



September 26, 2022

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RE: **Comments on SDC Specific Plan and DEIR**

To Permit Sonoma, Planning Commissioners, and Board of Supervisors:

Thank you for this opportunity for Valley of The Moon Alliance (VOTMA) to comment on the Sonoma Developmental Center (SDC) Specific Plan (SP) and DEIR. This is the most significant project proposed for the Valley in many decades, and it will permanently affect the whole of Sonoma Valley. The impact could be quite negative if the project is oversized for the area. Your diligence in getting the appropriate plan and development is appreciated by the communities surrounding SDC.

There has been a lot of discussion and community input into this process and not too many perceived positive results for it. We hope that you will consider and respond to our questions and/or suggestions, and to the other well informed and impacted commentators, including the Sonoma Land Trust, Mobilize Sonoma, and the North Valley Municipal Advisory Committee.

Following are some comments and questions for your response. We have numbered and put in bold the questions, although in some places the text may suggest additional questions.

1. Adequacy of the Documents

- 1) How can the Specific Plan and accompanying EIR be enforced when the language is so imprecise?**

When reviewing the adequacy of the DEIR, one is faced with the dilemma that, as a Specific Plan and a document under CEQA, it is improperly incomplete and inadequate. The current SP contains some goals and objectives that are written with language that is not specific. For example,

“Policies in the Sonoma Developmental Center Specific Plan (SDC Specific Plan) are prepared in response to analysis in the EIR to ensure that the plan minimizes or reduces significant environmental impacts to *the extent feasible*; in this way the plan is “*self-mitigating*.” CEQA also provides opportunities for environmental “*tiering*,” and provides an exemption from subsequent environmental review for certain projects, *including housing developments, that are consistent with a specific plan for which an environmental impact report has been prepared*. If certified, the EIR will apply to development in the Planning Area that is consistent with the Specific Plan, and further environmental review will not be necessary.”

This is only one of the areas where language is imprecise, and in this case is a bit scary as well, as it appears designed to eliminate or severely curtail further environmental review of project phases. At page 7-2 of the SP, the Director of Permit Sonoma appears to be substituted as the review authority for all Administrative Design Review for building, grading and drainage permits in lieu of the Design Review Committee. **2) How does that make sense in terms of facilitating community input and balanced community assessment? 3) How can the DEIR properly analyze a plan when the plan is not specific, and when its size and scope could vary substantially?** Where is the specificity in the language to assess the impact of a future development on the wildlife corridor, or the impact on the community. There is not adequate analysis to say that no mitigation is needed (i.e., that it is “self-mitigating”). Specific standards are needed now for the County to make an informed decision about this property, its future uses, and its impacts, not later.

While different commenters may have different views on aspects of what should be done with the property, this concern for lack of precision is a common complaint of almost all commenters, from ourselves, to the Sonoma Land Trust, to the North Valley MAC.

2. Scale of Development

In the DEIR’s ES.2 Areas of Controversy list below, we have some other concerns and questions:

A. Neighborhood Character

4)How can the SDC site and the surrounding rural neighborhoods and infrastructure possibly support the maximum 1000 housing units and large-scale non-residential development proposed? The traffic on the roads, the demand for water, and the impacts on the wildlife corridor from this level of development would simply be too great.

B. Community Identity

5) Will this development be an extension of Glen Ellen, or will it be its own community of Eldridge, or could an alternative governance structure be preferable?

C. Historic Resource Alternative

6) Why is the Historic Resource Alternative not the preferred project when it is found in the DEIR to be the environmentally superior and otherwise meets the primary objective of the legislation?

With 450 housing units, wouldn't this alternative be more be more appropriate for the rural neighborhood community which it is proposed? It was not named the environmentally superior alternative for nothing. It would allow for more opportunities for re-use of the existing buildings and would create housing and jobs for local essential workers. While the Historic Option might be "less" economically feasible, there is no finding that it is not economically feasible. **7) Why is there no financial model presented that allows a transparent comparison of the economic feasibility of various alternatives?**

D. Legacy of Care

8) Why is the "legacy of Care" spelled out as a goal virtually ignored in the proposed Specific Plan? 9) How did the DEIR arrive at the level of care that the DEIR deemed was adequate? 10) How was the economic feasibility of legacy care units modeled and was any imputed value attributed to preserving the legacy of care?

