion USS-4 would reduce wastewater generation rates over time. As described in Response-PUB6-2, ministerial projects in Santa Rosa would still be required to comply with applicable laws, City ordinances, and regulations and compliance with “more stringent” design standards, while they have benefits to reducing wastewater related impacts, are not required to reduce impacts to a less-than-significant level.

Comment-PUB6-5:

Additionally, the SR GP DEIR also has required Action items which are proposed to mitigate environmental impacts. Unfortunately, some of those Action items themselves are discretionary, assuming that Santa Rosa will continue to have any ability to use that discretion, which is unacceptable, and may result in inaccurate assessment of the environmental impacts, actual mitigation measures required, and determination of levels of significance of housing development in the SR GP DEIR.

Without being exhaustive, some examples of this error in the SR GP DEIR are:

4.10 Hydrology/Water Quality:

Action 3.5-5: Explore options that help to conserve wetlands and rare plants, riparian habitat and other sensitive natural communities, and essential habitat for special-status species, such as:

- Avoidance of sensitive habitat.
- Clustered development.
- Transfer of development rights.
- Compensatory mitigation, such as habitat restoration or creation.

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TABLE 4-1 **RESPONSES TO INDIVIDUAL COMMENTS ON THE DRAFT EIR**

This Action item is neither required nor objective, and requires the use of discretion that will be prohibited in many instances of ministerial housing development. Either this Action item must be amended to be objective, or it cannot be relied upon as mitigation.

Action 5-1.9: Identify enhanced erosion-control measures for properties that exhibit high erosion potential, are in areas of steep slopes, or have experienced past erosion problems.

This Action item is neither required nor objective, and requires the use of discretion that will be prohibited in many instances of ministerial housing development. Either this Action item must be amended to be objective, or it cannot be relied upon as mitigation.

Response-PUB6-5:

As described in Response-PUB6-2 and in Master Response 2, *Mitigation*, not all the proposed General Plan policies and actions apply to every project, nor are they all to be implemented by every individual project. “It is beyond cavil that no project could completely satisfy every policy stated in [a General Plan], and that state law does not impose such a requirement” (*Sequoia Hills Homeowners Association v. City of Oakland* (1993) 23 Cal. App. 4th 704, 719). In the case of proposed General Plan 2050 Action 3-5.5 and Action 5-1.9 referenced by the commenter, these require the City to explore options that the City can take to conserve wetlands and rare plants, riparian habitat and other sensitive natural communities, and essential habitat for special-status species and identify enhanced erosion-control measures for properties that exhibit high erosion potential, are in areas of steep slopes, or have experienced past erosion problems. These are not intended to be implemented by individual development applications nor were they denoted with an asterisk in the Draft EIR. Therefore, the EIR did not consider these actions as mitigating actions.

As described in Chapter 4.4, *Biological Resources*, and Chapter 4.10, *Hydrology and Water Quality*, of the Draft EIR, the proposed General Plan 2050 includes specific actions to ensure impacts to sensitive habitats and impacts from erosion would be addressed on a project-by-project basis. For example, proposed *Action 3-5.10, requires the City to implement existing regulations and procedures, including subdivision guidelines, zoning, design review, and environmental law, to conserve wetlands and rare plants, riparian habitat, and other sensitive natural communities, and essential habitat for special-status species; *Action 3-5.11 requires that a qualified biologist prepare a BRA for proposed development on sites that may support special-status species, sensitive natural communities, important wildlife corridors, or regulated wetlands and waters to identify potential impacts and measures for protecting the resource and surrounding habitat; and *Action 5-1.2 requires that potential future development be restricted in areas where adverse impacts associated with known natural or human-caused geologic hazards cannot be effectively mitigated, as determined by a qualified engineer. Please see Chapter 4.4 and Chapter 4.10 of the Draft EIR for a complete list of mitigating policies and actions. Please see Response-PUB6-2 and Master Response 2, *Mitigation*, with respect to General Plan policies and actions as mitigation.

Comment-PUB6-6:

4.12 Noise

Action 5-7.9: Use conditions of approval to achieve measures to reduce noise and vibration impacts primarily through site planning, and avoid engineering solutions for noise and vibration mitigation, such as sound walls, if possible.

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TABLE 4-1 RESPONSES TO INDIVIDUAL COMMENTS ON THE DRAFT EIR

This Action item appears to be neither required nor objective, and requires the use of discretion that will be prohibited in many instances of ministerial housing development. Either this Action item must be amended to be objective, or it cannot be relied upon as mitigation.

Response-PUB6-6:

Proposed General Plan 2050 *Action 5-7.9 is marked with an asterisk and is therefore considered a mitigating action in the Draft EIR. As discussed in Chapter 4.12, *Noise*, on page 4.12-30 of the Draft EIR, proposed General Plan 2050 policies and actions marked with an asterisk (*) are required as means to mitigate environmental impacts under CEQA. These policies and actions are fully enforceable by the decision maker through permit conditions, agreements, or other legally binding instruments. All actions are required to be implemented by the City and therefore the imperative “shall,” if not explicitly stated, is implied. As shown in Chapter 5, *Revisions to the Draft EIR*, of this Final EIR, all mitigating policies and actions have been revised to include the word “shall.” Please see Response-PUB6-2 and Master Response 2, *Mitigation*, with respect to General Plan policies and actions as mitigation.

