

TOLAY LAKE REGIONAL PARK

MASTER PLAN

FINAL ENVIRONMENTAL IMPACT REPORT

JULY 2018

State Clearinghouse Number
2015062084

Prepared for
Sonoma County Regional Parks
2300 County Center Drive, Suite 120a
Santa Rosa, CA 95403

Prepared by
MIG, Inc.
800 Hearst Avenue
Berkeley, CA 94710

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I. INTRODUCTION

1.1 RELATIONSHIP BETWEEN THE DRAFT EIR AND FINAL EIR

The Final Environmental Impact Report (Final EIR) for the proposed Tolay Lake Regional Park Master Plan has been prepared by Sonoma County Regional Parks (County), the Lead Agency, in keeping with State environmental documentation requirements set forth in the California Environmental Quality Act (CEQA). The County has prepared the Final EIR pursuant to the CEQA Guidelines, including sections 15086 (Consultation Concerning Draft EIR), 15088 (Evaluation of and Responses to Comments), and 15132 (Contents of Final Environmental Impact Report). In conformance with these guidelines, the Final EIR consists of the following **two volumes**:

(1) the **Draft EIR**, which was circulated for a 45-day State agency and public review and comment period beginning on January 5, 2017; and

(2) this **Final EIR document**, which includes a list of all commenters on the Draft EIR during the Draft EIR public review period; speaker comments from the September 28, 2017 Sonoma County Planning Commission public hearing on the Draft EIR; verbatim versions of all written communications (letters and emails) received during the Draft EIR review period; the responses of the EIR authors to all environmental points raised during the public hearing and in the written communications; and associated revisions to the Draft EIR. None of the revisions to the Draft EIR represents a substantial increase in the severity of an identified significant impact or the identification of a new significant impact, mitigation, or alternative considerably different from those already considered in preparing the Draft EIR.

Both volumes of the Final EIR are available for public review at Sonoma County Regional Parks, 2300 County Center Drive, Suite 120a, during regular business hours, which are: Monday through Friday, 8:00 AM to 5:30 PM.

The Final EIR and all documents referenced in the EIR are posted on the Sonoma County website at:

<http://sonomacounty.ca.gov/Parks/Planning/Tolay-Lake-Regional-Park/Master-Plan/>

The responses to comments included in this document are correlated to the written comments by code numbers. Code numbers for written comments are posted in the right-hand margin of each comment letter or email.

Certification of this Final EIR by the Sonoma County Board of Supervisors must occur prior to adoption of the Tolay Lake Regional Park Master Plan.

1.2 PROJECT DESCRIPTION SUMMARY

This project description summary should not be relied upon for a thorough understanding of the details of the Tolay Lake Regional Park Master Plan, its individual impacts, and related mitigation needs. Please refer to Draft EIR section 3 for a complete description of the Plan, Draft EIR section 4 for a complete description of identified environmental impacts and associated mitigation measures, and Draft EIR section 5 for an evaluation of alternatives to the proposed Plan.

The Master Plan consists of conceptual plans for physical improvements; a resource management plan, educational and interpretive plan, trails plan, and phasing and implementation plan; Park maintenance and operation activities; and Master Plan goals, objectives, and policies that will guide implementation of Park activities and provide resource protection measures and activities.

The Master Plan includes recreational improvements for multi-use and hiking-only trails; equestrian facilities; a Park center that includes a visitor center with interpretive and educational facilities; as well as improved restrooms and parking. The Master Plan provides resource management recommendations for continued cattle operations, as well as improvements in fencing, boundaries, and exclusion zones of sensitive habitats and prehistoric cultural resources. Additionally, the Master Plan includes improvements to park access, ADA improvements, a new ranger residence, and water supply and wastewater facilities.

The Master Plan provides recommendations for habitat restoration focusing on the restoration of Tolay Lake to maximize and improve the lake ecology for native species, and restoration of 4.5 miles of Tolay Creek in the Park. In addition, the Master Plan provides recommendations for the protection and interpretation of the significant cultural and historical resources of the property, including a schedule of tasks for long-term monitoring of natural resources in the Park.

The types of recreational activities proposed for the site include: nature study and outdoor educational programs, hiking, docent led walks, horseback riding, mountain biking, group and family picnicking, bird watching and other types of passive recreation, and overnight hike-in individual and group camping on a permit basis.

The project would be located in southern Sonoma County at 5869 Cannon Lane, approximately 5 miles southeast of the City of Petaluma, 12 miles southwest of Sonoma, and 25 miles southeast of Santa Rosa (see Figure 3-1 and -2). Primary access is from Cannon Lane, a County-maintained road off Lakeville Highway. Secondary access would be provided on the southern boundary from SR 121 north of the SR 37 intersection

1.3 ADEQUACY OF FINAL EIR

Under CEQA, the responses to comments on a Draft EIR must include good faith, well-reasoned responses to all comments received on the Draft EIR that raise significant environmental issues related to the project under review. If a comment does not relate to the Draft EIR or does not raise a significant environmental issue related to the project, there is no need for a response under CEQA.

In responding to comments, CEQA does not require the EIR authors to conduct every test or perform all research or study suggested by commenters. Rather, the EIR authors need only respond to significant environmental issues and need not provide all of the information requested by the reviewers, as long as a good faith effort at full disclosure is made in the EIR (CEQA Guidelines sections 15088, 15132, and 15204).

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II. RESPONSES TO COMMENTS ON THE DRAFT EIR

After completion of the Draft EIR, the Lead Agency (Sonoma County) is required under CEQA Guidelines sections 15086 (Consultation Concerning Draft EIR) and 15088 (Evaluation of and Response to Comments) to consult with and obtain comments from other public agencies having jurisdiction by law with respect to the project, and to provide the general public with an opportunity to comment on the Draft EIR. Under CEQA Guidelines section 15088, the Lead Agency is also required to respond in writing to substantive environmental points raised in the Draft EIR review and consultation process.

Comments on the Draft EIR were submitted in the form of comments from individuals attending a September 28, 2017 Planning Commission public hearing, and letters/emails received by the County during the Draft EIR review period. Seven (7) comments pertaining to the content or adequacy of the Draft EIR were received at the public hearing. Thirteen (13) letters/emails were received during the Draft EIR public review period.

CEQA Guidelines section 15132 (Contents of Final Environmental Impact Report), subsection (b), requires that the Final EIR include the full set of "comments and recommendations received on the Draft EIR either verbatim or in summary"; section 15132, subsection (c), requires that the Final EIR include "a list of persons, organizations, and public agencies commenting on the Draft EIR"; and section 15132, subsection (d), requires that the Final EIR include "the responses of the Lead Agency to significant environmental points raised in the review and consultation process." In keeping with these guidelines, this Responses to Comments chapter includes the following sections:

- a **list of Draft EIR commenters** (section 2.1) which lists each individual who commented during the Planning Commission public hearing and each individual and organization that submitted written comments (letters/emails) to the County during the Draft EIR public review period;
- a **responses to the September 28, 2017 Planning Commission public hearing comments** section (section 2.2), which includes a summary of the comments received on the Draft EIR during the public hearing, followed by the response of the EIR authors to each comment pertaining to Draft EIR content or adequacy;
- a **responses to written comments received during the Draft EIR public review period** (from January 10, 2017 to February 23, 2017) section (section 2.3), which includes copies of all letters/emails received during the Draft EIR public review period, followed by a summary of, and the response of the EIR authors to, each comment pertaining to Draft EIR content or adequacy.

2.1 LIST OF DRAFT EIR COMMENTERS

The individuals who commented at the public hearing, and each organization, agency, and individual who commented in letter/email form during the Draft EIR public review period, are listed below alphabetically by agency name or personal name. Each letter/email comment received is also identified in parenthesis by a code number - e.g., letters/emails L 1, L2, L 3. The code numbers are chronological in the general order that the comments were received.

Public Hearing Commenters (September 28, 2017 Planning Commission public hearing)

Commissioner Cook

Commissioner Fogg

Commissioner (Chair) Lamberson

Commissioner Reed

Carol Eber

Craig Roth

Bob Haroche (representing Dr. Lee Schaller)

Commissioner Davis

Responsible and Interested Agencies

Patricia Maurice, District Branch Chief, California Department of Transportation (L 4, L 13)

Yolanda Solano, Planner III, Sonoma County Permit and Resource Management Department (L 1)

Sheri Emerson, Stewardship Program Manager, Sonoma County Open Space and Agricultural Preservation District (L 8)

Individuals and Organizations

Andrea Larrecq (L 3)

Mr. Bob Haroche (Beyers Costin and Simon) on behalf of Dr. Lee Schaller (L 12)

Jim and Luci Mendoza (L 7, L 7b)

Kim Vogee (L 6)

Susan Price (L 2)

Timothy Crough, PE on behalf of Dr. Lee Schaller (L 10)

Mr. Tom Parilo, on behalf of Dr. Lee Schaller (L 5, L 9, L 11)

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2.2 RESPONSES TO THE SEPTEMBER 28, 2017 PLANNING COMMISSION PUBLIC HEARING COMMENTS ON THE DRAFT EIR

The following section includes a summary of the comments received during the September 28, 2017 Planning Commission public hearing pertaining to the content or adequacy of the Draft EIR or on a substantive environmental point, followed by a written response to each of those comments. At the meeting, questions were answered by Bert Whitaker, Director of Sonoma Co. Regional Parks, and Verne Ball, Deputy County Counsel, and John Baas, Principal at MIG, Inc., who helped prepare the EIR under contract to the County of Sonoma. Although verbal responses were given at the hearing, the following written responses may clarify those responses or provide more information.

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Comments made at Planning Commission Hearing September 28, 2017

Commissioner Cook: Commenter wanted to know the “trigger” for moving from preparing a Mitigated Negative Declaration (MND) to preparing an EIR.

Response (from County counsel): An MND can be challenged by making a “fair argument” that the project may have significant impacts, whereas to challenge an EIR requires that a project opponent show that substantial evidence does not support the EIR’s conclusions.

Commissioner Cook: Commenter praised the work done to prepare the Master Plan. Are the cultural resources at Tolay Lake Regional Park worthy of National Historic Designation?

Response: LSA stated in their 2009 cultural resources report that the Tolay Lake Historic District, which is a combination of archaeological and historic resources, was evaluated for and is eligible for the National Register of Historic Places, as well as for the California State Register. However, Regional Parks has not yet begun the process of having these cultural resources added to the National and California registers. The intent is to complete the EIR and Master Plan and then apply for listing on these registers.

Commissioner Fogg: Commenter wanted to discuss the hydrology and lake restoration in more detail.

Response: This is the appropriate time to do so.

Commissioner (Chair) Lamberson: Commenter wanted to know the historical significance of Tolay Lake, and whether it is a traditional Coastal Miwok gathering place.

Response: Tolay Lake is a traditional gathering place for Coastal Miwok, and attracted members from other tribes as well.

Commissioner Lamberson: Commenter wanted to know if the history regarding tribal use of Tolay Lake is millennial.

Response: Yes, tribal use of the lake is millennial.

Commissioner Lamberson (Chair): Commenter noted that the Master Plan covers a 35-year time frame and wanted to know if there was more detailed information on plan implementation associated with that timeline.

Response: Yes, there is more detailed information on plan implementation. Table 3-7 on pages 3-19 through 3-22 in the DEIR includes information about timing of each implementation action, broken down into 5-year periods.

Commissioner (Chair) Lamberson: Commenter asked where is the money to implement the Master Plan coming from?

Response: Grant funding can cover some of the capital costs.

Commissioner Lamberson (Chair): Is Cannon Lane wide enough to allow two horse trailers to pass each other?

Response: Cannon Lane will be wide enough to allow two horse trailers to pass each other when the Master Plan is implemented. Figure 3-10 in the DEIR shows the proposed widening of Cannon Lane. The new road will be 19 feet wide with 2-foot shoulders.

Commissioner Reed: Commenter asked for an overview of managing Tolay Lake water levels.

Response: The proposed long-term conceptual lake design is a passive system that will not rely on pumps or complicated conveyance structures. It involves holding water levels at or below 215 feet at the lake outlet, and will involve plugging or closing the irrigation ditches that are parallel to the lake. A diagram of the preferred conceptual lake design may be found in Figure 3-9 in the DEIR. Prior to the long-term restoration, the lake will be managed pursuant to the plan in Appendix H.

Commissioner Reed: Commenter asked if Tolay Lake will return to historic levels.

Response: The preferred conceptual design for lake restoration shows a much smaller area, about 70 acres than the historic lake size. Estimates of lake sizes for the restoration alternatives evaluated may be found on pages 269-273 of the Master Plan Appendix. Some historic evidence suggests the lake at one time was 330 to 400 acres.

Commissioner Cook: Commenter asked how “historic” is defined in regard to the historic size of Tolay Lake.

Response: A combination of documents provide context for the historic size of Tolay Lake. There are photographs taken in 2006 and 2017, and there are sketches of the lake’s size prepared by various individuals who visited Tolay Lake in the 1800’s. The historic record also references that the lake originally had a dam, which was destroyed around 1900, presumably to drain the lake so the lakebed could be farmed.

Commissioner (Chair) Lamberson: Commenter stated it is wonderful to have a chance to restore some historical significance to the County.

Response: Comment acknowledged. Staff appreciates and concurs with the comment.

Carol Eber: Ms. Eber identified herself as a resident of Petaluma and the Chair of the Sonoma County Regional Parks Foundation. She acknowledged concerns about funds for Tolay Lake Regional Park and indicated the Foundation is committed to raising money for the Park.

Response: Comment acknowledged. Staff appreciates the comment.

Craig Roth: Mr Roth stated that he has been visiting Tolay Lake Regional Park since it opened. He believes the Park is a unique resource and will attract a lot of visitors. Mr. Roth asked if there are criteria that address the human impacts that will occur with increased Park visitation. He has noted Regional Parks is expanding and believes they have difficulty keeping up with minimizing and managing human impacts to parks.

Response: The largest chapter in the Master Plan, the Resource Management Plan (Chapter 8) addresses protection of biological and cultural uses from human use. This chapter contains multiple standards and guidelines for managing human use to avoid impacting biological and cultural resources. Chapter 9 of the Master Plan addresses implementation, and includes information on estimated staffing that will be needed to manage the Park. There also is a question in the EIR that addresses the potential for the Park to create impacts on other resources, which in this case mostly pertained to noise and traffic. These impacts to noise and traffic are addressed and mitigation measures identified in DEIR sections 4.8 and 4.10 respectively.

Craig Roth: Commenter asked how will Regional Parks address staffing at Tolay Park after the Master Plan has been adopted?

Response (Bert Whitaker): Regional Parks has planned for how to staff up in response to increased visitor use at the Park. Regional Parks will work with the Board of Supervisors to ramp up.

Bob Haroche: Commenter stated he represents Dr. Lee Schaller, who owns property along the northern park boundary. Dr. Schaller intends to actively farm his property but is prevented from using his property by May 1 most years due to flooding from Tolay Lake. Commenter further stated that although Dr. Schaller's property was typically inundated with flood waters from December through February, since Regional Parks acquired the Park property it is now inundated into May. In contrast, the previous owners of Tolay Lake Ranch, the Cardoza family, actively managed Tolay Lake levels thereby minimizing flooding on Dr. Schaller's property.

