



Friends of the Gualala River

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Sonoma County Permit and Resource Management Department
Attn: Steven Dee, David Schiltgen
2550 Ventura Avenue,
Santa Rosa, CA 95403
Via e-mail

May 24, 2009

SUBJECT: Preservation Ranch DEIR scope comments (Buckeye Ranch LLC, Fuller Mountain LLC, Hoover Ridge LC, and Bear Flat LLC, 103 APNs)

Dear Mr. Dee and Mr. Schiltgen:

Friends of the Gualala River (FOGR) is submitting these written comments to add to your files on this project and to add to those oral comments from our members at the two DEIR scoping sessions held in April and May. FOGR is a non-profit, volunteer, citizens organization concerned with the protection and enhancement of the Gualala River and its watershed. More broadly we are concerned about the health and wellbeing of the north coast rivers and the coastal ecosystem.

After review of the initial study issued on this extensive project, we have the following points to address during the design of the DEIR.

1. **A Scientific Peer Review Panel is needed.** Due to the economic, expertise and available personnel challenges that all of the resource agencies and PRMD are now facing, the analysis of the submitted assessment of the existing baseline and projected environmental impacts of this massive project should be addressed by a third party, Blue Ribbon scientific peer review panel. Lacking the validity and comprehensive nature of an effort headed by such independent and qualified experts in the areas of needed expertise, any less vigorous analysis will be inadequate and subject to inevitable legal challenge.
The independent panel should evaluate and critique the scope, methodology, data sampling area and duration, results, analysis, interpretation, and conclusions of the applicant/agent consultant technical studies and the DEIR.
2. **The DEIR should analyze all significant impacts due to foreseeable actions and conditions resulting from the authorization of the project, regardless of whether the applicant is currently proposing or disclosing them.** Over the life of this project, the scope and proposed elements in the project description have varied significantly. This includes residential development, either clustered or spread out over the various parcels that was at one time proposed in the project description prior to the NOP. With the parcels being rezoned for residential development, changing conditions could see potential use of the vineyards areas for residential uses using present zoning densities or increased levels through permitting petitions.

3. **All mitigation proposals should be enforceable by and within the authority of PRMD and agencies reliant on CEQA.** Accepted mitigation measures will have no effect if they cannot be enforced. For example, mitigations based on promises of organic or “sustainable” farming practices will not function as mitigation if they cannot be enforced. Claims of organic farming methods without mandated, state recognized Organic Certification must be discounted and the cumulative potential impacts of non-organic farming methods on endangered salmonids, amphibians and species of concern should be evaluated. This should include all available pesticides, herbicides, fertilizers, and other farming chemicals used on non-organic vineyards. Analysis should include cumulative impacts from comprehensive combinations of all potential chemicals used in farming and timber operations.
4. **All mitigation measures should be evaluated on the basis of whether they function as “in-kind” mitigations for specific resource impacts.** For instance, the DEIR needs to address the efficacy of accepting the two-for-one conversion provision of the County’s conversion ordinance as specific mitigation for the loss of ridge top acreage with its unique ecology. Additionally, park additions, reserves, and promises of restoration using methods that have not been proven effective in the area should not be accepted as mitigation for specific resource impacts.
5. **Mitigation measures should not include use of organizations that will have conflict of interests with public trust interests.** Organizations that are engaged to implement mitigation measures should not also be allowed to monitor or report the productiveness of those efforts or the baseline conditions.
6. **The scope of the project dictates the use of a landscape level analysis of baseline conditions and project impact methodology.** The size of the project and the complexity of geographic, geologic, and biological categories included point to use of commensurate landscape ecology and GIS analysis. A nearly 20,000 acre project size that proposes dramatic land use changes and infrastructure impacts will have direct and indirect impacts within and outside of the project area. This analysis should include long-term, trend, and post project time frames and should use reasonable analysis to evaluate long term trends in changing climate, economics, demographics, etc.. Analysis should include all impacts and baseline conditions not only within the vineyard footprints, but over the balance of the entire project footprint and to an appropriately sized surrounding geographic and biological area.
7. **Alternatives analysis must be driven by an appropriate project purpose.** A properly framed project purpose backed up by a market-feasible economic plan for the long term financing of the easements and mitigations may allow the establishment of an acceptable range of alternatives.
8. **Alternatives analysis should properly include off-site and reduced project options.** The size and scope of the land use changes and impacts to the watershed warrants considering multiple off site locations and ownerships as the project proposes the selling of parcels to multiple owners from the already multiple ownership 19,000 acre site. The severe fragmentation of the present undeveloped project site with proposed commercial agriculture over such a massive scale is in large part due to the steep terrain and the need to fragment the plantings onto the relatively scarce flatter topography. Impacts of this forceful “shoe horning” of vineyards will have an inordinate effect on the balance of the 20,000 acres and surrounding watershed.