Comment-PUB6-7:

4.18 Wildfire

Action 5-3.1: Consider ways that new development can incorporate greenbelt zones into the design to reduce wildfire risk and enhance climate resilience.

Action 5-3.2: Work with land use applicants to locate development relative to landscape features that can act as buffers from oncoming wildfires (like agricultural lands and maintained parks and greenbelts).

Neither of these Action items are required nor objective, and require the use of discretion that will be prohibited in many instances of ministerial housing development. Either these Action items must be amended to be objective, or it cannot be relied upon as mitigation.

4.18 Wildfire

Action 5-3.5: Continue to require new development, redevelopment, and remodels to comply with adopted codes and standards and promote implementation of recommendations for firesafe design in the Community Wildfire Protection Plan.

The second half of this action is neither required nor objective – “promote,” and requires the use of discretion that will be prohibited in many instances of ministerial housing development. Either this Action item must be amended to be objective, or it cannot be relied upon as mitigation.

Response-PUB6-7:

As described in Response-PUB6-2 and in Master Response 2, *Mitigation*, not all the proposed General Plan policies and actions apply to every project nor are all policies and actions to be implemented by individual projects. In the case of proposed General Plan 2050 Action 5-3.1, Action 5-3.2, and Action 5-3.5 referenced by the commenter, these require the City staff to consider ways that new development can incorporate greenbelt zones into the project design to reduce wildfire risk and enhance climate resilience; work with land use applicants to locate development relative to landscape features that can act as buffers from oncoming wildfires; and promote implementation of recommendations in the Community Wildfire Protection Plan for

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TABLE 4-1 **RESPONSES TO INDIVIDUAL COMMENTS ON THE DRAFT EIR**

firesafe design. While proposed Action 5-3.5 would continue to require new development, redevelopment, and remodels to comply with adopted codes and standards, potential future development would be required to comply with existing federal, State, and local regulations, regardless of this action. These are not intended to be implemented by individual development applications, nor were they denoted with an asterisk in the Draft EIR. Therefore, the EIR did not consider these actions as mitigating actions.

As discussed in Chapter 4.18, *Wildfire*, of the Draft EIR, the proposed General Plan 2050 includes specific actions to ensure impacts related to wildfire would be addressed on a project-by-project basis and on a citywide scale. For example, proposed *Action 5-3.8 requires the preparation of fire protection plans for new development and major remodels in the City's Wildland-Urban Interface Fire Area that are consistent with requirements of the California Fire Code and include a risk analysis, fire response capabilities, fire safety requirements, mitigation measures, design considerations for nonconforming fuel modifications, wildfire education maintenance and limitations, and evacuation plans. Future development, regardless of whether it includes new development or redevelopment, would be required to comply with adopted local, regional, and State plans and regulations addressing emergency response and evacuation, including proposed *Action 5-5.14 and *Action 5-5.15, which require the provision of adequate access for fire and emergency response personnel and prohibit the creation of new single-access roadways in the city. Proposed *Action 5-5.17 requires the City to analyze the capacity, viability, and safety of evacuation routes and evacuation locations throughout the city under a range of emergency scenarios and incorporate the results, as necessary, into the Safety Element of the General Plan. This analysis shall be completed as part of the City's Annex to the Sonoma County Multi-Jurisdictional Hazard Mitigation Plan in 2026. In addition, as described in Chapter 4.18 of the Draft EIR, the proposed changes to the circulation infrastructure include strategic improvements that include evacuation route upgrades primarily on arterials in Wildland-Urban Interface Fire Areas. Please see Chapter 4.18 of the Draft EIR for a complete list of mitigating policies and actions related to wildfire and wildfire-related evacuation. Please see Master Response 2, *Mitigation*, with respect to General Plan policies and actions as mitigation.

Comment-PUB6-8:

For the SR GP DEIR to be accurate, every instance when said SR GP DEIR relies on any discretionary rule/law/regulation in determining environmental impacts and/or mitigations that may be necessary, including when the SR GP DEIR itself relies on a discretionary Action as mitigation, must be reevaluated to ensure accurate conclusions.

Response-PUB6-8:

The City appreciates the commenter's careful attention to the proposed General Plan 2050 policies, actions, and development projections. Please see Response-PUB6-2 through Response-PUB6-7 and Master Response 2, *Mitigation*, regarding compliance by all projects with applicable laws, City ordinances, and regulations; the General Plan consists of policies and actions that reflect a wide range of competing interests and, as such, not all policies and actions apply to every future development and not all General Plan policies and actions act as mitigation.

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Comment-PUB6-9:

2. The SR GP DEIR Relies on the Payment of Impact and Other Fees by Development Projects

On Tuesday, November 19, 2024, the Santa Rosa City Council voted to waive some fees for affordable housing to help Santa Rosa meet RHNA. It is possible that there will be future fee reductions and/or waivers required by state law and/or implemented by the City Council. Given that in multiple locations in the SR GP DEIR reliance on those fees is used as mitigation to offset the environmental impacts of development, how will that be affected by this fee waiver, as well as by any future fee reductions/fee waivers?