The Cardoza family managed lake levels by: 1) cleaning culverts that are intended to pass water underneath the Tolay Lake causeway, 2) removing emergent vegetation along the edges of Tolay Lake, and 3) pumping Tolay Lake and conveying the pumped water to a location below the Farm Bridge. These practices have been discontinued since Regional Parks purchased the property.

Response: Regional Parks prepared a historic analysis of Tolay Lake management practices. This historic analysis may be found in Appendix H of the EIR. The lake is a dynamic system and inundation varies a great deal in different rain years, with higher inundation level in extreme and historic rain years such as 2017. The County has created an interim lake management plan with the input from the commenter.

Bob Haroche: Commenter stated that when the Cardoza family actively managed Tolay Lake levels Dr. Schaller was able to typically use his property for farming by May 1. Since Regional Parks has managed Tolay Lake Ranch, Dr. Schaller's property is inundated and not ready for farming until mid-May,

resulting in a loss in hay production, especially since 2010. There has been a 20 to 40 percent loss in hay production in recent years.

Response: Regional Parks has received and reviewed estimates of hay production loss. The County has created an interim lake management plan with the input from the commenter.

Bob Haroche: The Draft EIR prepared for the Tolay Lake Regional Park Master Plan is inadequate in two ways. The Project Description portion of the Draft EIR should include information on the changed lake management practices since Regional Parks purchased Tolay Lake Ranch, and should disclose the impacts of lake restoration on farming activity on Dr. Schaller's property. The second manner in which the Draft EIR is inadequate pertains to establishing the project baseline analysis, which is currently based on issuing the Notice of Preparation in July, 2015. The project baseline analysis should be updated to include the historic lake management practices employed by the Cardoza family.

Commenter acknowledges that a pre-restoration lake management plan has been prepared by Regional Parks. This pre-restoration plan contains several measures to manage lake levels. Commenter requests that these measures should be: binding, implemented in time for next year's harvest, and incorporated in the Mitigation Monitoring Reporting Plan.

Response: The commenter is referred to Appendix H, which is incorporated by reference. Regional Parks has collaboratively prepared an interim lake management plan with Dr. Schaller that addresses the requests regarding lake management measures. That plan is part of the project and is included in Appendix H of the EIR. The Draft EIR meets the requirements of CEQA and commenter's suggestion to use a hypothetical baseline would violate CEQA. See Response to comment **L12.01**. *(Note: some discussion has been omitted since the issues discussed are outside the scope of the EIR)*

Commissioner Davis: Commenter noted that farming has been discussed, but asked what are the legal requirements regarding the prehistoric uses that occurred on the Park properties prior to farming.

Response (from County counsel): The issues being raised are a combination of CEQA issues, and issues of real property

Commissioner Davis: Commenter asked if the evaluation of flooding considered climate change.

Response: There currently is not a generally accepted method or approach to address climate change in general routine flood-runoff modeling, therefore climate change wasn't addressed quantitatively for Tolay Lake. A specific model method contained in, HEC-17 Volume 2 (of which Dr. Thompson was a co-author), does include procedures for addressing the potential impact of climate change on highway projects potential. However, the modeling requirements for HEC-17 requires a much larger effort than the model used in the Tolay DEIR. Hence this model is typically only used for substantially larger magnitude projects such as highway infrastructure projects with a much greater potential for impact on the larger community.

In the case of Tolay Lake, the possible impact of climate change is fairly minor with changes to the hydrology of the Tolay Lake watershed far more likely to derive from changes in land use on the watershed than climate change effects.

Second, when constructing a hydrologic model for a specific watershed, there remains built-in uncertainty in the flood discharge estimates that essentially overshadows the potential changes associated with climate change (which in the context of flooding, are small).

Third, the impact of climate change on flood frequency curves remains indeterminate and USGS personnel have yet to report any general changes in flood frequency curves based on their extensive and long term national stream gaging network.

The project is well above sea level, and will not be impacted by sea level rise.

Commissioner Davis: Commenter asked in the modeling used for the Tolay DEIR was responsive to 2017 climatic conditions.

Response: Since the 2017 climatic conditions are reflected in the NOAA Atlas 14 rainfall-frequency relations that were used, hydrologic modeling for the Tolay DEIR was responsive to 2017 climatic conditions. These data (NOAA Atlas 14) serve as a standard approach for estimating flood frequency curves using rainfall-runoff models.

Commissioner Cook: Commenter asked what is the standard by which the 2-year and 100-year storm events were chosen for hydrologic modeling.

Response: There is no industry standard for flood models. In this case Wildscape Engineering was tasked with examining the potential impact of proposed changes to Tolay Lake under a 100-year event or more accurately the event with an annual exceedance frequency of 1 percent, which is often used to assess flood risk. This approach is similar to the Federal Emergency Management Agency's (FEMA) development of Flood Insurance Rate Maps (FIRMs), which predict general flood risk to homes, businesses, and infrastructure based on the 100-year flood. We included the 2-year event in order to also examine how the existing and proposed restoration of Tolay Lake would respond to a more common, frequent storm event. Other flood risk values that are commonly examined and could be for this site are the 5-, 10-, 20-, and 50-year events. The hydrologic modeling results for these events are bounded by the 2- and 100-year events analyzed, so unless there is a particular design or analysis need for these intermediate points the 2-, and 100-year events are reasonable and sufficient for the purposes of the Tolay DEIR. For certain critical structures with high risk potential, such as a dam and reservoir system, the 200- or 500-year events would also likely be examined, but that is not the case with Tolay Lake.

Commissioner Davis: Commenter asked if the DEIR evaluated noise sources other than traffic generated noise.

Response: Other noise sources were evaluated (refer to pages 4.8-15-4.8-17 of the DEIR) such as routine park operational noise, and passive recreation activities (e.g., birdwatching, hiking), but results were found to be less than significant since these sources of noise would not exceed noise standard established in the Sonoma County General Plan.

Commissioner Cook: Is the lower part of Tolay Creek below the lake, affected by tidal influences?

Response: Tolay Creek within the Project boundary is at least a couple hundred feet above mean sea level and is not tidally influenced.

2.3 RESPONSES TO WRITTEN COMMENTS RECEIVED DURING THE DRAFT EIR PUBLIC REVIEW PERIOD (January 10, 2017 to February 23, 2017)

The following section includes copies of all letters received during the Draft EIR public review period, followed by a written response to each comment on the content or adequacy of the Draft EIR or on a substantive environmental point. The comments and responses are correlated by code numbers added to the right margin of each letter comment. Also, if applicable, each comment is identified by which Draft EIR chapter discusses the issue.

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L-1

COUNTY OF SONOMA
PERMIT AND RESOURCE MANAGEMENT DEPARTMENT

2550 Ventura Avenue, Santa Rosa, CA 95403-2829
(707) 565-1900 FAX (707) 565-1103

GENERAL PLAN CONSISTENCY DETERMINATION

Date January 5, 2017

Staff Yolanda G. Solano

Project Tolay Lake Regional Park Master Plan

Applicant Karen Davis-Brown, Sonoma County Regional Parks

File Number PPR16-09-02 (PE-106-PB-000)

Project Location/APNs 5869 Cannon Lane, Petaluma
APNS: 068-060-057, -058; 068-070-004, -005; 068-080-001;
068-080-007; 068-090-022, -024

General Plan Land Use LEA (Land Extensive Agriculture) 100 acre density
LEA (Land Extensive Agriculture) 60 acre density
LIA (Land Intensive Agriculture) 60 acre density

Zoning LEA (Land Extensive Agriculture) 100 acre density
LEA (Land Extensive Agriculture) 60 acre density
LIA (Land Intensive Agriculture) 60 acre density
RC (Riparian Corridor) 50/50
SR (Scenic Resource) - Scenic Landscape Unit
G (Geologic Hazard Zone)
VOH (Valley Oak Habitat)

Area Plan N/A

Consistency Determination

The Tolay Lake Regional Park Master Plan appears to be consistent with the Sonoma County General Plan, provided that the plan is amended to indicate the intension to pursue Historic Landmark designation and Landmarks Commission review prior to any alteration or demolition of a historic structure.

L1.01

DISCUSSION

PROJECT DESCRIPTION

Tolay Lake Regional Park is a 3,400 acre property located approximately 5 miles southeast of the City of Petaluma at 5869 Cannon Lane in Petaluma. Primary access to the park is from Cannon Lane, a County maintained road off of Lakeville Highway. The Park is located in a valley between two ridgelines, with terrain characterized by rolling hills, moist grasslands, wetlands, riparian and upland habitat, and remnant stands of oak trees. The Park is named for the approximately 200-acre shallow lake that sits in the center of the valley. Streams and manmade ponds form other water features on site.

The Tolay Lake Regional Park (Park) is comprised of two properties. The first property is Tolay Lake Ranch, a roughly 1,737-acre area that was purchased by the Sonoma County Agricultural Preservation and Open Space District and its partners on September 27, 2005. At the close of escrow, the District transferred title to Sonoma County Regional Parks (Regional Parks) and retained a Conservation Easement.

The second property, Tolay Creek Ranch, expands the size of the existing park by 1,665-acres. This property is protected by a separate Conservation Easement retained by the Open Space District. The Sonoma County Land Trust was to transfer ownership of the Tolay Creek Ranch property to Regional Parks in 2016.

A Master Plan has been developed for the regional park which will be phased in over the next 35 years. The Master Plan includes multi-use and hiking trails; equestrian facilities; a park complex and visitor center with interpretive and educational facilities; as well as improved restrooms and parking. The Master Plan also provides recommendations for habitat restoration including restoration of Tolay Lake and 4.5 miles of Tolay Creek. In addition, the Master Plan provides recommendations for the protection and interpretation of the significant cultural and historical resources of the property, including a schedule of tasks for long-term monitoring of natural resources in the Park. Resource management recommendations for grazing operations, as well as improvements in fencing, boundaries, and exclusion zones of sensitive habitats and prehistoric cultural resources are included. Additionally, the Master Plan includes improvements to Park access, ADA improvements, a new ranger residence, and water supply and wastewater facilities.

The types of recreational activities proposed for the site include: nature study and outdoor educational programs, hiking, docent led walks, horseback riding, mountain biking, group and family picnicking, bird watching and other types of passive recreation, and overnight hike-in individual and group camping on a permit basis.

GENERAL PLAN LAND USE

Tolay Lake Ranch. Tolay Lake Ranch, the northern 1,737 acre portion of the park, consists of five separate parcels. Approximately 300 acres of these parcels are designated LIA (Land Intensive Agriculture). The LIA land use designation is intended to enhance and protect lands capable of, and generally used for, animal husbandry and the production of food, fiber, and plant materials. The remaining land is designated LEA (Land Extensive Agriculture). The LEA (Land Extensive Agriculture) land use category was also established to support agriculture, but is applied to those areas where soil and climate conditions typically result in lower agricultural yields.

The Tolay Lake Ranch property, acquired in 2005, is a regional park recognized on the General Plan Open Space Maps (Figures OSRC-5h & OSRC-5i) as an "Existing Park." The General Plan's specific designation of Tolay Lake Ranch as a public park precludes the need to evaluate the consistency of its land use designation for public park use.

Tolay Creek Ranch. Tolay *Creek* Ranch includes the southern 1,665 acres (approximate) of the regional park property. The land use designation for the entire Tolay Creek Ranch property is LEA (Land Extensive Agriculture). The LEA land use designation is intended to enhance and protect lands capable of, and generally used for, animal husbandry and the production of food, fiber, and plant materials. This land use designation is applied to lands where soil and climate conditions are expected to result in relatively low agricultural yields per acre of land.

The Agricultural Land Use Policy of the General Plan provides a list of permitted uses for the LEA land use category. This list of permitted uses includes agricultural production, agricultural support uses, visitor serving uses and agricultural employee housing. In addition, this Agricultural Land Use Policy also allows "Other uses consistent with the Agricultural Resources Element as provided in the Development Code."

"Public Parks" are one of the nonagricultural uses permitted in the LEA zone (section 26-06-(i)(9)) by the development code. The code also provides that nonagricultural uses must meet a local need, avoid conflict with agricultural activities, and comply with Objective AR-4.1 and Policy AR-4a of the General Plan.

1. **The park meets a local need.** The park will provide the public with a number of recreational activities including outdoor educational programs, hiking, docent led walks, horseback riding, mountain biking, picnicking, bird watching, and overnight hike-in camping. The plan also includes restoration of Tolay Lake and 4.5 miles of Tolay Creek. According to the General Plan, "Outdoor recreation contributes to the tourism economy, enhances the quality of life for County residents and visitors, and conserves unique natural and cultural resources."
2. **The park will not result in conflicts with existing Agricultural uses.** A public park is not a use which would typically be expected to create conflicts with surrounding agriculture uses. In this case, the Park is a working ranch and the Master Plan indicates that it will continue to operate as such. Master Plan guideline OM-G36 (Chapter 9, Operations and Maintenance) supports continuation of the historic agricultural use of the Park: "Maintain agricultural lands to allow for continuing sustainable yield of crops and other farm products. Agricultural practices include (1) care, management and handling of farm animals; (2) cattle grazing; (3) maintaining 'Marvin's Garden'; (4) repairing farm equipment; and (5) managing the orchard trees and harvesting fruit."
3. **The park does not conflict with Objective AR-4.1 or Policy AR-4a.** The objective and policy referred to by the Zoning Code is intended to "Mitigate Conflicts Between Agricultural and Nonagricultural Uses in Designated Agricultural Production Areas." (See Agricultural Resources Element, section 2.4). This section identifies *residential uses*, located at the urban fringe or in the midst of agricultural areas, as a potential source of conflict with agricultural uses. Nuisance complaints against agricultural operations have arisen due to the noise, odors, flies, spraying, etc., which are attendant to typical agricultural practices. Therefore, the primary goal of these policies is to recognize agriculture as the primary use in agricultural land use categories and thereby support farmers in their effort to manage their operations in an efficient and economic

manner.

The park master plan does not introduce new residential uses into an agricultural area and therefore would not conflict with objective AR-4.1 or Policy AR-4a.

Public and Quasi Public (PQP) Land Use Designation. The Public and Quasi Public (PQP) Land Use category is generally applied to sites that serve the community and are owned or operated by government agencies, nonprofit entities or public utilities. "Parks" are listed as a permitted use in the PQP land use category. However, the Policy for Public and Quasi Public Land Uses states that "public uses are also allowed in other land use categories." This policy is consistent with the Zoning Code which allows "parks" as a permitted use in the LEA zone.

The General Plan's Open Space Policy (OSRC-17a) expresses a preference for designating parks to "Public-Quasi Public." According to the project description, the project would include a General Plan Amendment to revise the park's land use designation from Land Extensive Agriculture and Land Intensive Agriculture to Public Quasi Public, which will be in keeping with Policy OSRC-17a. Alternately, the park property could be redesignated to PQP with the next General Plan update.

Consistency Determination: The project is consistent with the park property's General Plan land use designations.