Alternatives also exist locally with the example of public acquisitions in the Garcia River watershed directly to the north involving an ownership that once included the lands now included in the PR project. These Garcia acquisitions are now being managed for long term timber production and have active programs and an economic model that provides for restoration without the proposed Preservation Ranch impacts such as massive forestland conversion, intensive agriculture, water diversion, habitat fragmentation, development pressure, infrastructure construction, etc.

The existing stock of county vineyards and non-vineyard farmland available for alternate off site development should be included in the alternatives analysis.

9. **Cumulative impacts with foreseeable episodic environmental events.** Individual impacts to specific resources must consider and adequately analyze the interaction (indirect and cumulative impacts) between episodic background events and project-driven impacts that may be significant, even when the DEIR considers “pure” project-driven impacts to be less than significant. Climate change, droughts, freezes, insect infestations, etc, are all likely as episodic stressors that may interact with project impacts and cumulatively produce significant impacts to a resource.
10. **Project construction window.** Three to five years of construction and subsequent operation will bring impacts to the human community and the natural environment. Noise, air quality, traffic, road safety, infrastructure costs to the county, fuel spills, wildlife disturbance, erosion, and light will all be impacts during the lengthy construction phase. A true estimate of the period of construction should be presented in the DEIR. The proponents indicate a five year window based on the requirement of the TCP to be finished with construction of the conversion to be completed within five years after commencement of the TCP. It should be revealed if a prior or subsequent construction period will occur for non-conversion related activities, i.e., infrastructure needs for the project and the prospect and scope of long term construction activity for permitted houses and facilities on the 60+ parcels in the project.
11. **Workforce and public road use** (Initial Study p. 2-28, 2-36). Traffic congestion studies taking into account existing vineyards and logging are needed.

An independent peer review panel should review the applicant’s estimates of workforce needs on these remote and disconnected ridge top vineyards. Efficiencies of scale will not be as large for the ~2000 acres of vineyards due to the fragmentation of the acreage into multiple ridge top locations. Due to the variability of coastal weather and freezes, for instance, time sensitive work for harvesting or emergency spraying, freeze protection, etc. will involve significantly more workers to respond versus easily accessed contiguous vineyard plantings in more traditional vineyard areas of the county.

From the initial study: Seasonal variability of 90 to 215 seasonal workers; “majority of seasonal workers are expected to be transported from Santa Rosa and Windsor/Healdsburg areas in private vehicles provided by farm labor contractors”; no proposed improvements of Kelly Road; Skaggs Springs Road primary access. Project “may include” (p. 2-28) “bunkhouses” for up to 215 seasonal workers. Will the transportation described provided be mandated? Or is this optional?