Some examples include:

4.14 Public Services, Parks and Recreation

Chapter 21-04, Capital Facilities Fees. This chapter creates a capital facilities fee (CFF), which is used to alleviate the cost of certain public infrastructure facilities required to serve new development in the City of Santa Rosa. Out of the five account areas, public safety will have 12.8 percent of the revenue from each CFF.

At page 16 of the PDF, the following is stated:

Potential future development that may occur due to implementation of the proposed project would be required to comply with SRCC Chapter 21-014, which requires new development in Santa Rosa to pay a fee that will be used on certain public infrastructure facilities required to serve the new development.

4.17 Utilities and Service System

Storm Water Assessment Funding

The Storm Water Assessment is a charge placed on each city parcel and is used to fund such projects as mapping and evaluating the storm drain system, flood control improvements, responses to flooding issues and creek restoration.

And

Action 5-2.13: Identify and collect development impact fees needed to pay for mitigation of stormwater management impacts for new development.

The SR GP DEIR must reevaluate its conclusions about fees acting to mitigate environmental impacts and reach new conclusions about what those impacts will be when fees are waived, as they now are for some housing projects.

Response-PUB6-9:

As stated by the commenter, the City has adopted an Affordable Housing Capital Facilities Fee Pilot Program to set the capital facilities fees (CFF) for Very Low, Low, and Moderate deed restricted affordable units to zero dollars for a limited period of time not to exceed three years (2024 to 2027) to encourage near-term affordable housing development and achievement of the City's RHNA requirements. The payment of fees in the examples listed by the commenter and otherwise described in the EIR would continue to be collected by most projects over the three-year time limit established by the

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TABLE 4-1 RESPONSES TO INDIVIDUAL COMMENTS ON THE DRAFT EIR

temporary pilot program and would be applied as intended. The CFF for affordable housing is a pilot program that underwent a separate approval process. For the purposes of the EIR, an evaluation of impacts based on what the City may or may not do in the future would be speculative and as such is inappropriate for including in the EIR. Please see Master Response 1, *Standards for Responses and Focus of Review*, regarding speculation in the EIR. In addition, please note that the payment of CFF is provided for context to demonstrate how the City operates and uses these fees, but no impact conclusions in the Draft EIR other than what is discussed for public schools were determined based on the payment or non-payment of impact fees as asserted by the commenter. With respect to public schools, the mandatory payment of developer impact fees for new development pursuant to Senate Bill 50, California Government Code Section 65995(3)(h) states that the payment of statutory fees is “deemed to be full and complete mitigation of the impacts of any legislative or adjudicative act, or both, involving, but not limited to, the planning, use, or development of real property, or any change in governmental organization or reorganization...on the provision of adequate school facilities.” The school districts are responsible for implementing the specific methods for mitigating school impacts under the Government Code and it would not be within the City’s purview to waive this fee.

Comment-PUB6-10:

3. Project Description Specific Comments

Section 3.6, paragraph 6 calls out a “range of housing,” including Missing Middle housing, but makes no mention of legally affordable housing. Why not?

Response-PUB6-10:

The comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR, nor does the comment raise a new environmental issue. Staff notes that deed-restricted affordable ownership and rental options are compatible with all Missing Middle Housing types. Development of more Missing Middle Housing would broaden the range of housing available in walkable neighborhoods of Santa Rosa. Missing Middle Housing is often built as infill housing in existing neighborhoods. These smaller projects with multiple units would not necessarily be built as affordable, deed-restricted units; however, their smaller size (units are generally 500-1,000 square feet) and location in neighborhoods served by transit, Missing Middle Housing units would generally be more affordable than units in many other parts of the city. Please see Master Response 1, *Standards for Responses and Focus of Review*, regarding project merits.

Comment-PUB6-11:

Section 3.7.1.5, Table 3-4, Chanate Rd is called out for improvements, as a “Resiliency corridor,” with reference to the 2021 Moving Forward 2050 Sonoma County Comprehensive Transportation Plan (hereinafter “the Plan”). That Plan does list Chanate Road as a “project,” with no definition of “resiliency”² with a 2021 cost of \$13 million, but contains no details of either what resiliency means, or what is planned, other than: “The scope of this project includes: Fire evacuation route (Mendocino Avenue to Parker Hill Road) includes roundabout @Parker Hill Rd and Chanate Rd and modifying existing median.”

Footnote 2: This undefined term is used with abandon throughout that Plan, including for conventional road-bed repair, to improve LOS, to add lanes to a conventional freeway interchange, to add lanes to Highway 37, etc.

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TABLE 4-1 RESPONSES TO INDIVIDUAL COMMENTS ON THE DRAFT EIR

The same problem exists a few items down in Table 3-4, where “Evacuation Routes” are called out for improvements, listed as “Primarily on arterials within wildland-urban interface including Fountaingrove Parkway and Montgomery Drive.” The 2021 Moving Forward 2050 Sonoma County Transportation Plan lists this as a project, with the sum of the details being “This project would modify existing roadways to enhance evacuation strategies in the event of a disaster primarily on arterials associated with wildland urban interface (WUI) areas. This project could also include intersection improvements.” As is obvious, the last sentence, where intersection improvements “could” be included, is confirmation that nothing contained in that Plan is an actual planned project.