GENERAL PLAN GOALS, OBJECTIVES AND POLICIES

In addition to project consistency with General Plan land use designations, the following General Plan policies are implicated:

OPEN SPACE ELEMENT

A. ARCHAEOLOGICAL, CULTURAL, AND HISTORICAL RESOURCES. The General Plan Open Space Element includes goals, objectives and policies for the protection and preservation of significant archaeological and historical sites that represent the ethnic, cultural, and economic groups that have lived and worked in Sonoma County, including Native American populations. (Goal OSRC-19)

1. ARCHAEOLOGICAL AND CULTURAL RESOURCES

Policy OSRC-19k: Refer applications for discretionary permits to the Northwest Information Center to determine if the project site might contain archaeological or historical resources. If a site is likely to have these resources, require a field survey and preparation of an archaeological report containing the results of the survey and include mitigation measures if needed.

Policy OSRC-19l: If a project site is determined to contain Native American cultural resources, such as sacred sites, places, features, or objects, including historic or prehistoric ruins, burial grounds, cemeteries, and ceremonial sites, notify and offer to consult with the tribe or tribes that have been identified as having cultural ties and affiliation with that geographic area.

Consistency Determination (Archaeological /Cultural Resources): The Draft Environmental Impact Report for the Parks Master Plan describes the extensive

consultation process that was undertaken during the development of the Plan. Cultural resource studies have been conducted and a total of 70 resources have been identified. The goals included in the Park Master Plan show a strong commitment to continue to collaborate with Graton Rancheria and avoid impacts to the many cultural resources existing on park land (see Goals C1 through C4, Chapter 2, Tolay Lake Regional Park Master Plan). The Park Master Plan is consistent with policy OSRC-19k and OSRC-19l.

2. HISTORICAL RESOURCES

Policy OSRC-19c: *The County Landmarks Commission shall review Historic Building Surveys and make recommendations for designation of structures or cemeteries as County landmarks.*

Policy OSRC-19e: *Refer applications that involve the removal, destruction or alteration of a structure or cemetery identified in a historic building survey to the Landmarks Commission for mitigation. Measures may include reuse, relocation, or photo documentation.*

According to the Draft Environmental Impact Report (DEIR) prepared for the project, a total of 70 cultural resources have been identified within the Park. Of the 70 resources, four are multi-component sites containing both prehistoric and historic-era resources, 35 are prehistoric/tribal resources, and 31 are historic-era built environment resources. Twelve historic buildings in the Cardoza Ranch section of the park were evaluated by Architectural Resources Group in 2012. The DEIR states that "Cardoza Ranch is considered eligible for listing in the NRHP [National Register of Historic Places] and the CRHR [California Register of Historical Resources]." In addition, the Tolay Valley Historic District (TVHD) was formally recorded and evaluated as an NRHP eligible district in 2008. The district includes Cardoza Ranch as well as other resources within the park.

The Draft Environmental Impact Report (DEIR) states that the Sonoma County Regional Parks and the Tribe will work collaboratively to nominate the Tolay Valley Historic District for listing in the National Register of Historic Places, the California Register of Historical Resources, and the Tribal Cultural Resources. The DEIR also points out that the Master Plan requires that new features be setback 150 feet or 500 feet from known cultural resources, depending on the project component. In addition, mitigation measure MM CULT-4 requires documentation of any historic building prior to its removal, demolition or significant alteration.

Consistency Determination (Historical Resources): The County of Sonoma has established a Landmarks Commission to facilitate the preservation of significant historic structures. Policy OSRC-19c requires the Landmarks Commission to review historic resource evaluations and make recommendations for designation as County landmarks. The historic resource evaluations prepared for the historic structures at the park site should be submitted to the Landmarks Commission for their review and recommendation as to whether the buildings or the historic district should be designated as County historic landmarks.

Policy OSRC-19e requires Landmarks Commission review prior to the alteration or demolition of any structures identified in a historic resource evaluation. The Tolay Lake Regional Park Master Plan (Figure 3-6) indicates that a building identified as “George and Vera Cardoza/Green House” will be demolished. While photo documentation may adequately mitigate the removal of a historic building in many cases, that determination should be made by the Landmarks Commission.

Consistency with the Historical Resource section of the General Plan would require 1) revising the Park Master Plan to include the submission of an application for County Historic Landmark designation and 2) Landmarks Commission review and approval prior to any removal, demolition or alteration of any historic structure.

- B. **SCENIC RESOURCES.** The Sonoma Mountains are highly valuable scenic lands, clearly defining the eastern edge of the Santa Rosa Plain and providing a scenic backdrop to the urban plains and Sonoma Valley. The General Plan acknowledges that the preservation of scenic resources, such as the Sonoma Mountains, is important to the quality of life of County residents. Designated Scenic Resources are identified on the General Plan Open Space Maps. A portion of the park property has been designated a Scenic Landscape Unit (see figures OSRC-5h and OSRC-5i).

Consistency Determination (Scenic Resources): The Park Master Plan includes maps showing the location of planned development. Existing and new structures will be located in the section of the park referred to as the park complex. The park complex is not located in a designated scenic area, and therefore, no conflicts with the Open Space Element’s Scenic Resource section would result.

- C. **RIPARIAN CORRIDORS.** The Open Space Element of the General Plan establishes streamside conservation areas to protect riparian corridors and the many benefits they provide. The width of the streamside conservation area within the park boundaries is 50 feet, as measured from the top of the bank on each side of the stream.

Policy OSRC-8b: Establish streamside conservation areas along both sides of designated Riparian Corridors as follows, measured from the top of the higher bank on each side of the stream as determined by PRMD:

- (1) Russian River Riparian Corridor: 200'
- (2) Flatland Riparian Corridors: 100'
- (3) Other Riparian Corridors: 50'

Policy OSRC-8d: Allow or consider allowing the following uses within any streamside conservation area . . .

- 2) Streamside maintenance and restoration . . .
- 4) Road crossings, street crossings, utility line crossings.
- 7) Grazing and similar agricultural production activities not involving structures or cultivation

. . . and conducted in accordance with water quality protection guidelines of the Agricultural Commissioner, Resource Conservation Districts, or Regional Water Quality Control Boards.

- 11) Creekside bikeways, trails, and parks within Urban Residential, Commercial, Industrial, or Public-Quasi Public land use categories.

Policy OSRC-8g: Support non-regulatory programs for protection of streams and riparian functions, including education, technical assistance, tax incentives, and voluntary efforts to protect riparian resources.

Consistency Determination (Riparian Corridors): The Resource Management Plan (Chapter 6, Park Master Plan) includes setback standards to protect sensitive natural resources. The 100-foot construction setback from the top of the streambank established by the Resource Management Plan (RMP-S70) exceeds the 50-foot setback requirement of Policy OSRC-8b.

Grazing activities are required to adhere to water quality protection guidelines as specified in Policy OSRC-8d. According to the Resource Management Plan, grazing will be used by park staff as a land management tool. Elements of the Park's grazing program and rangeland management plan include: fencing, exclusion areas, rotation, animal type, number of animals, frequency, developed springs and watering holes, mineral/salt licks, corrals, and other grazing infrastructure. The grazing program developed for the Park Master Plan appears to be consistent with the intent of policy OSRC-8d as it includes many of the Best Management Practices featured in the referenced water quality protection plans.

The Master Park Plan also proposes the restoration of native plants species along park streams to stabilize stream banks, decrease water velocity and lower water temperature. Stream restoration work is consistent with policy OSRC-8d and encouraged by policy OSRC-8g. The development of trails and roadway crossings are also consistent with the Open Space policies.

CONCLUSION

The Tolay Lake Regional Park Master Plan appears to be consistent with the Sonoma County General Plan, provided that the plan is amended to indicate the intention to pursue Historic Landmark designation and Landmarks Commission review prior to any alteration or demolition of a historic structure.

Letter 1: Sonoma County Permit and Resource Management Department

L1.01: Commenter states that the Tolay Lake Regional Park Master Plan appears to be consistent with Sonoma County’s General Plan, but asks that Regional Parks pursue Historic Landmark designation and Landmarks Commission review prior to any alterations or demolition of a historic building or structure. The Draft EIR will be changed on page 4.5-27 so that it reads:

These standards and guidelines are presented below in Table 4.5-5 and described in Chapter 6 of the Master Plan. Parks would consult with architects and landscape architects who meet the Secretary of the Interior’s Standards for Professional Qualifications when components of the Master Plan that involve historic characteristics and features are implemented. In addition to adhering to these standards, Regional Parks will pursue Historic Landmark Designation and Landmark Commission review prior to any alterations of demolition of a historic building or structure.

L-2

Karen Davis-Brown

From: Rory Gibbens-Flores
Sent: Tuesday, March 07, 2017 7:49 AM
To: Karen Davis-Brown
Subject: Tolay Park Trees

From: Susan Price [<mailto:1amazingorganizer@sbcglobal.net>]
Sent: Thursday, January 12, 2017 6:02 PM
To: Parks
Subject: Tolay Park - Trees

Please direct this to Caryl Hart, Regional Parks Director.

In reading an article in today's Argus, I see a pic of Tolay Park - no trees. Is there a plan to plant trees in Tolay Park?

L2.01
Susan Price

3 P's in a Pod

Publicity

Professional Organizer

Personal and Virtual Assistant

707 338-7006 Cell

Join my 3 P's in a Pod group on Facebook.

L-2

Price Email Response from Regional Parks

Dear Ms. Price,

Director Hart asked me to reach out to you. I am the Natural Resource Manager for Sonoma County Regional Parks.

Thank you for sharing your interest in seeing more trees at both Helen Putnam and Tolay Regional Parks.

As you know, the Petaluma area is naturally quite dry and as such the natural habitats are largely dominated by an oak savannah condition. There are often very few trees per acre in these habitat types, and a dominance of grassland species.

I see that our planner Karen-Davis-Brown has responded to you about Helen Putnam. Let me just say that the Master Plan for Tolay does call for continuing restoration of trees and other vegetation along many of the ephemeral streams. We are also promoting oak regeneration in key areas of the park. I'd be happy to go out on site with you and discuss the condition of the park in more depth.

It is true that the southern portion of Sonoma County has a very different climate from that of southern Marin County, and therefore simply does not support the dense vegetation found in places like Mount Tam. That said, there are some really wonderful parks in the central part of the county and out on the coast where you'll find those lovely moist forest conditions.

Please call me if you'd like to discuss further or would like more information.

Warm regards,

Melanie Parker

Melanie Parker

Natural Resources Manager

Sonoma County Regional Parks

2300 County Center Drive #120A

Santa Rosa, CA 95403

Letter 2: Susan Price

L2.01: Commenter asks if there is a plan to plant trees at Tolay Lake Regional Park. There is a plan to plant trees in the Park Complex and in multiple undeveloped locations in the Park. Commenter is directed to pages 3-30 (Figure 3-6) and 3-32 (Figure 3-8) for locations of proposed tree planting.

L-3

From: Andrea Larrecq [mailto:andrealarr@gmail.com]

Sent: Wednesday, January 18, 2017 2:59 PM

To: Karen Davis-Brown

Subject: Tolay Lake Master Plan

Hi Karen,

L3.01 { Thank you for discussing the Tolay Lake Master Plan with me today. I just got done looking over the plan and I must say it is very comprehensive. Everyone involved has done an excellent job. }

L3.02 { As we discussed, my husband and I are not fans of livestock in parks, especially cattle. However, I do see the necessity of weed control and have often wondered if I could rent a couple of goats to take care of the backyard weeds in our suburban Petaluma home. I think that careful monitoring of areas where the cattle congregate (around water, etc.) will be necessary. Also, no one likes to walk down a trail when you have to watch your every step. }

L3.03 { I also wonder why you would want to keep any Blue Gum in the park. Listed reasons suggest wildlife habitat. I would think that by gradually eradicating the existing stands, and replacing them with native tree species you could over time get rid of this nasty invasive and keep most of the wildlife happy. }

L3.04 { When we were there some months ago, the only wildlife we saw in the Blue Gums were starlings, another invasive species. }

L3.05 { Furthermore, I am in favor of fire to keep the environment healthy. I strongly believe that without it many plant diseases can get out of control. However, I'm not sure how you could safely have controlled burns without risk to neighboring properties. }

We look forward to many wonderful walks in Tolay in the future, and thank you for all the time and effort to make this happen.

Andrea Larrecq

Petaluma, CA

----- Forwarded message -----

From: Karen Davis-Brown <Karen.Davis-Brown@sonoma-county.org>

To: "'Andrea Larrecq'" <andrealarr@gmail.com>

Cc:

Bcc:

Date: Thu, 19 Jan 2017 17:21:45 +0000

Subject: RE: Tolay Lake Master Plan

Good Morning Andrea,

It is was very nice to talk with you too. I appreciate your kind word about the Master Plan document.

Yes the cattle are, at a minimum, a necessary land management tool. I do hear you about avoiding their land mines while hiking. I will continue to keep in mind the trail users as we work to adaptively manage the park-lands. As we move from planning to actually building park infrastructure I've begun to think more about it and working through ideas on how to manage them while minimizing their impacts on park-users.

The Resource Management Plan discusses our approach to the Blue Gum. The idea is that over time they will - phase out of the park. We do not intend to actively log/remove the largest trees. But we do eradicate saplings so that over time as they age and fall they will be phased out.

In part because wildlife species are using them, and though starlings may be the bird species most prominently viewed other species do use them for nesting. Additionally the cost to remove and replant, along with the visual impact of removing all quickly, would be difficult for the Park to bear.

I've been in discussion with both the Tribe and the local fire agencies about fire land management strategies. It is not something we intend in the near future and we certainly need more study before considering the use of fire as a tool. The collaborative conversation has begun and does help the team in the case of an accidental wildland fire.

Again it was very nice talking with you yesterday.

I appreciate the opportunity to talk about the Park.

Tolay is a very different Park then most in our system and it takes a bit of learning to love, and I do. The birds, owls-eagles-hawks-swarms of swallow-swarms of red-winged-blackbird, the brazen coyote, even

the frightened, goofy, and curious young calf in the winter/spring I thoroughly enjoy as part of the Tolay Park experience.

See you in the parks, and I'm happy to hear from you any time.

Happy Trails,

Karen DavisBrown

Park Planner II

Sonoma County Regional Parks

(707) 565-1359

Karen.Davis-Brown@sonoma-county.org

From: Andrea Larrecq [mailto:andrealarr@gmail.com]

Sent: Wednesday, January 18, 2017 2:59 PM

To: Karen Davis-Brown

Subject: Tolay Lake Master Plan

Hi Karen,

Thank you for discussing the Tolay Lake Master Plan with me today. I just got done looking over the plan and I must say it is very comprehensive. Everyone involved has done an excellent job.

As we discussed, my husband and I are not fans of livestock in parks, especially cattle. However, I do see the necessity of weed control and have often wondered if I could rent a couple of goats to take care of the backyard weeds in our suburban Petaluma home. I think that careful monitoring of areas where the cattle congregate (around water, etc.) will be necessary. Also, no one likes to walk down a trail when you have to watch your every step.

I also wonder why you would want to keep any Blue Gum in the park. Listed reasons suggest wildlife habitat. I would think that by gradually eradicating the existing stands, and replacing them with native tree species you could over time get rid of this nasty invasive and keep most of the wildlife happy.

When we were there some months ago, the only wildlife we saw in the Blue Gums were starlings, another invasive species.