We believe that a more serious attempt is needed to meet goal 2-1 of the SP, "to promote the Legacy of Care" in recognition of the work and history of SDC's work. There are presently only five parcels devoted to housing the disabled. **11) What kind and size of parcels are being considered and how many persons with developmental disabilities would be housed in the buildings on those parcels? 12) How was that level of care determined?** There are existing buildings that need to be seriously investigated as sites to provide shelter for the disabled and comfort for the mentally challenged or a rehabilitation center. That investigation is missing from the plan. The SDC was established in this location because of its natural serenity and beauty. There remains a need for these kinds of services in such a setting.

E. Density

The DEIR fails to adequately articulate the decision model for determining that 1000 housing units together with a hotel and a quality restaurant should be the preferred project. Economic feasibility is not the primary articulated decision criteria in the legislation. **13) How were the varying objectives in the legislation valued, weighted, and prioritized? 14) Who made the final decision for the preferred project details in terms of housing density and the ratio of affordable vs market rate housing? 15) What decision support model(s) were utilized?**

F. Type, Location and Size of Individual Housing Units

The DEIR assumes that major infrastructure facilities must be replaced under all alternatives. **16) Did the DEIR consider whether the scope and level of infrastructure replacement might be less if fewer new units were constructed, and greater restoration and reuse of the existing structures was instead the focus of the development strategy? 17) Did the DEIR consider the operational feasibility of isolating stormwater inflow and the cost savings (including the downstream avoidance of capacity additions to the treatment facilities) that would result from a simplified smaller housing unit strategy and expanded reuse of existing buildings? 18) Did the DEIR evaluate available newer technology to acceptably mitigate asbestos risks in existing building by isolating and sealing off the hazardous materials instead of ripping that material out and disposing of it?** VOTMA believes that increasing the amount of new construction inflates the estimated infrastructure costs and climate change impacts, which in turn inflates the amount and type (i.e., market rate units) of development being proposed to recapture those costs. “Big” becomes self-reinforcing, which it should not be, particularly when the impacts to the environment and community can be so substantial.

The DEIR says little if anything about the actual size of various units contemplated in the preferred project. **19) What are the maximum sizes (sq. ft.) for any of the units, and what is the minimum size of the smallest unit? 20) Why did the DEIR not propose a maximum size for any unit, and maximum sizes (sq. ft.) for the various types of units/multifamily facilities?** The legislation from which the SP is being developed focuses on affordable housing. By controlling the maximum size of units, the “market rate” units become more affordable. The DEIR suggests that the preferred project is the most economically feasible. **21) Where is the modeling that supports the proposal that 1000 units with 75% of those units priced at market rate is the appropriate outcome consistent with the legislation?**

G. Connection to Highway 12.

22) What impact on Highway 12 traffic flow would the proposed connector have if the connector is used only for emergency escape? 23) Would there be a new traffic signal for this connector on Highway 12? 24) How far would that signal be from the existing Madrone Road/Hwy 12 signal and how would those signals be coordinated?

VOTMA is uncertain about this proposed connection. Another emergency evacuation route, depending on the size of the project, its intensity of use, its precise location, its probable need for yet another stoplight on Highway 12, all need further explanation. Further, the SP, 3-22 proposes to “establish an express bus service to and from Sonoma/ Santa Rosa that would utilize a new connector road between the SDC Core Campus and Hwy 12.” **25) Does the proposal assume that the County would provide the funding to construct and operate the line? 26) If not, how would that be funded? 27) What and where is the analysis that supports the conclusion that a new road is needed for that purpose?**

H. Wildlife Corridor.

VOTMA believes that the wildlife corridor at issue here is unique in this region of the State, including its usage by mountain lions and black bear. **28) What studies and representative examples of similar wildlife corridor/adjacent dense development projects influenced your determination that the construction and operation of the 1000 housing units, hotel, quality restaurant, commercial and other enterprise developments that encompass the preferred project would not adversely affect the feasibility of this well-functioning natural wildlife corridor as portrayed by the DEIR and required by the legislation?**

VOTMA feels it is essential to protect the existing wildlife corridor, which is both unique to the Bay Area and essential for many important species. The transfer of ownership to the parks, SLT or other agencies that would support and maintain the Corridor is needed outside of the choosing of a developer.