All this Plan appears to be is a list of loosely defined possible projects that will become, by being listed, eligible for future funding. There is no indication either in the SR GP DEIR or in Section 4.15 Transportation how mere reference in the Plan actually reflects any real new and improved traffic circulation that can be relied upon as a mitigation in the SR GP DEIR. In fact, it cannot be relied upon in that way, as it is meaningless.

Response-PUB6-11:

As the regional transportation authority, the SCTA prepares the Comprehensive Transportation Plan (CTP) for Sonoma County. *Moving Forward 2050*, September 2021, is the most recent CTP approved by the SCTA, and establishes goals and objectives for improving mobility on Sonoma County’s streets, highways, transit systems, and bicycle/pedestrian facilities. Projects in the CTP are included in the Regional Transportation Plan (RTP) adopted by MTC. The 2021 Moving Forward 2050 Sonoma County CTP was referenced in Table 3-4, *Major Planned Roadway Circulation Improvements*, and Table 3-5, *Major Planned Multimodal Circulation Improvements*, in Chapter 3, *Project Description*, of the Draft EIR because these projects are anticipated to be completed over the buildout horizon of the proposed General Plan 2050. As stated in the CTP, local jurisdictions are responsible for most of the transportation infrastructure and recommend projects from their capital improvement plans for inclusion in the CTP. The City is thereby moving forward with these transportation improvement projects by including them as part of the proposed project and their completion is reflected in the technical modeling and analysis discussed in Chapter 4.15, *Transportation*, of the Draft EIR. As implementation of these improvements would occur throughout the buildout horizon of the proposed General Plan 2050, they will undergo a separate CEQA review. These improvements are not relied upon as mitigation in the Draft EIR.

Comment-PUB6-12:

Finally, in 4.18 Wildfire, the SR GP DEIR impermissibly relies on these alleged “projects” for “new or expanded roadways in the WUIFA areas of Santa Rosa, to facilitate access of emergency responders.” The following statement in the 4.18 Wildfire section of the SR GP DEIR is wholly unacceptable:

Specifically, improvements include evacuation route upgrades primarily on arterials in the WUIFA, including Fountaingrove Parkway and Montgomery Drive, and on the Farmers Lane Extension from Bennett Valley Road to Petaluma Hill Road, including sidewalks, bike lanes, and transit route. Accordingly, proposed circulation improvements would not substantially impair the implementation of the Santa Rosa EOP.

As already stated, reliance on these illusory projects to reach conclusions regarding environmental impacts and their significance is unacceptable. The SR GP DEIR must be amended to eliminate its reliance on these alleged projects contained in the Plan, and must thereafter reassess the environmental impacts, mitigation measures needed and levels of significance.

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Response-PUB6-12:

The commenter misunderstands the findings in the Draft EIR and states the findings impermissibly or otherwise rely on the projects in the CTP to facilitate access of emergency responders or to reach findings of less than significant regarding wildfire-related evacuation. Please note, the standard being addressed is if the project would substantially impair an adopted emergency response plan or emergency evacuation plan. As described in Chapter 4.18, *Wildfire*, of the Draft EIR, the findings show the project’s proposed improvements and actions would not impair responders but would support their efforts to respond to emergencies. Please see Response-PUB6-11 and Response-PUB6-12 regarding CTP projects and how proposed circulation improvements were addressed in the Draft EIR. As discussed in Section 3.7.1.5, *Transportation and Infrastructure Improvements*, in Chapter 3, *Project Description*, of the Draft EIR, the new and improved circulation infrastructure is part of the proposed project.

Impacts related to evacuation are described under impact discussion WF-1 in Chapter 4.18, *Wildfire*, of the Draft EIR. Impacts were found to be potentially significant before mitigation. With implementation of proposed General Plan 2050 *Action 5-5.14, *Action 5-5.15, *Action 5-5.16, and *Action 5-5.17, impacts were found to be less than significant. Future development, regardless of whether it includes new development or redevelopment, would be required to comply with adopted local, regional, and State plans and regulations addressing emergency response and evacuation, including proposed *Action 5-5.14 and *Action 5-5.15, which require the provision of adequate access for fire and emergency response personnel and prohibit the creation of new single-access roadways in the city. Proposed *Action 5-5.16 would reduce the number of evacuation-constrained residential parcels identified on Figure 4.18-5, *Evacuation Routes and Evacuation-Constrained Residential Parcels*, in Chapter 4.18 of the Draft EIR by retrofitting existing single-access roads in residential neighborhoods to include additional access routes or other provisions to increase evacuation safety. Proposed *Action 5-5.17 would improve evacuation scenarios by requiring the City to analyze the capacity, viability, and safety of evacuation routes and evacuation locations throughout the city under a range of emergency scenarios and incorporate the results, as necessary, into the Safety Element of the General Plan. This analysis shall be completed as part of the City’s Annex to the Sonoma County Multi-Jurisdictional Hazard Mitigation Plan in 2026. Therefore, implementation of the proposed project would not substantially impair an adopted emergency response plan or emergency evacuation plan and impacts would be less than significant. As stated in Chapter 4.18 on page 4.18-29 of the Draft EIR, in addition to these General Plan actions, the proposed changes to the circulation infrastructure include strategic improvements that include evacuation route upgrades primarily on arterials in Wildland-Urban Interface Fire Areas. Accordingly, these improvements are not relied on for the findings of less than significant. The analysis provided in Chapter 4.18 of the Draft EIR analyzes the proposed improvements and concludes that the impacts to emergency response and operations would not be impacted as a result of the proposed improvements, as these improvements would include evacuation route upgrades; therefore, impacts would be less than significant.