Furthermore, I am in favor of fire to keep the environment healthy. I strongly believe that without it many plant diseases can get out of control. However, I'm not sure how you could safely have controlled burns without risk to neighboring properties.

We look forward to many wonderful walks in Tolay in the future, and thank you for all the time and effort to make this happen.

Andrea Larrecq

Petaluma, CA

Letter 3: Andrea Larrecq

L3.01: Commenter states the plan is very comprehensive. Comment acknowledged.

L3.02: Commenter states that careful monitoring of areas where cattle congregate will be needed. The commenter is referred to pages 119 and 120 of Chapter 6 of the Master Plan regarding the purpose of grazing at the Park and measures to minimize livestock concentration and trampling (RMP G 44 and RMP G 45).

L3.03: Commenter states she does not like walking trails with cow manure present.

Comment acknowledged.

See response to comment L3.02.

L3.04: Commenter questions why Regional Parks would want to maintain Blue Gum in Tolay Lake Regional Park. Commenter is directed to page 94 of Chapter 6 (Resource Management Plan) of the Master Plan for a summary of wildlife related benefits associated with Blue Gum trees, and to page 95 for eradication and control measures to prevent further spread of this tree species.

L3.05: Commenter is interested in using prescribed fire to keep the Park environmentally healthy but has concerns about safety issues relative to neighboring properties. Commenter is referred to pages 121-123 of the Master Plan for a discussion on fire management in the Park, including consideration of prescribed fire as a management tool as well as associated health and safety concerns.

DEPARTMENT OF TRANSPORTATION

DISTRICT 4
P.O. BOX 23660
OAKLAND, CA 94623-0660
PHONE (510) 286-5528
FAX (510) 286-5559
TTY 711
www.dot.ca.gov

L-4



*Serious Drought.
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February 9, 2017

04-SON-2017-00082
SCH # 2015062084

Ms. Karen Davis-Brown
Sonoma County Regional Parks
2300 County Center Drive, Suite 120a
Santa Rosa, CA 95403

Tolay Lake Regional Park Master Plan – Draft Environmental Impact Report (DEIR)

Dear Ms. Davis-Brown:

Thank you for including the California Department of Transportation (Caltrans) in the environmental review process for the above-referenced project. In tandem with the Metropolitan Transportation Commission's (MTC) Sustainable Communities Strategy (SCS), Caltrans mission signals a modernization of our approach to evaluating and mitigating impacts to the State Transportation Network (STN). Caltrans *Strategic Management Plan 2015-2020* targets aim to reduce Vehicle Miles Travelled (VMT) by tripling bicycle and doubling both pedestrian and transit travel by 2020. Our comments are based on the DEIR.

Project Understanding

The proposed project would result in the development of a new open space regional park facility to serve the residents of Sonoma County at 5869 Cannon Lane. The proposed Tolay Lake Regional Park would provide day use activities and permit camping and other overnight uses on a year-round basis. The park would be open seven days a week, from dawn to dusk. The types of recreational activities proposed for the site include: nature study and outdoor educational programs, hiking, docent led walks, and overnight hike-in individual and group camping on a permit basis. Access to the project would be provided via the State Route (SR) 116 intersection with Lakeville Road connecting to Mangel Ranch Road and Cannon Lane.

Lead Agency

As the Lead Agency, Sonoma County Regional Parks is responsible for all project mitigation, including any needed improvements to the STN or reduction in VMT. The project's fair share contribution, financing, scheduling, implementation responsibilities and Lead Agency monitoring should be fully discussed for all proposed mitigation measures.

Travel Demand Analysis

L4.01 { Please submit the Transportation Impact Study developed for this project for review. Caltrans commends the applicant for conducting a traffic analysis for this project. Though the traffic study, based on Level of Service analysis, concludes that the proposed project represents a less than significant transportation impact, a travel demand analysis based on VMT could conclude that this proposed project—as a non-infill, traditional suburban development—represents a significant impact. Please keep this in mind for future projects with a similar land use.

In reference to Page 4.10-19, 20:

- L4.02 • Impact TRAF-6: Use “Bicycles May Use Full Lane” signs instead of “Share the Road” signs.
- L4.03 • Impact TRAF-7: As the project would adversely impact westbound SR 116, mitigation measures similar to those proposed under TRAF-3 should be considered for this impact as well.
- L4.04 • Impact TRAF-12: Caltrans concurs with the study finding that a northbound left-turn lane should be installed at the intersection of SR 121 with the Ram’s Gate-South Park Entrance.

Multimodal Planning

L4.05 { The project should be conditioned to ensure connections to existing bike lanes and multi-use trails to facilitate walking and biking to the project site. Specifically, the proposed project should provide connections to the proposed Class II bike lanes on Lakeville Road and SR 116 as shown in the 2014 update to the *Sonoma County Transportation Authority’s Bicycle and Pedestrian Master Plan*. Providing these connections with streets configured for alternative transportation modes will help reduce VMT.

Vehicle Trip Reduction

L4.06 { In Caltrans *Smart Mobility 2010: A Call to Action for the New Decade*, this project falls under **Place Type 6 Protected Lands** which includes lands protected from development by virtue of ownership, long-term regulation, or resource constraints. Typically, this Place Type leads to high levels of VMT and corresponding low levels of active transportation. Given the project site’s intensification of use, as well as the opportunities to reduce VMT in this Place Type, we encourage the County to establish a Transportation Management Association (TMA) in partnership with other developments in the area to pursue aggressive trip reduction targets with Lead Agency monitoring and enforcement. In addition, the Transportation Demand Management (TDM) elements described below should be included in the program to promote smart mobility and reduce regional VMT and traffic impacts to the STN:

- Project design to encourage walking and bicycling access;
- Carpooling incentives and dedicated parking spaces for carpooling employees;
- Designated bicycle parking, especially at the north entrance; and
- Charging stations and designated parking spaces for electric vehicles.

For additional TDM options, please refer to Chapter 8 of FHWA’s *Integrating Demand Management into the Transportation Planning Process: A Desk Reference*, regarding TDM at the

Ms. Davis-Brown, Sonoma County Regional Parks
February 9, 2017
Page 3

local planning level. The reference is available online at:
<http://www.ops.fhwa.dot.gov/publications/fhwahop12035/fhwahop12035.pdf>. For information
about parking ratios, please see MTC's report, Reforming Parking Policies to Support Smart
Growth, or visit the MTC parking webpage:
http://www.mtc.ca.gov/planning/smart_growth/parking.

Encroachment Permit

L4.07 { Please be advised that any work or traffic control that encroaches onto the State ROW requires an encroachment permit that is issued by Caltrans. To apply, a completed encroachment permit application, environmental documentation, and five (5) sets of plans clearly indicating State ROW must be submitted to the following address: David Salladay, District Office Chief, Office of Permits, California Department of Transportation, District 4, P.O. Box 23660, Oakland, CA 94623-0660. Traffic-related mitigation measures should be incorporated into the construction plans prior to the encroachment permit process. See the website linked below for more information: <http://www.dot.ca.gov/hq/traffops/developserv/permits>.

Should you have any questions regarding this letter, please call Erik Bird at 510-286-5521 or Erik.Bird@dot.ca.gov.

Sincerely,



PATRICIA MAURICE
District Branch Chief
Local Development - Intergovernmental Review

c: State Clearinghouse

Letter 4: California Department of Transportation

L4.01: Commenter requests a copy of the Transportation Impact Study (TIS). A hard copy version of the TIS was sent to Caltrans on June-15, 2017. The County acknowledges that the State is still in the process of revising the CEQA Guidelines to address the requirements of SB 743(2013).

L4.02: Commenter requests a wording change on page 4.10-19 of the DEIR. Commenter requests the phrase “Share the Road” signs be changed to “Bicycles may use Full Lane.” MIG will make this change so page 4.10-19 now reads:

Mitigation Measure TRAF-6: As an added safety measures for both vehicles and bicycles, the County should provide additional road safety signage such as Reduced Speed Ahead, Share the Road (bicycles), Bicycles May Use Full Lane, 15 mph advisory, and Narrow Road advisory signs.

L4.03: Comment suggests that the mitigation measure that applies to traffic impact TRAF-3 should also be applied to TRAF-7. MIG will make this change to page 4.10-20 of the DEIR so it reads:

Since there is no adopted plan or funding mechanism for these improvements, the impact of the project would be considered Significant and Unavoidable.

Mitigation Measure. See Mitigation Measure TRAF-3. With application of this mitigation measure impact will still remain **Significant and Unavoidable**.

L4.04: Commenter states that they concur with the traffic study finding that a left turn lane should be installed on northbound SR121 at the intersection with the South Park entrance at Ram’s Gate.

Comment acknowledged.

L4.05: Commenter states that the Master Plan should be conditioned to provide connections to the proposed Class II bike lanes on Lakeville Road and SR 116 as shown in the 2014 update to the Sonoma County Transportation Authority Bike and Pedestrian Master Plan.

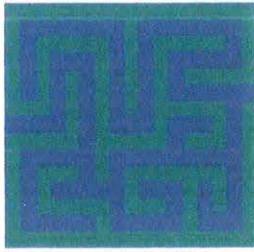
Regional Parks does not intend to create a bike path on Cannon Lane to proposed Class II bike lanes on Lakeville Road and SR 116 due to safety and line of sight issues. Figure 3-10 in the DEIR shows the conceptual design for proposed widening of Cannon Lane. It includes a 9-foot travel way for each lane, and 2-foot shoulders.

L4.06: Commenter suggests that Regional Parks form a Transportation Management Association. The comment is noted. The Commenter interprets a Cal Trans planning document. CEQA requires no response for this comment. The Commenter states that Regional Park visitation could increase vehicle miles traveled (VMT). There is no basis to speculate that there will be any increase in regional VMT due to the approval of this project, as the trips to the park are outdoor recreation trips that would almost certainly otherwise go elsewhere. The opening of the park will increase local recreational opportunities around Petaluma, which is likely to decrease trips outside of the Petaluma area by Petaluma residents.

Thus, there is no basis to conclude that regional VMT would be less if the project was not approved, and any such conclusion would be both highly speculative and improbable.

Regarding bike and pedestrian access to the Park, the widening of Cannon Lane will include a 2-foot wide shoulder on both sides for bicycle travel (see pages 54 and 59, Master Plan). During Master Plan implementation, Regional Parks will consider employee incentives for carpooling to the extent practical. The commenter suggests the implementation of charging stations. The commenter is referred to page 3-6 of the DEIR for a table of implementation items which already includes installing three electric charging stations. In addition, the park has workforce housing for on-site rangers, reducing Regional Parks staff VMT.

L4.07: Commenter notes that if any part of Master Plan implementation encroaches into a State right-of-way (ROW) a Caltrans encroachment permit will be required. Regional Parks acknowledges that they will obtain an encroachment permit for any implementation actions that encroach into a State ROW.



Thomas A. Parilo & Associates

10320 Tillicum Way
Nevada City, CA 95959
(530) 265-6393

E-mail: taparilo@sbcglobal.net

L-5

February 21, 2017

Karen Davis-Brown, Park Planner II
Sonoma County Regional Parks
2300 County Center Drive, Suite 120A
Santa Rosa, CA 95403

Subject: Comments on Draft Environmental Impact report for Tolay Lake Regional Park Master Plan

Dear Ms. Davis-Brown;

Thank you for the opportunity to comment on the Draft Environmental Impact Report (DEIR) for the Tolay Lake Regional Park Master Plan project. I am writing on behalf of Lee W. Schaller, adjoining property owner to the northwest of the proposed regional park.

LS.01 { My client has owned his 242-acre working farm since 1988. His land is used for hay growing, dairy cattle grazing and a vineyard. His hay growing operation adjoins the proposed Tolay Lake Regional Park lake body on his southerly property line and along both sides of Tolay Creek. His land is also under a Williamson Act contract with Sonoma County. As such, he is formally recognized to be a viable agricultural operation and one deserving of full protection under Sonoma County's Right to Farm Ordinance.

While my client has many concerns with the proposed regional park as a neighbor, he wants to highlight three primary concerns with the Master Plan and DEIR. They include extended lake water ponding on his land, fire safety/fuel breaks and lack of meaningful project alternatives. Each topic is addressed below.

Impacts of lake water inundation

LS.02 { Since 2005, my client has raised concerns about inundation on his land due to the establishment of an extended seasonal lake. He is most concerned that the "ad hoc" establishment of the extended seasonal lake was not subject to environmental review, yet he has been directly impacted by extended inundation due to changed lake management. Schaller is also frustrated that, as the most impacted neighboring landowner, he was not advised that the new lake management practices were implemented upon Sonoma County Regional Parks changes in management practices of the lake in approximately 2006. Had he been consulted, perhaps extended inundation on his land could have been avoided.

LS.03 { He feels that that the approximately 71+/-acre extended seasonal lake included in the Master Plan will create the same or even longer extended inundation on his property. This impact is corroborated by Timothy Crough, PE, his consulting engineer (see attached letter). In our NOP letter, we asked that the DEIR specifically evaluate how the preferred lake alternative would impact or otherwise reduce the extended inundation that he has experienced for almost 10 years since the Regional Parks Department assumed ownership and management of Tolay Lake. He is most concerned about the effectiveness of the "Preferred Lake Restoration Alternative Plan" to keep impounded waters from inundating his land beyond the normal rainy season. With the County's change in water management practices without this knowledge, Schaller's

opposed to the extended inundation that has progressively worsened each year resulting in significant impact to his historic farming practices. He sees the same for the Lake Restoration project associated with the Master Plan.

LS.04
As requested in our NOP letter, my client requested that the EIR include an analysis of the means to prevent further or continuing inundation associated with the "Preferred Lake Restoration Alternative Plan." This has not been done. He, along with other upstream neighbors, has observed annual increases in the area and the length of time of inundation even during the drought years. Schaller asked in his NOP comments that the EIR fully evaluate the amount of inundation that his land would experience beyond normal winter conditions. It is noted that the Sonoma County Right to Farm Ordinance gives protection to the farmer/rancher to use his/her land to promote and expand agriculture in Sonoma County. The change in use from agriculture to a primarily non-agricultural use should give deference to and protect, rather than impact, the adjoining historic farming practices.

LS.05
Schaller is also asking for some needed clarification and or explanation of the dynamics of the proposed hydrologic management system. The "Alternative 1 Lake Restoration Plan" which is the basis of the Master Plan represents that there will be 10 arch culverts placed in the causeway with their inverts set at 215 feet. It further represents that an improved farm bridge design will drain the lower basin. It would appear that there could be a tremendous back-up of water (similar to a funnel effect) going through a single drain for the entire lake at the farm bridge. Schaller is of the belief that with the hydraulics, the addition of significant vegetation that the lake is designed not to drain. The relative flat gradient also will contribute to water being retained in the lake and therefore on his property for an extended period of time. Schaller requests a specific detailed response as to how his land will be protected from extended inundation with the Mater Plan. Once again, delaying the implementation of the creek and lake restoration improvements by upwards of 20 years or more will deny Schaller the relief he needs to resume his long-term framing practices.