The size of the project also has an obvious and unavoidable impact on the Corridor. The population and traffic resulting from 1,000 new residences, a hotel and many businesses will have substantial and irreversible impacts on wildlife's use of the area. Furthermore, maintaining the integrity of the Corridor and the ability of wildlife to transit and disperse through the SDC property and adjacent parks is critical to meeting sustainability objectives. VOTMA endorses the Sonoma Land Trust's comments on this issue.

I. Wildfires and wildfire evacuation.

29) Were any of the available traffic congestion databases (including those that specifically incorporate the real time traffic conditions on Highway 12 in the Sonoma Valley fires during 2017-2020) used in reaching the conclusion that the evacuation time would not increase significantly if the proposed project were developed? 30) How did you model the conflicting demands of inbound emergency and fire equipment/personnel, with outbound citizen evacuation demands in view of the two-lane status of all major arterials? 31) If done, what were the results and findings?

This is a serious consideration especially for those of us who have been evacuated in the past. The testimony given about the length of time it took to get out of the danger zones should cause a recalculation of the timing presented. With this recalculation there needs to be considered how many other people will be trying to leave on the roadways at the same time. In the fires of 2017 and 2020, the traffic was alarming. **31) What happens when other developments, like Kenwood Ranch and Elnoka, are added to the stresses SDC redevelopment poses to Highway 12 as an evacuation corridor?**

J. Water supply.

On page 469, the DEIR claims that "The WSA concludes all future demands within its service area can be met, inclusive of the Proposed Project in normal and multiple dry hydrologic years from 2025 through 2045". This same DEIR only acknowledges the likelihood of "single dry years", rather than a concatenation of multiple dry years. **33) Why hasn't the WSA considered**

the worst-case scenario with multiple dry years – a scenario we are currently facing? This could be our reality. **34) How does the DEIR look at preventive actions in the face of this uncertainty? 35) Would it be prudent to include the Sonoma Valley Groundwater Sustainability Agency (GSA) for comments since the State still holds surface water rights and groundwater wells may be needed for supply water for this project? 36) Was the transfer of the State’s water rights included as a done deal within the DEIR evaluation? 37) What if they continue to hold these rights within the open space, like Lake Suttonfield?**

K. Hazardous Materials.

VOTMA filed comments on the need for further environmental assessment work on March 24, 2022, in response for requests for comments in the NOP for the EIR. Those comments are included in pages 459-464 of the appendix to the DEIR. The DEIR acknowledged those comments on page 236 of Section 3.8 Hazards and Hazardous Waste. But the subsequent portion of this section does not add any new analysis of the recognized environmental conditions (REC) that VOTMA referenced. **38) Why was no further investigation undertaken and presented?**

The discussion for the most part addresses hazardous materials and substances issues that were identified as known or likely to exist in the Core Planning Area (CPA). The discussion acknowledged that the 2017 Limited Phase II report identified a variety of areas, both in the Core Planning Area (CPA) and in the lands outside of the CPA where “further investigation was needed”. (Page DEIR 248; download, page 425). The discussion at various points indicates that if needed further investigation could be undertaken. Deferral of investigation and mitigation are not an allowed strategy under CEQA. The DEIR appears incomplete and defective on this issue.

39) Why were Phase II environmental assessments regarding hazardous materials and substances in the gap areas of recognized environmental conditions (RECs) identified in the prior Phase I but Limited Phase II investigations not undertaken?

40) For areas outside the CPA, where agriculture and recreation with public access are contemplated, will disturbance of soil be prohibited? 41) If not, how did the DEIR determine that there was no significant risk that hazardous material and waste that might have resulted from past activities over the last 125 years in those areas and what might be harmful to the persons, crops or wildlife could be disturbed or uncovered?

L. Transportation/Traffic

42) Where is the W-Trans traffic operations analysis that PS suggested in the DEIR footnote 118 had been done? 43) Why was it not made available for review as part of the DEIR?