Comment-PUB6-13:

Section 3.7.3.2 calls for the creation of a new zoning district for Missing Middle Housing. The SR GP DEIR states that Missing Middle Housing “could be combined with any residential or mixed-use district...” This is unacceptable. The SR GP 2050 itself states clearly that “In Santa Rosa, Missing Middle Housing is compatible in medium-intensity residential zones (Response2, R 3, TV), mixed-use zones, and some planned development areas.” It is

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impermissible for the SR GP DEIR to change the General Plan itself by stating that Missing Middle Housing could be in any residential [zoning] district, and this must be corrected.³

Footnote 3: Interestingly, in 4.11 Land Use Planning, the SR GP DEIR in Action 2-1.14 merely states “Create development standards for Missing Middle Housing types.” Nonetheless, the SR GP DEIR is the sum of the whole of its parts, and it’s clear that the General Plan 2050’s intention is for Missing Middle Housing to be limited to only some residential zoning districts.

Response-PUB6-13:

As shown in Chapter 5, *Revisions to the Draft EIR*, of this Final EIR, the discussion of Missing Middle Housing in Chapter 3, *Project Description*, of the Draft EIR has been revised to clarify that Missing Middle Housing is compatible in medium-density residential zones (Medium Density Multi-Family Residential, Multi-Family Residential, Transit Village-Mixed), mixed-use zones, and some planned development areas. This revision does not affect any conclusions or significance determinations in the Draft EIR. Therefore, no recirculation of the Draft EIR is required pursuant to CEQA Guidelines Section 15088.5(a), *Recirculation of an EIR Prior to Certification*.

Comment-PUB6-14:

Thank you for your consideration. Please do not hesitate to contact me if you have any questions.

Response-PUB6-14:

This comment serves as a closing remark.

Public Hearing, Santa Rosa Planning Commission, November 14, 2024

Comment PH1: Alexis Forester, Bikeable Santa Rosa

Comment-PH1-1:

The commenter expresses concern about the predicted amount of VMT increase associated with the proposed project and questions the transportation and land use decisions in the proposed General Plan and states that these impacts can be avoided, it’s just a matter of priorities. In addition, the commenter states that the idea of transportation as a human behavior that cannot be predicted is unacceptable and advocates for pleasant walkable and bikeable roads.

Response-PH1-1:

Please see Master Response 3, *Vehicle Miles Traveled*, regarding the proposed project’s VMT impacts.

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Comment PH2: Ken MacNab

Comment-PH2-1:

The commenter states there is no reference to the South Santa Rosa Specific Plan in the proposed General Plan or Draft EIR and provides background information on the Specific Plan and that annexation of areas in South Santa Rosa are reasonably foreseeable and should be acknowledged and addressed in the proposed General Plan and Draft EIR.

Response-PH2-1:

Please see Response-PUB5-2 regarding the South Santa Rosa Specific Plan.

Comment PH3: Commissioner Charles Carter

Comment-PH3-1:

The Commissioner has concerns about the proposed project’s VMT impacts and requests a walkthrough of how project-specific reviews are conducted and how it is integrated with the program-level impacts identified as significant and unavoidable in the General Plan Draft EIR.

Response-PH3-1:

Section 1.4.1.1, *Base Resource for General Plan Implementation and Review of Future Development Projects*, in Chapter 1, *Introduction*, of the Draft EIR, describes how the City will use the programmatic analysis in the EIR when a new development project is filed with the City. In addition, please see Master Response 3, *Vehicle Miles Traveled*, regarding the proposed project’s VMT impacts. As described in Chapter 1 of the Draft EIR, when a new development project is filed with the City, it is reviewed for completeness and consistency with the General Plan 2050 goals, policies, and actions, and City codes and practices. Because City policies, actions, and codes presented in this program EIR will minimize impacts, development projects will implement these measures to: (a) mitigate environmental impacts and (b) achieve consistency with the General Plan 2050 and compliance with City codes. As described in Chapter 4.15, *Transportation*, of the Draft EIR, proposed General Plan 2050 *Action 3-1.1 requires, as part of the City’s project review process, that a project-specific analysis of projected VMT and if warranted, mitigation, that demonstrates the individual project would meet the City’s adopted VMT threshold be conducted and approved by the City for projects with the potential to increase VMT. Please see <https://www.srcity.org/3313/Vehicles-Miles-Traveled> for additional information pertaining to VMT in Santa Rosa. The VMT guidelines used by the City when assessing VMT for individual development projects are also available at <https://www.srcity.org/DocumentCenter/View/28508/Vehicle-Miles-Traveled-Final-Draft-Guidelines-6520>.