12. **Project impacts** on local social services, schools, police, fire protection, road maintenance, health services and crime should be included in the DEIR.
13. **A complete analysis of the project's economic model with estimates of per acre development costs, infrastructure needs, and operation costs etc. for this remote site is needed.** Project failure is a risk if the unique increased costs to develop these ridge top vineyards located in remote and steep terrain are not addressed. Return on investment in the present and projected economic climate will determine the success or failure of funding plans for proposed restoration and easement maintenance. Initial reports from numerous sources in the wine industry have questioned the initial study's estimates for needed personnel, cultivar choice, grape market demand, real estate demand, and business model.
14. **Steep and highly erodible soils** (Initial Study p. 2-2). Initial Study concedes that vineyards are located entirely on highly erodible soils. Approximately 558 acres of conversion areas have slopes ranging from 30 to 38% and are on highly erodible soils (p. 2-12). Due to the prospect of erosion on these steep slopes from runoff, roads, cultivation, and failure, a reduced project alternative should be analyzed. Site specific study of recent landslides in the area should be incorporated into a study of the erosion and landslide risks from the project.
15. **Soil fumigation:** (Initial Study p. 2-23). Soil sterilants (extremely toxic pesticides that kill all living things in soil) are "not proposed" but are not prohibited to future vineyard operators as a condition of approval. The safety and use of these chemicals in the watershed and their effect on ozone depletion should be a part of DEIR analysis. Alternatives should be addressed.
16. **Habitat Fragmentation:** The project's size and layout should be analyzed as to its effect on wildlife movement and habitat. A regional analysis of these impacts should be used and the special impacts on large mammal species should be included. 83 miles of 6'+ wildlife fencing is proposed.
17. **Cumulative effects of agricultural conversion and operations on** groundwater recharge, subsurface flows, groundwater quality, base flows, peak flows (and channel-forming/pool-maintaining peak flows), and water quality and the resulting impacts on endangered and sensitive fish and aquatic wildlife species. This site-specific analysis should be conducted for every tributary creek in which agricultural conversion occurs, with emphasis on sub-watersheds that support an extensive ridge top matrix of vineyards. The analysis should consider impacts of future increases in reservoir capacity in response to long-term or extreme drought, or underestimation of irrigation and frost protection needs. Irrigation needs should be rigorously analyzed, and all assumptions underlying analysis of irrigation demand should be carefully checked. Over 10 miles of seasonal creeks are to be filled (Initial Study p. 2-24): Approximately 363 Class III stream segments (total length 10.53 miles) would be filled and graded in proposed conversion sites.
18. **Forest management (THP or SYP) impacts** should be included in all impact analyses. The project proposes forest management in non-vineyard areas. An SYP or THP should be included for analysis of biological and geomorphic impacts. These plans should be subject to independent scientific and public review. To do otherwise would impermissibly segment (piecemeal) the project's impact analysis.

19. **Vineyard netting and trellising impacts on wildlife:** the impacts of wire trellising and vineyard bird mesh (placed over vines during fruit ripening) by the project proponents or their successors should be analyzed in terms of impacts to migratory birds, raptors, and owls.
20. **Cumulative fire ignition risk** associated with agricultural, forestry, residential, and road operations. Fire (wildfire) risk analysis should not focus narrowly on fuel load management of forests. Artificial sources of ignition associated with the project elements should be analyzed and modeled. Fire ignition risks should also be empirically estimated from comparable agricultural/forest interface settings in the Coast Ranges and the scope of activities proposed for vineyard and forestry operations.
21. **Carbon sequestration.** The best peer review and scientific scrutiny should be applied to all claims as to the carbon balance of the project. The net long-term carbon balance of the project should be analyzed fully addressing indirect and direct agricultural carbon emission, soil carbon balance, lost potential soil, mycological and forest biomass sequestration functions.
22. **Project failure impacts.** The risk of project failure due to climate or economic change within foreseeable project life and associated environmental impacts of derelict or incompletely constructed project sites should be evaluated for their own impacts.
23. **Potential increased water demand due to climate change.** Wells and diversion are likely if there is reduced rainfall in the future. Increased well pumping, impoundment and stream diversion whether legal or not and the potential impacts to endangered salmonids, amphibians and species of concern should be a part of the DEIR analysis. It is unlikely that any illegal type of increased use can be prevented by enforcement now in place. The DEIR should disclose the current state of illegal well, dams/reservoirs, and diversions in Sonoma County.
24. **Growth-inducing impacts** and their cumulative environmental consequences for natural resources. The DEIR should review the recent history of vineyard expansion in Annapolis to determine the extent to which further vineyard development may be catalyzed or facilitated by this project, regardless of current land use zoning (since the current project is proposing zoning change to allow vineyards where they are currently prohibited, setting precedent for this).
25. **Cumulative project impacts – ongoing.** Even since the NOP, a new timber harvest plan with proposed clear-cuts on the Wheatfield Fork has been on public notice, and another vineyard DEIR (Artesa-Fairfax) has been circulated. The cumulative effect of the project and reasonably foreseeable new timber and vineyard projects (not project-specific forecasts, but general distribution, abundance and rates of new cumulative projects) should be quantified and modeled for impact analysis in all pertinent resource impact headings.
26. **Cumulative impacts on local stream flow and downstream river flow, and water quality.** In August 2008, summer pools in the Wheatfield Fork of the Gualala River remained mostly wetted and deep above Annapolis Rd Bridge (Clarks Crossing) in exposed bedrock control areas , but ran dry for miles below Annapolis Rd Bridge. The dry river bed