LS.06
As noted in his NOP comment letter and throughout, the bottom line is that my client wants assurance that following the winter rains and the normal dry out period (normally by May 1st of each year) that he will not have to experience continued, extended periods of inundation and soil saturation that would result in progressively lower crop yields. Furthermore, he is highly concerned that the extended retention and impoundment of Tolay Creek waters would create extended inundation and elevated ground water levels well into the "dry season" after May 1 on his lower elevation lands adjoining Tolay Creek and Tolay Lake. The DEIR discusses flooding associated with the 2 to 100-year storm event, but does not address the extended inundation on my client's land that he will experience with the proposed Master Plan and that which he has experienced for the last 10 years. Schaller's consulting engineer has addressed these issues in a separate letter.

LS.07
In a letter to Steve Ehret on April 11, 2007, regarding the establishment of the Interim Park Management Plan I stated, "...Dr. Schaller will oppose any plan that results in extended inundation on his land." He is not willing to accept inundation after May 1st of each year that would prevent him from using his land for its historic farming practices. As noted throughout, the DEIR has not specifically addressed this concern or otherwise demonstrated that Schaller will not be subject to extended inundation or soil saturation beyond the normal rainy season. Absent information that conclusively demonstrates no impact, that may entail lowering the high-water level of the lake to 214 feet or lower, which our engineer acknowledges should have minimal impact on his land and farming practices. Furthermore, Schaller requests that all culverts be regularly cleaned out and obstructing vegetation be removed.

LS.08
In light of the above, Schaller requests that detailed responses be provided in the EIR to the following questions/suggestions and comments:

- LS.09 } 1. What is the planned depth of the upper lake? It is noted that the February 2013 Contours created by USGS LiDAR Photogrammetry Integration 2007 of the upper lake bed elevations are approximately 214 feet. If the 10 arch culvert inlets are set at 215 feet, there will be at least one foot of ponded water in the lake and on Schaller's property for an extended amount of time and in most years well past May 1.
- LS.10 } 2. What measures will be taken to minimize inundation of Schaller's property following the end of the rainy season such that his land is dried out by May 1st of each year?
- LS.11 } 3. With extended ponding projected by our consulting engineer, please evaluate lowering one or more of the arch culvert inlets to 214 feet, or lower, along with an evaluation of the impacts to Schaller's property.
- LS.12 } 4. Schaller requests the following features as mitigation measures or project changes:
 - a. Provide a fail-safe, protection factor to assure no damage due to extended inundation and elevated ground water conditions in the dry season.
 - b. Set aside annual funds to monitor, maintain and repair the many water features within the master plan together with additional mitigation measures to ensure that his land is dried by May 1st each year to insure ongoing operations.
 - c. Amend the EIR to include a commitment that the county will not impact upstream landowners with extended inundation past May 1 of each year due to the county's water management practices.

During the intervening time before the creek and restoration improvements are made, Schaller requests that the following interim lake management measures be employed (note, these measures were discussed and conceptually agreed upon at Supervisor David Rabbits hydrology meeting with neighbors, park staff and master plan and hydrology consultants on February 9, 2017)

- LS.13 } 1. Annually maintain and clean out the three culverts in the causeway and the one in the horseshoe berm
 - a. This maintenance plan shall also include vegetation and debris removal that impede the design flows within all culverts so that lake water will not back-up onto Schaller's land.
- LS.14 — 2. Replace the existing farm bridge with the new bridge called for in the master plan.
- LS.15 — 3. Remove the culvert in the horseshoe bermed are of the lower lake
- LS.16 — 4. Improve the stream channel below the farm bridge to those approximating the downstream channel in the lower creek area. (Note, the county could replace the existing farm bridge with a temporary railroad flat car style of bridge until a permanent one is designed and built)
- LS.17 — 5. Resume the pumping program of the lower lake.
- LS.18 — Schaller requests that these measures be included in the Mitigation Monitoring and Reporting Program.

Fuel Breaks

LS.19 } The Fire management plan contained within the Master Plan does not include routine discing of the inside perimeter of the park land. As an unwritten good neighbor policy practiced by all of the farmers in the northern area of the regional park, they disc a fuel break every year along their property lines to reduce the hazards of grass fires spreading from one field to another. To date, the Sonoma County Regional Parks Department has not disced similar fuel breaks on their land adjoining their neighbors. A good neighbor policy would suggest that the Tolay Lake Regional Park land be similarly treated, as the regional park is proposed in the middle of an extensive and intensive farming area. Schaller also requests that no open fires of any kind be permitted during the declared fire season.

LS.20 }

Additional Project Alternatives

Pursuant to the California Environmental Quality Act (CEQA) Guidelines, environmental impact reports (EIRs) are required to “describe a range of reasonable alternatives to the project, or to the location of the project, which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project, and evaluate the comparative merits of the alternatives” (14 CCR 15126.6(a)). This alternatives analysis is prepared in support of CEQA’s goals to foster informed decision making and public participation (14 CCR 15126.6(a)). An EIR is not required to evaluate the environmental impacts of alternatives at the same level of detail as the proposed project, but it must include enough information to allow meaningful evaluation, analysis, and comparison with the proposed project.

The alternatives analysis is required even if the alternatives “would impede to some degree the attainment of the project objectives, or would be more costly” (14 CCR 15126.6(b)). An EIR must evaluate “only those alternatives necessary to permit a reasoned choice” (14 CCR 15126.6(f)) and does not need to consider “every conceivable alternative” to a project (14 CCR 15126.6(a)). The alternatives evaluated should be “potentially feasible” (14 CCR 15126.6(a)), but inclusion of an alternative in an EIR does not constitute definitive evidence that the alternative is in fact “feasible.” (California Public Resources Code, Section 21081; see also 14 CCR 15091).

Having only provided a “no-project” Alternative does not fulfill the mandates of CEQA. As a result, the project DEIR is deficient in that it does not include a full range of “reasonable” alternatives. Schaller requests that the following additional project alternatives be included:

- LS.22 { 1. As requested in our NOP letter, one of the project alternatives in the EIR should consider retention of the historic farming activities and lake management activities of the Cardoza Family Ranch. This option clearly falls within the mission of the Sonoma County Agricultural and Open Space District, the entity which acquired the property, and would be compatible with the mission and goals of the many partners to the acquisition.
- LS.23 { 2. Another alternative would delay implementation of all phases of the Master Play until such time that the creek and lake restoration improvements are made including those measures that would prevent extended inundation on Schaller’s and other neighboring upstream landowners’ property.
- LS.24 { 3. An additional alternative would eliminate the unmitigable significant impacts associated with the traffic intersection impacts at Cannon Lane and Lakeville Highway and at Stage Gulch Road and Highway 16. Such a project alternative would reduce the number of special events and other peak time high traffic generating impacts until such time that either a) the necessary road improvements can be made to the intersections of Stage Gulch Road and Lakeville Highway/Highway 16 and at Lakeville Highway and Cannon Lane. It is also noted that Cannon Lane is designated as a local road on the Sonoma County General Plan Circulation Element and, as such, is not suitable for use as the primary access to a 3,400-acre regional park.

LS.25 { The lack of alternatives prevents the decision makers and the public from considering a full range of alternatives and ones that would reduce the identified significant impacts and offer a viable alternative that would still accomplish the majority of the project objectives.

Concluding Comments

Since the DEIR has failed to address the significant ponding impacts on Schaller's land and since the document has failed to include a full range of alternatives, the revisions to the DEIR shall be recirculated pursuant to Section 15088.5 of the CEQA Guidelines.

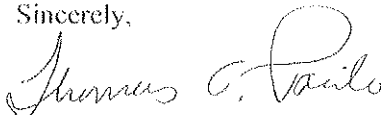
As can be realized from these comments, my client is concerned about the direct impacts of the establishment (continuation) of a longer-term lake on his farming practices and the change in character that a regional park will bring to his long-time (now compromised) agricultural producing farm. In addition to the concerns presented above, he requests that the following prohibitions be applied throughout the park:

- LS.26 - a. Any kind of outdoor public announcement, broadcasting equipment or amplified music events
- LS.27 - b. All types of watercraft
- LS.28 - c. No organized night time activities (not including supervised organized small group camping) or park visitors
- LS.29 - d. Dogs except for seeing eye assistance
- LS.30 - e. No nighttime lighting except for security purposes
- LS.31 - f. Prohibition of open fires on park grounds during the declared fire season.

On behalf of my client, I thank you for the opportunity to submit these comments. My client has raised these concerns in the past and feels most frustrated that the Regional Parks Department has proceeded with the establishment of an extended lake to the detriment of his farming practices. He is also concerned that the master plan will have similar or greater impacts that have not been disclosed in the DEIR.

We look forward to and appreciate your careful consideration of these concerns. Please contact me should you have any questions or have a need for clarification.

Sincerely,



Thomas A. Parilo, Principal

Attachment

- cc Lee Schaller
Timothy J. Hannan, Esquire
Supervisor David Rabbit, District 2

Timothy Crough, PE

Consulting Civil Engineer - CA Lic. C18021

12285 Lakeshore South
Auburn, CA 95602
Phone: (530) 277-1997

February 20, 2017

Karen Davis-Brown
Sonoma County Regional Parks
2300 County Center Drive, Suite 120A
Santa Rosa, Ca. 95403

Subject: Tolay Lake Regional Park Master Plan and comments
to the Draft Environmental Impact Report

Ms. Davis-Brown:

This letter is submitted on behalf of Mr. Lee Schaller in response to the Draft Environmental Impact Report and proposed project for the Tolay Lake Regional Park Master Plan. Mr. Schaller owns property adjacent to, and north of, the project site.

Mr. Schaller is concerned about the potential for increased storm water inundation, and extended ponding of rainfall runoff, that might occur on his property. In addition, Mr. Schaller has observed increased inundation on his property after the County acquired the property for the subject project; the prior owner of the County's property (Cardoza's) annually pumped lake water, dredged and cleared vegetation, and kept culverts clean to facilitate farming in the upper lake bed – thereby drying out the creek on Mr. Schaller's property prior to May of each year. Pumping and clearing of the upper lake area has not been regularly accomplished since the County acquired the property, and failure to maintain the historical maintenance and management conditions of the Cardoza family ranch is most likely the cause of the increased inundation.

Considering the above, Mr. Schaller asked me to respond to the Draft Environmental Impact Report for the proposed Tolay Lake Regional Park (the "DEIR"), specifically, to the Hydrology and Water Quality Section (Section 4.6 and Appendix F).

There are three separate issues that should be addressed:

- L5.32 {
1. Did the County's acquisition, use of the Tolay Lake property, and termination of lake pumping create an impact on Mr. Schaller's property by changing the historical management of water and the pattern of use?
 2. Will the proposed project create additional storm water impacts to Mr. Schaller's property?
- L5.33 }

LS.34



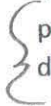
3. Will the proposed project create prolonged ponding of rainfall water on Mr. Schaller's property (after May 1st)?

For the first item, there is a mound (or ridge, or saddle – more than 1-foot tall) located in the Tolay Creek drainage at the uppermost part of the project boundary that extends upstream onto Mr. Schaller's property. This mound creates a ponded area on Mr. Schaller's property roughly along the 216.0 contour elevation. Prior to the County purchasing the subject property (the "Park Property"), the prior owner farmed the upper lake area of the Park Property. Seasonal farming operations usually began on May 1st of each year; and, if the creek was not dry prior to that time, the prior owner pumped standing water in Tolay Lake. Ponded water on Mr. Schaller's property drained through the mound, and thus, drained his land and facilitated annual farming on his property near the creek. After the County acquired the Park Property, the lake bed farming practices performed by the Cardoza's ceased. It is our understanding that the County attempted to re-establish pumping activities for a year or two after that, but seasonal pumping has not been done; thus, increased inundation, or prolonged ponding of water, for long periods after May 1st have been observed each year, preventing farming on that part of Mr. Schaller's property.

This first Item is indirectly related to the proposed project and the DEIR. Mitigation for the County's failure to continue the farming or historic pumping practice should be incorporated in the project impacts. With the comments below, we have linked the new project with extended flooding on Mr. Schaller's property. Given the anticipated delay in implementing the creek and lake restoration (10 to 20 years or more), the County is obligated to address these impacts with the proposed project.

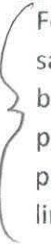
For the second Item (storm water impacts), the proposed project will likely improve the storm water inundation events on Mr. Schaller's property (the farming property above the project boundary). The information in Section 4.6 and Appendix F clearly define an analysis that is designed to restore the lake to "near historic conditions," and reduce the flooding impacts in the Park "without increasing flood risk to upstream landowners." Appendix F, page 1. Based on the hydrology and hydraulic study by Wildscape Engineering, the estimated storm water surface elevation will be reduced (from the present situation at Mr. Schaller's property) in most storm events (Q₁₀ to Q₁₀₀). It appears that the more frequent storm events – those that occur, statistically, every 2-years or Q₂, will increase slightly (an estimated increase of 0.1 feet) on the property. This is not significant. However, the study does not address any changes to the duration of ponding on Mr. Schaller's property before and after the proposed improvements.

LS.35



For Item 3 (prolonged ponding of rainfall), the study does not address the mound (ridge, or saddle) that exists in the drainage area above the northerly most part of Tolay Lake (at the boundary between Mr. Schaller's property and the Park Property). It appears that this is not part of the project study area; however, the proposed project is likely to impact Mr. Schaller's property in two ways: 1) by filling Channel A (the main Tolay Creek channel from his property line to the causeway) as proposed, will obstruct drainage, or dewatering of ponded water on

LS.36



LS.36
(cont'd.)

Mr. Schaller's property and further exacerbate the issue identified in Item 1; and 2) by raising the downstream causeway culverts to an invert elevation of 215.0 thereby further exacerbating the issue identified in Item 1.

LS.37

There doesn't appear to be an analysis of seasonal evaporation, or evapotranspiration studies, or soil absorption/transmission studies, to determine the length of time that ponded water can be expected to be retained in upper Tolay Lake or on Mr. Schaller's property. Again, his property was either dry, or water was pumped, prior to May 1st each year, suitable for farming operations. Without an analysis (or study) of the baseline evaporation conditions, and expected soil absorption rates, the impacts relating to prolonged ponding or wetness on Mr. Schaller's property cannot be determined. As such, the proposed filling of Channel A in the upper reaches of the County's property, and raising the culvert elevations to an invert elevation of 215.0, without mitigation will likely increase or exacerbate the ponding of water on Mr. Schaller's property.

In summary, the following considerations should be addressed in the Final Environmental Impact Report (FEIR):

LS.38

1. Length of Storm Duration. Page 7 of Appendix F indicates that a 12-hour storm duration was selected for the study. There is no description for the rationale in selecting the 12-hour duration, other than it was based on experiments with HEC-HMS. It would be helpful to understand why this was chosen and if there is any likelihood that a shorter duration storm would produce a situation where the post-project water surface elevation above the causeway would be higher than the 0.1-foot increase shown in Q₂ on Table 4.

LS.39

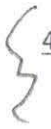
2. Proposed Filling of Channel A. Part of the proposed improvements to the lake above the causeway is filling the existing channel to 215' or adjacent lakebed elevation. If this is done to the uppermost 1200-feet of Channel A, it will significantly increase or exacerbate the prolonged ponding above the County's property (Mr. Schaller's property). Consider a modification to the proposed filling of Channel A to avoid any changes within 1200-feet of Mr. Schaller's property.