As indicated in the City’s VMT Guidelines, several types of development projects would be “screened” from needing to conduct VMT analyses. Examples include small infill projects generating 110 or fewer daily trips, projects in mapped “low VMT” generating areas, certain projects within one-half mile of major transit stops (including SMART stations, the downtown transit mall, and stops along high-frequency bus lines), 100 percent affordable housing developments, local-serving retail uses, and local-serving public facilities. A proposed development generating less VMT than an existing land use that it would replace would also not be required to prepare a VMT study with project-specific mitigation.

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For development projects subject to VMT analysis, data from the SCTA travel demand model will be used to determine the anticipated level of VMT generated (for residential and employment-based uses, the amount of VMT is determined on a per-person basis). For larger projects, or projects whose characteristics are not well represented by current surrounding land uses, custom runs of the SCTA model typically need to be performed using project-specific land use inputs to produce reliable VMT estimates. The resulting VMT projections are then compared to VMT significance thresholds established by the City for the corresponding proposed land use. If a development project is anticipated to exceed VMT significance thresholds, the City will require the project to implement feasible VMT reduction measures. Such strategies would vary by project type and location but could include, for example, TDM measures, physical improvements supporting non-auto travel, and/or participation in a regional VMT mitigation exchange once established.

As described in Master Response 3, *Vehicle Miles Traveled*, and in Chapter 4.15, *Transportation*, of the Draft EIR, the proposed General Plan 2050 is anticipated to result in significant and unavoidable impacts relative to residential VMT at the program level, which does not preclude the finding of less than significant for future development projects in Santa Rosa over the 2050 buildout horizon. Residential development projects that exceed VMT significance thresholds despite including all feasible VMT reduction measures as determined by the City would be able to rely on the significant and unavoidable impact identified in the General Plan EIR and accompanying overriding considerations found by the City Council, rather than needing to conduct their own EIR to disclose significant VMT impacts.

Comment PH4: Commissioner Terrance Sanders

Comment-PH4-1:

The Commissioner asks how the project-level and program-level EIRs relate to each other in terms of VMT projections and thresholds.

Response-PH4-1:

Section 1.4, *Use of the General Plan EIR*, in Chapter 1, *Introduction*, of the Draft EIR, describes how the City will use the programmatic analysis in the EIR when a new development project is filed with the City. Section 1.4.1, *Tiering Process*, in Chapter 1 of the Draft EIR describes how CEQA includes several provisions to streamline the environmental review of qualified projects based on several factors. These include where environmental review has already occurred (e.g., a program-level EIR), which could apply to future development in the EIR Study Area. The CEQA concept of “tiering” refers to the evaluation of general environmental matters in a broad program-level EIR, with subsequent focused environmental documents for individual projects. As described under Section 1.4.1.1, *Base Resources for General Plan Implementation and Review of Future Development Projects*, in Chapter 1 of the Draft EIR, when a new development project is filed with the City, it is reviewed for completeness and consistency with the General Plan goals, policies, and actions, and City codes and practices.

Comment PH5: Commissioner Aaron Pardo

Comment-PH5-1:

The Commissioner questions if there have been any conversations about infrastructure for advancing technology, such as autonomous cars.

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Response-PH5-1:

The use of autonomous vehicles has not been considered in the General Plan or the EIR.

Comment PH6: Vice Chair Vicki Duggan

Comment-PH6-1:

The Vice Chair points out that there is evidence that the development of nonmotorized transportation infrastructure will discourage driving and encourage walking and biking.

Response-PH6-1:

The comment is acknowledged. The comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR, nor does the comment raise a new environmental issue.

Comment-PH6-2:

The Vice Chair requests a description of VMT mitigation banks- how they work and if there is any in place elsewhere.

Response-PH6-2:

As described in Master Response 3, *Vehicle Miles Traveled*, mitigation may take the form of paying into a VMT mitigation bank or exchange, allowing developers in higher-VMT areas to contribute funds toward improvements to reduce VMT through other means. VMT mitigation banks are a relatively new concept, and none are currently being implemented in Sonoma County.

The Santa Clara Valley Transportation Authority released *Equitable VMT Mitigation Program for Santa Clara County Draft Program Framework* in November 2024 and the University of California, Berkeley Center for Law, Energy, and the Environment released *Implementing SB 743 Design Considerations for Vehicle Miles Traveled Mitigation Bank and Exchange Programs* in August 2022; and the Western Riverside Council of Governments released the *VMT Mitigation Through Fees, Banks, & Exchanges, Understanding New Mitigation in April 2020*, that all provide background on VMT mitigation banks that demonstrate this type of mitigation is accepted and soon to be implemented by many agencies across the state.

A VMT Mitigation Bank attempts to create a monetary value for VMT reduction such that a developer could purchase VMT reduction credits. The money exchanged for credits could be applied to VMT reduction projects or actions.