The DEIR analysis of transportation, and specifically traffic issues is inadequate. VMT analysis is acceptable for dense urban projects, but does not capture the rural transportation impacts, especially in an area with defined and limited transportation corridors. Furthermore, if anyone

else has submitted this VMT analysis, the County presumably would have required a peer review.

44)Where is that?

Importantly, the requirement to use VMT for the projects' CEQA analysis does not preclude requiring a Level of Service traffic impact analysis to assist decision making for land use policy planning purposes, for zoning purposes, and for assessing fire/flood/earthquake evacuation risk parameters, and for assessing risks to the wildlife corridor, as wildlife must live within and navigate whatever level of development is approved here.

When asked about this by VOTMA, Permit Sonoma responded that the analysis was in Appendix F of the DEIR appendix. Appendix F at page 748 consists of a one page set of "Traffic Volume Data". There is no text, no interpretation, no assumptions, no contextual analysis. Informed, sound analysis and decision-making require a stand-alone project specific analysis for this project. The textual analysis in the DEIR itself is full of summary and conclusory statements. On the face the findings include 1) on page 442 that traffic from Harney to Glen Ellen would be reduced from peak, 2) on pages 445-446 that household, employment, and total service VMT would be reduced by the project compared to peak, and 3) on page 451 that the project would not result in inadequate emergency access, all seem particularly unsupported, counter-intuitive, and problematic. It is not clear whether the VMT analysis included hotel and quality restaurant VMT (or for that matter whether the GHG analysis included air travel of guests). The GHG analysis and the transportation analysis also do not seem consistent. The GHG analysis does not appear to incorporate emission associated with "fueling" EVs.

It would seem relevant in this context to ask some simple foundational questions for both LOS and VMT analysis, such as: **45) Where will the people working at SDC be coming from to work there? 46) Where will the people who live at SDC but work off site be traveling? 47) Where would guests at the hotel be coming from? 48) Where is the nearest pharmacy? 49) Where is the nearest full service affordable market? 50) Where are the nearest medical complexes? 51)What will be the impact on Highway 12 traffic of having another traffic signal at the new proposed connector?** The answers to those questions are not in the transportation segment of the DEIR.

The use of VMT analysis should not be an excuse to avoid real impact analysis for the many decision-making functions the County must exercise with respect to the appropriate level of development of this property.

In developing these comments VOTMA did review some of the earlier documents listed on the SDC SP website. VOTMA now assumes that the August 2022 W Trans Analysis referenced in DEIR footnote 118 was intended to reference the July 2022 Analysis posted on the website. That LOS study uses a single weekday in April 2022 as its sole data source, does not include weekend data, does not include winery event and seasonal data, does not include any segment or intersection data north of the Arnold Drive-Highway 12 intersection, does not include any transportation cumulative impact analysis, and does not reference, reconcile or incorporate the Sonoma Valley

Traffic Study the County sponsored in connection with assessing the over-concentration of winery events in Sonoma Valley as it develops the winery event ordinance. The W-Tran is inadequate and incomplete. **52) Was the W-Tran analysis peer reviewed as required by PS guidelines?**

M. Cumulative Impacts

53) Where is the detailed cumulative impact analysis? The DEIR basically dodges this requirement by saying that the cumulative impacts are already covered in relevant regional analyses. The community and its representatives must live with these impacts, and we have a right to see a detailed cumulative impact analysis. For example, **54) have the effects of the known proposed developments of Elnoka and Kenwood Ranch off Highway 12 been considered from either a traffic or water use perspective?**

In summary, VOTMA believes that the DEIR is inadequate under CEQA and that the Specific Plan is not precise enough in its project statement to meet the requirements of CEQA. The County needs to ensure that the future use of the SDC is consistent with both the character and limitations of Sonoma Valley and with the communities that reside here. There may be no decision you face that will have a more significant or lasting impact on the Sonoma Valley for decades to come. Please ensure that the unique beauty and character of this special place are not adversely affected by this SDC decision-making process.

Sincerely yours,

Kathy Pons, President

Valley of The Moon Alliance

Board of Directors