ran adjacent to the existing Annapolis vineyard corridor. (See Photos) This anomaly should be specifically investigated in the DEIR in terms of cumulative impacts of vineyards on river flows needed to maintain viable populations of listed salmonids, drinking water supplies, and competing industrial uses. Data sets from California watersheds with vineyard density comparable with the proposed project, in addition to existing and foreseeable additional vineyards in the Gualala River watershed, should be used to assess impacts on flows and water quality (including agricultural contaminants, pesticides, nutrients, and fine sediment).





VIEW FROM BELOW BRIDGE(CLARK'S CROSSING)



¼ MILE ABOVE BRIDGE

27. **Cumulative impacts on survival and recovery of federally listed and state-listed fish, wildlife and plant species.** The impact analysis for listed species should not be limited to direct impacts on existing (deficient) “snapshots” of listed species populations, but should focus on cumulative impacts on long-term recovery, in view of cumulative threats and projects, and variable trends or fluctuations (including bottlenecks) in species recovery. Analysis of impacts to endangered salmonids should not be limited to existing populations and species, but should include impacts to habitat conditions necessary for restoration of historic species i.e. Coho and Chinook.
28. **Preservation Ranch Forest Group** – The DEIR should flesh out the qualifications and criteria for selection of who would manage the timber operations. It should disclose if the previous owner, Rich Padula, would be involved in any way with management of the future timber operations. The DEIR should analyze and detail the cumulative negative impacts of the timber management practices that resulted in the current poor condition of the property as described by the applicant.
29. **The “One Forest” management plan** should be included in detail within the DEIR. It should be subject to public review and comment and not left for development at a future date. The DEIR should provide details of the “Forest restoration” plan and provide data to support the claims that it will increase diversity and functionality of wildlife habitat for indigenous species on a site-specific basis, in particular for rare species such as the northern spotted owl. The DEIR should analyze the success or failure of past forest, riparian and habitat restoration efforts within the watershed, The DEIR should provide a restoration budget and state what percentage of project profits will provide long-term funding for the claimed “continued restoration of the forests, the oak woodlands, the riparian areas, and the watercourses on the property.” If there isn’t any profit, it should detail what baseline amount of funding per year will be committed to restoration. The DEIR should detail the plan and techniques it will use to implement their claim to “restore a significant portion of the Gualala River Watershed that supports a healthy native fishery.” The DEIR should detail the stream enhancement projects they plan on implementing on a site-specific basis. These plans should be subject to independent scientific and public review.
30. The DEIR should identify all roads the project will use that need stabilization including roads used, but not owned or controlled by the applicant. Stabilization methods should be detailed on a site-specific basis. Of special concern are roads near Class I (Buckeye Creek) and Class II streams.

Respectfully submitted,
John Holland



President
Friends of the Gualala River

Cc: Friends of the Gualala River
Sierra Club, Redwood Chapter
Richard Grassetto, Grassetto Environmental Consulting
California Native Plant Society, Milo Baker Chapter
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Center for Biodiversity, Oakland
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Interested Parties