A VMT Mitigation Bank would offer a pre-approved list of mitigation actions, which may include operational, programmatic, and capital improvements. The overall cost of mitigation actions would be divided by the total VMT reduction from these actions to determine the cost per VMT credit; this would be done by the Administering Agency (Bank Administrator). Project applicants could purchase the credits needed to offset their VMT impact, allowing pooled funds from multiple land use projects to support a single mitigation action.

Programmatic approaches that rely on collectively funding larger infrastructure projects appear to hold great promise for VMT mitigation as they allow a project to obtain an amount of mitigation commensurate with their impact, include only a single payment without the complexity of ongoing

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TABLE 4-1 RESPONSES TO INDIVIDUAL COMMENTS ON THE DRAFT EIR

management, and do not necessarily require ongoing mitigation monitoring. Programmatic approaches can also provide a public benefit in terms of funding transportation improvements that would not otherwise be constructed, resulting in improvements to congestion, GHG emissions, increased transportation choices, and additional opportunities for active transportation.

Under a Predefined VMT Mitigation Program framework, a fixed set of VMT-reducing projects are grouped together and their associated VMT reductions are monetized in the form of credits. These credits are then purchased for the purpose of mitigating VMT in excess of determined impact thresholds. The underlying projects may be either regionally or locally beneficial to the area in which the project is located. However, once the total amount of VMT available has been purchased by development projects, the program must be replenished with new projects and the cost per VMT is recalculated producing a new Predefined VMT Mitigation Program.

Like all VMT mitigation, substantial evidence would be necessary that the projects covered by the bank would achieve expected VMT reductions and some form of monitoring may be required.

Comment-PH6-3:

The Vice Chair questions if there is a response to the comment from Ken MacNab regarding the South Santa Rosa Specific Plan.

Response-PH6-3:

Please see Response-PUB5-2 regarding the South Santa Rosa Specific Plan.

Comment-PH6-4:

The Vice Chair references the Staff Report and page 3-18 and 3-20 of the Draft EIR and questions if the owners of the properties proposed for rezoning have been contacted and notified of the proposed changes.

Response-PH6-4:

Some of the rezoning requests came directly from property owners. The rest of the proposed rezonings are required for consistency with the General Plan land use designations pursuant to State law. As the City moves forward with the rezoning process, property owners will be notified of rezoning.

Comment-PH6-5:

The Vice Chair references page 3-22 of the Draft EIR, notes that SCTA is in the process of revising the CTP, and asks if the team has been in coordination with SCTA and if the Draft EIR encompasses the proposed changes of the CTP.

Response-PH6-5:

Please see Response-PUB6-11 regarding the CTP. Local jurisdictions recommend projects from their capital improvement plans for inclusion in the CTP. Therefore, by including the proposed transportation improvements as part of the proposed General Plan 2050, the City is ensuring that eligibility for these improvements be included in the CTP.

COMMENTS AND RESPONSES

TABLE 4-1 RESPONSES TO INDIVIDUAL COMMENTS ON THE DRAFT EIR

Comment-PH6-6:

The Vice Chair references page 5-2 of the Draft EIR and asks for clarification whether future development under the proposed project that are not within Priority Development Areas (PDAs) can tier off the General Plan 2050 Draft EIR.

Response-PH6-6:

Yes, future development under the proposed project that are not within PDAs can still tier off the General Plan 2050 Draft EIR, as appropriate. While the project objectives are related to growth in the 21 Areas of Change, the majority of which capitalize on infill opportunities in and around PDAs and Transit Priority Areas, the EIR Study Area encompasses all land within the city limit, planning area, Urban Growth Boundary, and Sphere of Influence (see Chapter 3, *Project Description*, page 3-5 of the Draft EIR).

Comment-PH6-7:

The Vice Chair references page 4.14-24 of the Draft EIR and points out that the Kenwood School District is not in Santa Rosa.

Response-PH6-7:

As discussed in Chapter 4.14, *Public Services, Parks, and Recreation*, on page 4.14-24 of the Draft EIR, Kenwood School District is a one-school district serving Santa Rosa students in kindergarten through sixth grade. While Kenwood Elementary School is not within the EIR Study Area, the school district boundaries encompass the eastern portion of the EIR Study Area and the school district serves students who reside in Santa Rosa. Therefore, discussion of the Kenwood School District is included in the Draft EIR. Please see Response-PH7-5 regarding clarifications to the discussion of public schools in the EIR Study Area.

Comment PH7: Chair Karen Weeks

Comment-PH7-1:

The Chair references page 4.1-6 of the Draft EIR and wonders if the street signs standards for Railroad Square and Courthouse Square downtown should be referenced.

Response-PH7-1:

As shown in Chapter 5, *Revisions to the Draft EIR*, of this Final EIR, Chapter 4.1, *Aesthetics*, of the Draft EIR has been updated to reference the wayfinding signs standards. This revision does not affect any conclusions or significance determinations in the Draft EIR. Therefore, no recirculation of the Draft EIR is required pursuant to CEQA Guidelines Section 15088.5(a), *Recirculation of an EIR Prior to Certification*.