LS.40

3. Proposed Causeway Culvert Invert Elevations. The proposed invert elevations for the Causeway culverts is 215.0 (MSL) – apparently 30-inches or more, above the invert elevation of the existing 30-inch diameter culvert. The Wildscape study merely provides a general description for setting the invert elevation of 215.0 without any detail on the rationale for selecting this elevation in-lieu of another. Raising the upper lake discharge elevation, as proposed, will likely prolong the detention of water on Mr. Schaller's property as compared to the pre-project conditions (and pre-acquisition of the Park Property); as such, this will significantly increase or exacerbate the ponding problem on Mr. Schaller's property. Therefore, the FEIR should evaluate the following options, and incorporate one or more of the options, to mitigate impacts to Mr. Schaller's property:

- (a) Install and maintain a pump to remove storm water from the upper or lower lake to allow Mr. Schaller's property to drain, each year that water is retained on Mr. Schaller's property on or after April 15th (to dry the property by May 1st).
- (b) Lower one or more culverts at the Causeway to an invert elevation of 214.0, or lower, to allow the upper lake to drain to the lower level. Note, the number of culverts at the lower invert elevation should be designed to drain the upper lake area (and Mr. Schaller's property) to adequately resemble conditions that existed before the County purchased the Park Property.
- (c) Analyze the historical and seasonal evaporation rates, evapotranspiration conditions, and soil absorption/transmission rate for the area upstream of the upper lake (Mr. Schaller's property), and determine if the proposed project will have "no impact" on Mr. Schaller's property, "less than significant impact," or "potentially significant impact," and mitigate accordingly.

LS.41



4. Water Storage Rights. Confirm that the County has obtained, or will obtain all necessary water rights to increase water storage in Tolay Lake for the proposed project.

LS.42



5. Maintenance for Facilities. Incorporate ongoing maintenance of culverts, ditches, and vegetation into the project description, improvements, permits, and monitoring requirements to facilitate perpetual maintenance of the drainage system, and to prevent future increased ponding and detention of storm water.

Thank you for the opportunity to comment on the DEIR. Please don't hesitate to call me if you have any questions, however, I would prefer that complex or technical questions be sent to me by e-mail, to tcrough@cebridge.net.

Sincerely,



Timothy A. Crough, PE

c: Tom Parilo, Thomas A. Parilo and Associates
Lee Schaller

Letter 5: Mr. Tom Parilo, on behalf of Dr. Lee Schaller

L5.01: Commenter states his client has owned a 242-acre working farm since 1988, is located on the northern boundary of the Park and is under a Williamson Act contract. Commenter further notes the existence of the Right to Farm Ordinance.

No response is required to the commenter's description of his property. The Commenter is referred to Chapter 30, Article II of the County Code.

L5.02: Commenter states his client was not advised of lake management changes that occurred in about 2006, and that had he been consulted, inundation of his property from Tolay Lake might have been avoided.

The commenter has a hay field along the northern fence line of the park. The inundation of the area is not new, and the location of the field appears to have been determined by the proximity to the water from the lake. The County acknowledges that the length of the season of inundation has marginally increased, as outlined and also addressed in Appendix H.

The prior owner of the Park regularly drained the lake to cultivate Tolay lakebed. The purchase of the property was made possible in part with funding from the Wildlife Conservation Board (WCB) and a conservation easement from the Sonoma County Agriculture Preservation and Open Space District (SCAPOS), both of which affect management of Tolay Lake. Both easements identified dredging of the Lake as one of multiple prohibited uses, and were recorded on September 29, 2005. The easements were acquired in a public process. The approved August, 2008 Interim Park Management Plan, which was subjected to a public review process includes the WCB conservation easement boundary, and includes language describing one to two days of lake pumping to minimize upstream flooding on neighboring properties.

L5.03: The commenter believes that the preferred lake restoration design resulting in a 71-acre lake will result in the same or increased inundation to Dr. Schaller's property beyond the rainy season.

On February 9, 2017, Supervisor Rabbit, Regional Parks, MIG, and Wildscape Engineering met with local property owners to describe HEC-HMS and WRA water budget model results for the preferred lake restoration design, and to identify lake management options to reduce impacts of inundation on upstream properties. During that meeting Wildscape Engineering explained the EIR finding that implementing the preferred lake restoration alternative would not increase the duration and frequency of flooding beyond what is currently experienced. Refer to DEIR Appendix F, pages 867-882. The preferred design would remove the clogged culverts and replace with arched culverts with increased conveyance, remove the "Horseshoe" culvert, and increase the outlet area on the Farm Bridge. Details of the preferred lake restoration design may be found on pages 64-69 of the Master Plan. During that same meeting attendees identified the following possible lake management options: pumping down Tolay Lake in late spring, grading on the Schaller property to remove possible impediments to drainage into Tolay Lake, cleaning out the existing causeway culverts, and improved weed management. Wildscape Engineering conducted

additional modeling to determine draw down time and found that both clearing of the existing culvert which is mostly blocked by sediment and vegetation and the proposed improvements resulted in a substantial reduction in the drawdown times post storm event. For the 2-year event, the time decreased from 6.5 to 3.8 days and for the 100-year event from 8.2 to 3.2 days. Finally, an Interim Lake Management Plan has been developed and added to the Project Description. The Interim Lake Management Plan includes four components: hydraulic structures maintenance, vegetation management, annual pumping, and adaptive management. The plan has been collaboratively developed with an upstream property owner and his consulting engineer. It is included as Appendix H of the EIR. See also Master Response 1.

L5.04: Commenter states his client has experienced increases in the area and length of time his property is inundated from Tolay Lake. Commenter requests that the EIR fully evaluate the amount of inundation on upstream properties beyond the rainy season.

See response to comment L5.03.

L5.05: Commenter states that the Sonoma County Right to Farm Ordinance gives landowners protection to maintain and promote agricultural land use. The proposed change in land use at Tolay Park should give deference to and protect adjacent farming practices. The DEIR evaluated this impact on page 4.3-8 of the DEIR and concluded there would be less than significant impacts with regard to Master Plan conflicts with existing zoning for agricultural use or lands under a Williamson Act contract. The DEIR also evaluated whether implementing the Master Plan would result in other land use changes that could convert an agricultural use to a non-agricultural use (page 4.3-10 of DEIR), and concluded there would be a less than significant impact. The Commenter is referred to Chapter 30, Article II of the County Code, which is the referenced ordinance, and is not applicable.

L5.06: The commenter believes the preferred lake restoration design will result in extended inundation on his property, and requests a detailed response about how his land will be protected from extended inundation.

See response to comment L5.03.

L5.07: The commenter states the preferred lake restoration design will result in extended inundation on his property that extends into the farming season beginning on or about May 1. The DEIR characterized inundation for 2-year and 100-year storm events and found that flooding to properties upstream of Tolay Lake would not be worse than current conditions. The commenter's client wants more specific information about how his property will be affected for a variety of storm events, including periods of drought.

Wildscape Engineering conducted additional modeling to determine lake draw down time and found that both clearing of the existing culvert which is mostly blocked by sediment and vegetation and the proposed improvements resulted in a substantial reduction in the drawdown times post storm event. For the 2-year event, the time decreased from 6.5 to 3.8 days and for the 100-year event from 8.2 to 3.2 days.

L5.08: The commenter requests that all culverts for Tolay Lake be cleaned regularly. Regional Parks has prepared an interim lake management plan that includes multiple actions to reduce the extent and frequency on upstream neighboring properties, and will be implemented following project approval. The plan includes four components: hydraulic structures maintenance, vegetation management, annual pumping, and adaptive management. The plan has been collaboratively developed with an upstream property owner and his consulting engineer, and the hydraulic structures component of the plan includes cleaning culverts.

L5.09: The commenter asks what is the depth of the upper portion of Tolay Lake. The commenter's client believes the proposed lake restoration design with arched culverts set at 215 feet ASL, will result in 1 foot of water in the upper portion and will result in ponding on his property. There is not a single depth for the upper portion of Tolay Lake. The current depth of Tolay Lake ranges from 4 to 8 feet, and the water surface elevation will be similar as existing conditions (page 3-15 DEIR).

L5.10: The commenter's client asks what measures will be taken following the rainy season to ensure his property is dry by May 1.

See response to comment L5.03.

L5.11: The commenter's client asks that the effect on upstream flooding from lowering the arch culvert inlets to 214 feet be evaluated. This topic was discussed during the February 9, 2017 meeting. This alternative was not considered due to the potential to disturb and create Significant and Unavoidable impacts to any cultural resources buried in the lakebed.

L5.12: The commenter's client asks that Regional Park add mitigation measures to the EIR or change the project characteristics such that: 1) provide a fail-safe factor to assure no damage to upstream property due to extended inundation, 2) set aside funds to monitor, maintain and repair the water features referenced in the Master Plan, and 3) amend the EIR to include a commitment that the county will not impact upstream landowners with inundation past May 1 as a result of water management practices.

Regarding the second point, a summary of funding needed to maintain the Park is found on page 199 of the Master Plan. Regarding the first and third points refer to response to Comment L5.03.

L5.13: Commenter's client requests Regional Parks to: 1) clean out culverts in the causeway, 2) replace the Farm Bridge as specified in the Master Plan, 3) remove the culvert in the horseshoe portion of Tolay Lake, 4) improve the stream channel downstream of the Farm Bridge, and 5) resume pumping of the lower portion of Tolay Lake.

Please refer to response to comments L5.03 and L5.08.

L5.14-18: Commenter lists multiple mitigation measures regarding lake management that should be implemented. These include: 1) annually maintain and clean out culverts underneath the causeway, 2) replace the existing Farm Bridge with a new bridge referenced in the Master Plan, 3) remove the culvert

in the horseshoe berm, 4) improve the stream channel to convey more water below Tolay Lake, and 5) resume pumping of the lower portion of the lake.

See responses to L5.03 and L5.08

L5.19: Commenter requests Regional Parks to disc Park boundaries to minimize wildfire risk to adjacent properties. Commenter is directed pages 203 and 204 of the Master Plan to figures that depict the Park's water sources for fire suppression areas, landing zones for helicopters, and emergency access points for firefighting agencies. Commenter is also directed to pages 206 and 207 regarding fire management actions to minimize to reduce the risk of wildfires on adjacent properties. In addition, the County has agreed to 150' fire break at the north end of the park, adjacent to Dr. Schaller's own hay field. Please refer to the interim land management plan map found in Appendix H.

L5.20: Commenter requests that no open fires be allowed in the Park during the declared fire season. Campfires will not be allowed in the Park Interior under any condition.

Ranger led campfire only will be allowed in the Park Complex or at day use BBQs (see policy OM-G5, OM-G30, and OM-S30 on pages 206 and 207, Master Plan).

L5.21: Commenter requests that one of the alternatives consider maintaining prior agricultural practices and lake management practices of the Cardoza Family.

This alternative is not legally feasible in light of the conservation easements on the property. In addition, it was not considered since the purpose of developing and evaluating alternatives under CEQA (Section 15126.6) is to reduce significant environmental impacts.

L5.22: Commenter requests that all Master Plan implementation actions be postponed until the lake restoration and creek restoration actions are completed. This is not an alternative that would reduce project impacts, nor is it an alternative that would meet fundamental project objectives. The commenter's concerns have been addressed by other means in good faith negotiations.

Commenter is referred to pages 75-77 of the Master Plan for a list of implementation projects organized by phase. Lake restoration is listed under Phase 2 projects due to the amount of funding and complexity of environmental permitting that will be required to complete this project.

Additionally, refer to responses to L5.03 and L5.08.

L5.23: Commenter states that an additional alternative that reduces special events could reduce Significant and Unavoidable impacts at the Cannon Lane and Lakeville Road, and the Stage Gulch Road and Lakeville Road intersections.

On page 4.10-13 of the DEIR, traffic analysis states, "Under Future 2022 plus Fall Festival conditions, the intersection of Lakeville Road/Stage Gulch Road is expected to drop to LOS B overall, which is considered acceptable." Commenter is also referred to pages 4.10-16 and 4.10-16 of the DEIR for a

comparison of traffic impacts from general park use, and Fall Festival use. The largest event is part of the current park usage baseline. Reducing events is not compatible with fundamental project objectives. It should be noted that existing events involve school bussing, which reduces impacts. It should also be noted that Stage Gulch Road/Lakeville Highway intersection is already operating at a deficient Level of Service and qualifies for a traffic signal. Finally, if traffic control is provided at the intersection of Cannon Lane and Lakeville Road during peak weekend periods during Fall Festival, impacts would be reduced to less than significant (see Mitigation Measure TRAF-3, page 4.10-19 of the DEIR).

L5.24: Commenter states that Cannon Lane is not suitable as an access point to a 3400-acre park.

Cannon Lane is already serving the operating park. Commenter is referred to page 75 of the Master Plan, which shows Cannon Lane improvements listed during the first phase of implementation. Commenter is also referred to page 4.10-19 for a description of Mitigation Measure TRAF-6 that requires installation of road safety signage along Cannon Lane, and the addendum to the General Plan consistency determination prepared by Sonoma County Permit and Resource Management Department. The largest events are already existing at the park. It is not consistent with the fundamental project objectives to eliminate existing events.

L5.25: Commenter states that the lack of alternatives prevent the public and decision makers from considering a full range of alternatives that reduce significant impacts while meeting most of the project objectives.

There are no feasible alternatives (i.e., identified County funding for a traffic signal) to reduce Significant and Unavoidable traffic impacts associated with general park use at the Lakeville Road/Stage Coach Gulch and Lakeville Road/Cannon Lane intersections. Two intersections (SR 37 and SR 121, SR121 and Ram's Gate) under current conditions are already operating at a deficient Level of Service (LOS); refer to page 4.10-5 in the DEIR. In regard to noise, two alternatives to reduce noise associated with travel to the Park along Cannon Lane were evaluated. greatly limit visitor use such that most of the project objectives would not be met. Eliminating access constraints is a fundamental project objective of the project. In regard to seasonal inundation, Commenter's concerns about inundation have been addressed through the project, but they do not involve significant impacts and are not appropriate for an alternatives analysis. It is not feasible to mitigate the very limited significant impacts of the project while implementing most of the project objectives, which is also the reason why an override will be required. More broadly, CEQA requires an analysis of a reasonable range of alternatives, and the scope may of what constitutes a reasonable range varies based on the project objectives and what is feasible.

L5.26-31: Commenter lists multiple requests about Park regulations: a) no outdoor public announcements, broadcast systems, or amplified music; b) no watercraft of any type; c) no organized nighttime events (accept those for small group camping visitors; d) seeing eye dogs only; e) no nighttime lighting except for security purposes, and f) prohibition of open fires during declared fire season.

Regarding request a) commenter is referred to page 4.8-10 of the DEIR for noise levels at the nearest property line (not house), and at 2,500 feet, which could vary from about 35 dBA to 47 dBA. For request

b), any nonmotorized boating that could possibly occur on Tolay Lake would be subject to approval from the County's Agricultural Preservation and Open Space District, and would need to comply with the conditions in the WCB Conservation Easement for the lake. In reference to request c) Regional Parks has identified several special events that may involve nighttime programs ending at 10 pm, which is the current ending time for Fall Festival (refer to page 3-17, Table 3-6 in the DEIR. Events would need to comply with General Plan non-transportation noise standards listed in Table 4.8-5, on page 4.8-6 of the DEIR. These standards would limit noises of a 30-minute or longer duration to be limited to 40 dBA. Regarding request d) Regional Parks would permits dogs on 6-foot leash only, and regarding request e) any nighttime lighting installed would need to comply with Mitigation Measure AES-4, which requires the development of a lighting plan. Regarding request f), please see response to comment L5.20.