Comment-PH7-2:

The Chair references page 4.11-3 of the Draft EIR and requests the definition of an established community be included.

COMMENTS AND RESPONSES

TABLE 4-1 **RESPONSES TO INDIVIDUAL COMMENTS ON THE DRAFT EIR**

Response-PH7-2:

As stated under impact discussion LU-1 in Chapter 4.11, *Land Use and Planning*, of the Draft EIR, the physical division of an established community typically refers to the construction of a physical feature or the removal of a means of access that would impair mobility within an existing community or between a community and outlying areas. For example, an airport, roadway, or railroad track through an existing community could constrain travel from one side of the community to another or impair travel to areas outside of the community. Neither the CEQA Statute, CEQA Guidelines, or General Plan Guidelines provide a formal, or otherwise, definition for an “established community” when considering impacts based on the CEQA Guidelines question “Would the proposed project physically divide an established community?” in Chapter 4.11 of the Draft EIR. As shown in Chapter 5, *Revisions to the Draft EIR*, Chapter 4.11 has been revised to clarify that for the purposes of this EIR, an established community is considered a place where there is existing permanent infrastructure (roadways, utilities, etc.), structures (buildings, parks, homes, etc.), and populations. This revision does not affect any conclusions or significance determinations in the Draft EIR. Therefore, no recirculation of the Draft EIR is required pursuant to CEQA Guidelines Section 15088.5(a), *Recirculation of an EIR Prior to Certification*.

Comment-PH7-3:

The Chair references page 4.14-13 of the Draft EIR and clarifies that the capital facilities fees are only provided to fire protection services and not police services.

Response-PH7-3:

As shown in Chapter 5, *Revisions to the Draft EIR*, of this Final EIR, Chapter 4.14, *Public Services, Parks, and Recreation*, of the Draft EIR has been updated to remove discussion of capital facilities fees for police services. This revision does not affect any conclusions or significance determinations in the Draft EIR. Therefore, no recirculation of the Draft EIR is required pursuant to CEQA Guidelines Section 15088.5(a), *Recirculation of an EIR Prior to Certification*.

Comment-PH7-4:

The Chair references page 4.14-14 of the Draft EIR and points out that there is a Sebastopol Road substation and Roseland substation planned and that the police chief has a desire to establish a new substation in East Santa Rosa as well.

Response-PH7-4:

As shown in Chapter 5, *Revisions to the Draft EIR*, of this Final EIR, Chapter 4.14, *Public Services, Parks, and Recreation*, of the Draft EIR has been updated to provide additional information on the planned and desired police substations. This revision does not affect any conclusions or significance determinations in the Draft EIR. Therefore, no recirculation of the Draft EIR is required pursuant to CEQA Guidelines Section 15088.5(a), *Recirculation of an EIR Prior to Certification*.

Comment-PH7-5:

The Chair references Table 4.14-1 of the Draft EIR and expresses confusion about why it says Santa Rosa School Districts and not School Districts in Santa Rosa and why Bellevue Union School District has been separated.

COMMENTS AND RESPONSES

TABLE 4-1 **RESPONSES TO INDIVIDUAL COMMENTS ON THE DRAFT EIR**

Response-PH7-5:

As shown in Chapter 5, *Revisions to the Draft EIR*, of this Final EIR, Chapter 4.14, *Public Services, Parks, and Recreation*, of the Draft EIR has been updated to revise the name of Table 4.14-1, *Santa Rosa School Districts*, to *School Districts in the EIR Study Area*. This revision does not affect any conclusions or significance determinations in the Draft EIR. Therefore, no recirculation of the Draft EIR is required pursuant to CEQA Guidelines Section 15088.5(a), *Recirculation of an EIR Prior to Certification*. Bellevue Union School District is not separated but rather has a detailed discussion specific to the district, as do all the other school districts included in Table 4.14-1.

Comment-PH7-6:

The Chair references page 4.14-40 of the Draft EIR and wonders if a reference to the Hearn Hub should be included in the discussion regarding libraries.

Response-PH7-6:

As shown in Chapter 5, *Revisions to the Draft EIR*, of this Final EIR, Chapter 4.14, *Public Services, Parks, and Recreation*, of the Draft EIR has been updated to include reference to Hearn Community Hub. This revision does not affect any conclusions or significance determinations in the Draft EIR. Therefore, no recirculation of the Draft EIR is required pursuant to CEQA Guidelines Section 15088.5(a), *Recirculation of an EIR Prior to Certification*.

Comment-PH7-7:

The Chair references page 4.14-44 of the Draft EIR and requests a reference to the renewal of Measure O and a note that it's now Measure H.

Response-PH7-7:

As shown in Chapter 5, *Revisions to the Draft EIR*, of this Final EIR, Chapter 4.14, *Public Services, Parks, and Recreation*, of the Draft EIR has been updated to include reference to the renewal of Measure O and note that it is now Measure H. This revision does not affect any conclusions or significance determinations in the Draft EIR. Therefore, no recirculation of the Draft EIR is required pursuant to CEQA Guidelines Section 15088.5(a), *Recirculation of an EIR Prior to Certification*.