L5.32: Commenter asks if Regional Parks created an impact to Dr. Schaller's property by changing lake management techniques?

The DEIR evaluates the impacts of the proposed Project in comparison to existing conditions, defined (CEQA Guidelines Section 15126.6(e)(2)) as the time period when the NOP was released (July, 2015). The DEIR did not and is not required to evaluate changes in lake management that may have occurred following Regional Parks acquisition of the property. However, Regional Parks has worked in good faith with the commenter to address his concerns. Please refer to response to comment L5.03 and Appendix H.

L5.33: Commenter asks if the proposed Project will create additional storm water impacts to Dr. Schaller's property.

Please see response to comment L5.03.

L5.34: Commenter asks will the proposed project create extended ponding (after May 1) on Dr. Schaller's property?

Please see responses to comment L5.03 and L5.32.

L5.35: Commenter notes that the hydrology study prepared for the DEIR does not estimate the duration of ponding on Dr. Schaller's property with and without the proposed Project.

Please see response to comment L5.03.

L5.36: Commenter indicates that the hydrology study prepared for the DEIR did not evaluate the impact of the "mound (ridge, or saddle)" on Dr. Schaller's property to contributing to ponding of water. Commenter also states that filling Channel A will obstruct drainage on Dr. Schaller's property, and raising the invert on the new culverts for the causeway to an invert elevation of 215 feet will also impede drainage of ponded water on Dr. Schaller's property.

Regarding the first point, because the stated "mound" was located outside the Project area boundary Wildscape Engineering was unaware of this feature and unable to collect topographic data on it therefore the hydrology analysis did not specifically evaluate the mound of dirt on Dr. Schaller's property.

Regarding the second and third points Channel A in its existing form does provide some limited water storage capacity (roughly 2.3 acre-feet), however the current constriction at the single clogged causeway culvert with invert roughly at 213' is a significant contributor to water backing up and ponding north of the causeway and ultimately towards the northern properties. Additionally, it has been demonstrated that the current farm bridge constriction with invert elevation at approximately 215' provides the greater control on lake backwater under storm events larger than a 2-year recurrence storm, regardless of the causeway culvert invert elevation. The additional proposed causeway culverts would increase the conveyance through the causeway allowing for increased storage behind the causeway as the water flows southward. Refer to DEIR Appendix F, pages 867-882 for more details.

L5.37: Commenter states the hydrology study does not appear to have considered evapotranspiration, seasonal evaporation, or soil absorption factors to determine how long ponded water will remain on Dr. Schaller's property.

For preparing the hydrology section of the DEIR, Wildscape Engineering evaluated the potential impact of flooding associated with storm events. In particular, Wildscape Engineering was asked whether the proposed changes to the Tolay Lake hydraulic structures would increase the flood risk associated with impounded flood waters during and immediately after storm events. For this purpose, a rainfall-runoff model is the most appropriate tool. A rainfall-runoff model, in particular HEC-HMS, does not include process models for evapotranspiration, seasonal evaporation, or soil absorption (deep infiltration to groundwater). However, this model was employed in a worst-case, conservative manner is a widely accepted model for conducting flooding analysis.

In contrast, if longer-term processes are of interest, such as evapotranspiration (which includes both free-surface evaporation and plant transpiration), infiltration of water into the deep soil profile, and soil water budgets are of interest, then a water-budget model is the appropriate tool. However, a water-budget model is generally not used for flood evaluation. A water budget model is generally used for determining the capacity of a particular site, such as Tolay Lake, for collecting and retaining water. This is because a water-budget model deals with the longer-term (weeks or months) behavior of a watershed, including any impoundments in the watershed. In contrast, flooding events generally start and end over a period of days, not weeks or months. Therefore, a water-budget model was not undertaken by WE to address the specific question about flood risk for the 100-year event. It is not the appropriate tool.

On the issues of inundation, the commenter is referred to Response L5.03.

L5.38: Commenter asks for a rationale as to why a 12-hour storm event was chosen for hydrologic modeling. Commenter also asks if a shorter duration storm event would result in a 0.1-foot increase in water above the causeway after the preferred lake restoration design is implemented.

A 12-hour storm event was selected because it is the next standard storm duration greater than the time of a concentration of the Tolay Lake watershed system. It is standard and conservative practice to choose a storm event greater than the time of concentration, a parameter used to assess the time required for the watershed to be considered "fully contributing," which means that the storm is of sufficient duration that

all portions of the watershed are contributing surface runoff to the outlet of interest. Due to the generalized relationship between the rate of storm water runoff and time, a shorter duration storm event might produce a greater peak, but violates the assumption inherent in the hydrologic modeling that the watershed will be fully contributing. If any of the hydrologic model's assumptions are violated, then the model's ability to predict flooding is reduced. Furthermore, reservoir systems tend to be more sensitive to the total runoff volume from a storm event than to the peak discharge from a storm event. That is because reservoirs impound water during the event, resulting in a change in storage in the reservoir, which attenuates the peak discharge from the event and passes the incoming runoff through the reservoir and out of the discharge works. Therefore, storms with greater duration generally produce more rainfall, which translates in greater runoff volume. This observation is true within reason – storms of longer duration might have such low rainfall rates that less surface runoff is generated, resulting in less runoff to be stored in the reservoir during passage of the storm runoff hydrograph. Therefore, the selection of a 12-hour storm duration was considered appropriate, and acceptable.

All that said, other durations could be used in the existing hydrologic model. However, the basis for selection of the 12-hour storm duration is consistent with standard hydrologic practice and should be sufficient to demonstrate that the potential impact of the proposed changes to the Tolay Lake system will result in flood risk that is not significantly greater than the existing condition, which it did.

The 12-hour storm event was used to predict the water surface elevation (WSE) of Tolay Lake, which is critical since it is related to the amount of inundation on Dr. Schaller's property. The WSE is a key metric in the interim lake management plan, found in Appendix H and incorporated by reference.

L5.39: Commenter states that if the uppermost 1200 feet of Channel A is filled per the preferred lake restoration design, it will significantly increase or exacerbate prolonged ponding on Dr. Schaller's property.

Please refer to response to L5.36.

L5.40: Commenter states the hydrology study does not provide a rationale for proposing the culvert invert elevations to be 215 feet.

The elevation of 215 feet was chosen in order to restore the wetland complex in a manner that would fit within the natural geologic and topographic setting, would prevent any increase in flood water surface elevations from existing conditions, and would avoid any excavation that could impact significant cultural resources buried in the lakebed.

Although the impacts discussed by the commenter are to particular persons and not the environment in general, the commenter's concerns have been addressed through the negotiated Interim Lake Management Plan, which addresses pumping requirements and lake monitoring. **See response to L5.03.**

L5.41: Commenter asks if Regional Parks has obtained water rights to support the preferred lake restoration design. Regional Parks made a formal request to the State Water Resources Control Board

(SWRCB) to determine whether a water right would be needed for the preferred conceptual lake restoration design. The formal response from SWRCB, dated August 9, 2016 indicates the preferred lake restoration design would not require an appropriative water right. A change petition removing Tolay Lake from Regional Parks' existing water rights application was submitted to SWRCB on October 20, 2016.

L5.42: Commenter asks that maintenance of the lake culverts and associated drainage systems occur on a regular basis.

See response to L5.03.

L-6

Kim Vogee
500 McClay Rd.
Novato, Ca. 94947

February 22, 2017

Karen Davis-Brown
Sonoma County Regional Parks
2300 County Center Drive, Suite 120a
Santa Rosa, Ca. 95403

Subject: Tolay Regional Park Master Plan

Specifically: Horse Trailer Parking at the top of the hill to the right as one enters the park.

Dear Karen,

L6.01 { Thank you for keeping shareholders well informed and for managing this important project. I've been talking to my many friends in the equestrian community about the steep hill going down to the parking area. It is generally agreed that that grade is a challenge. The park is a wonderful ride and I know I would use it more if I could park up on top and ride out on the trail that is just off that area. A gravel lot would suffice and I believe there are funds available through Bay Area Barns and Trails to complete this important project.

I am grateful for your time and I urge the Sonoma County Regional Parks Department to seriously consider adding a Horse Trailer (only) parking area up at the top of the hill.

Sincerely,



Kim Vogee

Letter 6: Kim Vogee

L6.01: Commenter suggests that a horse trailer only parking lot be constructed adjacent to the old dairy barn.

Commenter is referred to page 53 on the Master Plan which depicts equestrian parking adjacent to the old dairy barn.

July 18, 2015

L7

Sonoma County Regional Parks

Tolay Park Project

Ms. Karen Davis-Brown

- L7.01 { It has been brought to our attention that there have been recent planning meetings for Tolay Park, known of which we have been notified. It appears that
- L7.02 { there is a plan to re-establish the lake to pre-Cardoza specifications. Since the
- L7.03 { creation of this park, we have had increasingly slow draining of water on our property, just north of the park border, from the cessation of Cardoza's agriculture practices.
- L7.04 { As an organic dairy, we need to maintain pasture for our cattle. Our grazing season begins in May on our flats, bordering Dr. Schaller's property. When the
- L7.05 { Cardoza's maintained the creek and drainage ditches along the valley floor, water was drained off our property (in March), Dr. Schaller's, and the Cardoza's allowing for tillage, planting, and grazing in the spring. This practice apparently
- L7.06 { has ceased and it is taking longer for the water to dissipate. The re-establishment of a lake up to Dr. Schaller's fence line will greatly impact our ability to access our
- L7.07 { fields.
- L7.08 { We would appreciate being notified timely on meetings so that we may respond. Furthermore, we protest any plans that may impact our ability to utilize our land
- L7.09 { or decrease its value due to flooding/impacted access. Re-establishing past farming practices and creek/ditch maintenance would go a long way towards
- L7.10 { preserving the agricultural heritage of this area, one of the original premises of establishing the park.

Jim & Luci Mendoza, JLT Ranch

601 Stage Gulch Rd.

Petaluma, CA 94954

L. Mendoza

Letter 7: Jim and Luci Mendoza

L7.01: Commenter states there have been meetings about the Tolay Lake Regional Park Master Plan, but they weren't notified of these meetings.

Regional Parks held a scoping meeting in July, 2015 to coincide with the release of the CEQA required Notice of Preparation for the start of the EIR process. The NOP was sent to the commenter in June, 2015, and the Notice of Availability for the Draft EIR was sent on January 19, 2017. Since that time Regional Parks held meetings with individual landowners on February 2 and 3, 2017, and another meeting with several landowners on February 9, 2017 and May 21, 2018. Additionally, the County Board of Supervisors will hold a hearing to consider certifying the final EIR and adopting the Master Plan.

L7.02: Commenters state there is a plan to restore Tolay Lake to pre-Cardoza family conditions.

Comment acknowledged. Additionally, since the time this comment letter was submitted, Regional Parks has prepared an interim lake management plan to address potential seasonal inundation issues for upstream properties following adoption of the Master Plan and certification of the EIR.

L7.03: Commenters state that since the Tolay Lake properties were sold to Regional Parks, their property which is located upstream of Tolay Lake, has experienced increasingly slow draining of water following the rainy season.

Regional Parks conducted a historic analysis of lake management prior to Regional Parks acquiring the subject properties. The analysis depicts rainfall and peak flow (within the Tolay Lake watershed) totals in the project vicinity from 1980 to 1994. Both annual rainfall and peak flows were above the median value for this time period about 50% of the time. This is consistent with interview notes from an individual (Mr. Allan Marcucci) who worked on the Cardoza Ranch prior to Regional Parks acquisition of the subject property. Mr. Marcucci indicated that Tolay Lake needed to be pumped to facilitate timely crop planting about half the time. The interim lake management plan includes provisions for annual pumping to facilitate timely crop planting for upstream landowners.

Also see response to L5.03.

L7.04: Commenters state they need their property dry and available for dairy cattle grazing by May.

See response to L503.

L7.05: Commenters state that when the Cardoza family managed Tolay Lake and related drainage features their property drained by March.

See response to L5.03.

L7.06: Commenters state active draining of Tolay Lake has ceased.

Please see responses to L5.02 and L5.03.

L7.07: Commenters state that implementing the preferred lake restoration design will impact their ability to graze their cows on their pastures in May.

See response to L5.03.

L7.08: Commenters state they want to be notified in a timely manner regarding meetings about the Tolay Lake Regional Park Master Plan.

See response to L7.01.

L7.09: Commenters state they protest any plans that alter their ability to graze their property in a timely manner or decrease the land's value.

See response to L5.03 regarding preparation of an Interim Lake Management Plan.

L7.10: Commenters state re-establishing past ditch maintenance practices will help maintain agricultural practices in the vicinity of the Park.

See response to L5.03 regarding the Interim Lake Management Plan, which includes provisions for maintaining hydraulic structures associated with Tolay Lake to reduce flooding on upstream properties.

L7b

KDB ✓

February 22, 2017

To Sonoma Regional Park System

Re: Tolay Regional Park

L7b.01

Recently we attended a meeting that discussed and laid out a long term plan for the lake management in Tolay. Winter rains cause the lake, within park boundaries, to back up through Schaller and Mendoza properties.

L7b.02

Prior to the formation of Tolay Park, water levels were controlled by the farming operations of the Cardoza family. Ditches and pumps drained the water off surrounding lands and the Cardoza fields to allow for agricultural practices that support the families and community in the area.

L7b.03

For the past 10 years, drainage has slowly gotten worse. In a normal winter, water will leave our property within a few weeks of heavy rain (longer on Schaller's ranch). Maintaining the ditches and pumping would clear our land in a

L7b.04

few days in the spring. Our pasture is vital to the success of our organic ranch as we must meet a quota of "pasture days" to remain certified. Long term flooding kills the natural grasses requiring additional seeding and time set -backs as far as use.

L7b.05

Due to the dry summer weather and, either hot falls or early fall rain (neither of which is predictable), it is vital that we have access to spring and early summer grasses. Prolonged flooding is not acceptable management for our ranch.

L7b.06

We would appreciate the Park System addressing this issue of Park management to help maintain the viability of the surrounding agriculture community.

Your neighbors,

Jim & Luci Mendoza

JLT Ranch
601 Stage Gulch Rd.
Petaluma, Ca 94954

RECEIVED

FEB 22 2017

REGIONAL PARKS DEPT
COUNTY OF SONOMA

Letter 7b, Jim and Luci Mendoza, February 22, 2017

L7b.01: Commenter notes they attended a meeting to discuss and lay out a plan for long-term management of Tolay Lake. Commenter also notes that Tolay Lake regularly floods upstream properties during winter rains.

Comment noted.

L7b.02: Commenter states that prior to Regional Parks acquiring Tolay Lake Ranch that lake water levels were controlled by draining and pumping water from Tolay Lake to allow for farming.

See response to L7.03.

L7b.03: Commenter states that flooding has become worse during the last 10 years, and that flooding would recede from their lands in a few weeks.

See response to L7.03.

L7b.04: Commenter states that maintaining the drainage ditches parallel to Tolay Lake and pumping water would clear their property in a few days in the spring.

Refer to Master Response 1.

L7b.05: Commenter states that prolonged flooding to their property is not acceptable.

Comment noted. Refer to response to L7.03.

L7b.06: Commenter wants Regional Parks to address management of Tolay Lake to help maintain the viability of the surrounding agricultural community.

Refer to Master Response 1.



SONOMA COUNTY
 AGRICULTURAL PRESERVATION
 AND OPEN SPACE DISTRICT

L-8

February 23, 2017

Sonoma County Regional Parks
 c/o Karen Davis-Brown, Park Planner II
 2300 County Center Drive, Suite 120a
 Santa Rosa, CA 95403

**Subject: Tolay Lake Regional Park Master Plan & Environmental Impact Report – District Comments
 (Tolay Lake Conservation Easement; Tolay Creek Ranch Conservation Easement)**

Dear Ms. Davis-Brown,

Thank you for the opportunity to review the Tolay Lake Regional Park Master Plan ("MP") and Environmental Impact Report ("EIR"). District staff has reviewed the documents with regard to our Tolay Lake and Tolay Creek Ranch Conservation Easements. We have the following comments, which we have broken into editorial/organizational comments, and technical/content comments. We would be happy to discuss these comments in person if that would be helpful.

Editorial/Organizational Comments

L8.01

1. MP Purpose, Objectives, and Goals, pg. 23: the list of objectives reads more like a vision, so suggest changing the title from Objectives to Vision and changing the introductory statement to "...the *vision* of the Master Plan is to..." As previously indicated, we would find it helpful to explicitly tie the overall vision (as provided in this section) to broad goals that support that vision (as provided in the Goals section on pg. 24), to specific, measurable, achievable, results-oriented, and measurable objectives or actions to be taken in order to meet the stated goals. While it is clear for instance that Goal #H10 (Enhance/restore/create habitat for raptors) supports the vision of creating a thriving, ecologically rich and fully restored landscape, it is not easy for the reader to readily find what specific actions Parks is taking in order to meet this goal. For example, it would be helpful to explicitly tie Management Action RMP-06 to Goal #H10.

L8.01

2. MP Goals, pp. 28-29: suggest placing goals in the order they appear in the introduction to the Goals section.
3. MP Resource Management Plan, Encumbrances, pg. 87: it seems that the Encumbrances section would be more appropriately placed earlier in the document, perhaps following the Regulatory Framework section, rather than being contained within the Resource Management Plan section, because these encumbrances constrain all uses and activities, not just resource management.
4. MP Resource Management Plan, Encumbrances, pg. 90: in the third paragraph of the SLT/Roche Easement section, please clarify which conservation easement is being cited. I think you mean to say "as defined in the riparian easement". Also, consider attaching riparian easement to MP.
5. MP Figure 6-2: symbol for Mixed Native Wildflower Field in legend doesn't perfectly match map.
6. MP Education and Interpretive Elements, Goals, pg. 167: it is somewhat confusing to have a list of goals within this section that is similar but not coordinated with the public access goals listed in the Purpose, Objectives, and Goals section on pg. 28. Consider tying these sections together; perhaps the list on pg. 167 includes "Guidelines" in service of meeting the "Goals" on pg. 28.
7. MP Figure 8-1: this map is cited numerous times in the text but is not included in the document.

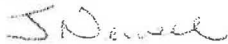
- L8.01
(cont'd.)
- 8. MP Single Use Trails, pg. 182; Educational Nature Trails, pg. 191: suggest making these section titles match, as it appears that the MP uses these terms synonymously.
 - 9. EIR Figures 3-3, 3-5 & 3-10: consider adding Park Complex Area boundary, especially on any figures where the Park Complex is labelled.

Technical/Content Comments

- L8.02
- 10. MP Preferred Site Plan Option, pg. 52-53; EIR Table 3-8: please add "additional District approvals may be required for certain structures and improvements." This includes camping areas; we would like to see a detailed description of the camping areas, including site plans and whether equestrian camping will be allowed, prior to approving their installation.
- L8.03
- 11. MP Figures 5-1 & 9-1; EIR Figures 3-4, 3-6, 3-11, 3-12 & 3-14: the Park Complex shape differs slightly from that developed by Parks and District staff in 2015. Please use the previous shape. Note that the shape in MP Figure 6-5 appears correct.
- L8.04
- 12. MP Figures 5-1 & 5-2; EIR §4.3.1: the EIR states that the 10-acre site historically used as vineyard continues to be used for agricultural production, and another 15 acres south of the Park Complex is used for no-till hay production. I believe the hay-production area is the "Overflow Parking" and "Potential Spray Irrigation Area" identified *within* the Park Complex Area in MP Figure 5-1. Please clarify, and please identify the 10-acre agricultural area east of the lake on MP Figure 5-2 and the hay-production area on MP Figure 5-1 and describe Parks' plans for these areas in the appropriate section of the MP, perhaps the Agricultural Features section on pg. 161.
- L8.05
- 13. MP Figure 5-2: as previously indicated, we are concerned with the proposal to develop a new multi-use trail in an area with identified special-status species, in particular the southern-most portion of Trail (m).
- L8.06
- 14. MP Resource Management Plan, Encumbrances, pg. 89:
 - a. In Tolay Lake Ranch section, please correct these typos in CE Purpose: "...while providing ~~and~~ low-intensity public outdoor recreation compatible with the 'Conservation Values' of the Property-A, and to prevent any uses..."
 - b. In Tolay Creek Ranch section, please correct error in District name: "Sonoma County *Agricultural* Preservation and Open Space District".
- L8.07
- 15. MP Resource Management Plan, Encumbrances, pg. 89:
 - c. In section on Grantor use of Tolay Lake Ranch Property: "low-intensity recreational and/or educational purposes, *consistent with the 'Conservation Purpose'*"
 - d. In Tolay Creek Ranch section, please add this clarifying text: "Grantor (*Land Trust*) grants a CE to the District in perpetuity (*the CE is binding on Parks as a successor landowner*).
- L8.08
- 16. MP Resource Management Plan, Grazing, pg. 92: please clarify that Appendix L is the Rangeland Resources Study for Tolay Lake Ranch, Appendix M is the Grazing Plan for Tolay Creek Ranch.
- L8.09
- 17. MP Education and Interpretive Elements, Site Analysis, pg. 162-164: it would be helpful to have a single section on Special Events in the Master Plan, as there is in the EIR. Consider breaking the Site Analysis section into two sections, one for Existing and Proposed Special Events, and one for Existing and Proposed Interpretive Features. Please state in the MP that Special Events will be limited to the Park Complex and trails, as is stated in the EIR.
 - 18. MP Figure 7-1: please provide more detail on the "authentic boat paddle" at Tolay Lake. Figure 7-1 lists the paddle as a "potential media type", but it seems more like a proposed activity that

- L8.09
(cont'd.)
- should be described in the "Other Potential Interpretive Resources" on pg. 163 and listed under "Activities Provided in the Park" on pg. 165. Please note that Tolay Lake Ranch CE requires that "any use of non-motorized watercraft must be consistent with the Lake Restoration and Management Plan and Conservation Easement held by the Department of Fish and Game and must be consistent with the Conservation Purpose of this Easement." Staff notes that "small boat (canoe or kayak) access only for seasonal ranger led open water tours" is identified in Purpose, Objectives, and Goals on pg. 28, but no further detail is provided elsewhere in the plan.
- L8.10
19. MP Trails Plan, Trail Design and Construction, pg. 187: please provide additional detail on the process of designing and constructing a specific trail and decommissioning a specific road/trail. For instance, please clarify whether Parks will develop detailed road/trail logs for each new trail or decommissioned road/trail that describes specific problem areas and drainage treatments. District staff would like to see these logs as they are developed.
- L8.11
20. MP Operations and Maintenance, pg. 199: the Business Plan section identifies a "bunkhouse/retreat cabin", but this feature is not identified on any maps. Please note that this feature must be located within the Park Complex Area and will require additional District approval.
- L8.12
21. MP Operations and Maintenance Plan, pg. 199: the conceptual plan included ADA-accessibility guidelines for an amphitheater, tent camping areas, and overnight cabins, but it appears that this information has been removed. Please clarify whether these features are included.
- L8.13
22. MP Operations and Maintenance Plan, pg. 201: in order to prevent or reduce the potential impacts of dogs on biological communities, please add periodic patrols of the trail system in order to enforce leash rules and other park rules on the trail. Perhaps expand OM-G1 to include trail patrol and enforcement. Please provide some detail as to frequency of patrol and strategy for enforcement (i.e. would rangers issue fines or give warnings to first offenders).
- L8.14
23. EIR, Special-Status Wildlife Species, pg. 4.4-41: the MP cites Short-eared Owl, a CDFW Species of Special Concern, as having been observed on Tolay Lake Ranch in 2005, but this species is not noted in the EIR. Please note their presence in the EIR. Staff understands that Short-eared Owls require tall herbaceous vegetation (i.e. thatch) for cover in both nesting and winter roosting.

Thank you,



for
Sheri J. Emerson
Stewardship Program Manager

c: Kathleen Marsh, Stewardship Coordinator
Jake Newell, Stewardship Planner

Letter 8: Sonoma County Open Space and Agricultural Preservation District

L8.01: Commenter suggests multiple potential edits to the Master Plan. Regional Parks appreciates comments received for editorial suggestions. Minor edits to the Master Plan mostly pertaining to numbering, margins, and figure updates have been made. A revised version of the Master Plan may be found on Regional Park's website.

L8.02: Commenter suggests additional language for Table 3-8 of the DEIR concerning District approvals. Regional Parks concurs and has made the change to Table 3-8 so it now reads, additional District approvals may be required for certain structures and improvements.

L8.03: Commenter suggests that an updated .shp file be used to depict the Park Complex boundary for Master Plan Figures 5-1 and 9-1, and DEIR Figures 3-4, 3-6, 3-11, 3-12 and 3-14. These changes have been made and a revised Master Plan and DEIR are available on Regional Parks website.

L8.04: Commenter suggests that Master Plan Figures 5-1 and 5-2 be changed to correctly identify the agricultural production area east of Tolay Lake, and the no-till hay production area south of the Tractor Barn (Building 13 on Figure 5-1, Master Plan). Regional Parks concurs and has made this change. Commenter also identifies the hay production area as occurring in the same area identified for a potential irrigation spray field for the wastewater treatment plan. Figure 3-12 in the DEIR identifies two potential areas for irrigation spray fields. The size and location of the WWTP is currently conceptual and may change when this component of the Master Plan is designed and constructed. The specific location of the WWTP and spray fields will be confirmed when design documents and construction documents are prepared.

L8.05: Commenter indicates concern about a proposed trail (trail "m" on trails map in the Master Plan) in the southern part of the Park with identified special status species, in particular along the southern portion of the proposed trail alignment.

Commenter is directed to pages 101 and 105 of the Master Plan for a discussion of measures to protect special status plant species such as RMP-O15, RMP-O21, and RMP-O22.

L8.06: Commenter suggests changing language on page 89 of the Master Plan, and correcting the name of the District.

This change has been made to the Master Plan.

L8.07: Commenter asks to clarify that Appendix L of the Master Plan is the Rangeland Resources Study for Tolay Lake Ranch, and Appendix M pertains to the grazing plan for Tolay Creek Ranch.

This change has been made in the Master Plan.

L8.08: Commenter suggests that it would be helpful to have a single section on Special Events in the Master Plan.

A sentence about special events has been added to the Education and Interpretive Elements chapter of the Master Plan.

L8.09: Commenter suggests boat paddling that is listed as a potential media type on Figure 7-1 be described in another section of the Education and Interpretive Elements chapter of the Master Plan.

This item has been removed from Figure 7-1.

L8.10: Commenter suggests that additional information about designating, constructing, or decommissioning trails be added to the Trails Element chapter of the Master Plan.

The intent of the Trails Element is to provide general information, including standards and guidelines, about how trails would be designated, constructed, or decommissioned provide on page 187 of the Master Plan.

L8.11: Commenter suggests that a bunkhouse/retreat cabin is not identified on any maps, and must be located within the Park Complex boundary and will require District approval.

Commenter is referred to Figure 3-6, Conceptual Site Plan, in the DEIR which depicts the location of the proposed bunkhouse (item M). Regional Parks acknowledges the bunk house must be constructed within the Park Complex boundary and requires District approval.

L8.12: Commenter indicates that information regarding ADA accessibility guidelines for various recreational facilities has been removed from the Master Plan.

A reference for current accessibility guidelines for recreational facilities has been added to the references section of the Master Plan.

L8.13: Commenter suggests that OM-G1 (Chapter 9) be expanded to include trail patrol and enforcement, as well as the frequency and strategy of patrols.

OM-GI has been modified in Chapter 9 of the Master Plan. The frequency and strategy of patrols will be determined by the Tolay Regional Park Supervising Park Manager.

L8.14: Commenter asks that the presence of Short-Eared Owl be listed in the EIR.

MIG described the potential for presence of Short-Eared Owl as being low. On page 54 of the DEIR Appendix, MIG states,

“A short-eared owl was observed within grassland habitat on the West Ridge on November 18, 2005 (Jake Newell, pers. comm.). Short-eared owls do not typically breed in Sonoma or Marin counties, but fledged young have been observed in Point Reyes National Seashore and Annadel State Park in 1979 (Shuford and Gardali 2008). The Park provides suitable foraging and overwintering habitat, but regular

nesting is unlikely due to the presence of grazing and very limited observations of breeding in the North Bay.” As such MIG did not evaluate potential impacts to the short-eared owl.



Thomas A. Parilo & Associates

10320 Tillicum Way
Nevada City, CA 95959
530-265-6393

E-mail: taparilo@sbcglobal.net

L-9

July, 25, 2017

Mr. Steve Ehret, Park Planning Manager
Sonoma County Regional Parks Department
2300 County Center Drive, Suite 120A
Santa Rosa, CA 95403

Subject: Surveyor and engineer comments on effectiveness of the County's pumping program affecting Lee Schaller's property and other upstream properties above Tolay Lake

Dear Steve,

L 9.01 { Lee Schaller is in receipt of his surveyor's report and his engineer's assessment of the surveyor's information. As represented previously, we are transmitting this information to you. The conclusions reached are that the pumping program has not been effective in draining Schaller's and other upstream property; culvert cleaning and vegetation clearing is needed; and there is no berm or other impediment on Schaller's property causing water to pond on his property.

I have enclosed the reports from Phillip A. Danskin and Associates, Land Surveyors, from Sonoma CA (July 6, 2017) and Tim Crough's, P.E., July 24, 2017, letter assessment of the surveyor's information. I am also enclosing my letter to you dated June 15, 2017. It is clear from this information that the Sonoma County Regional Parks Department's activities continues to impact Schaller and upstream properties even with the active pumping program from the spring of 2017.

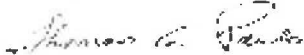
L 9.02 { As noted in my June 15, 2017, letter, Schaller reminds the Sonoma County Regional Parks Department that he continues to be impacted by extended inundation on his land. As outlined in Tim Crough's June 8, 2017, and July 24, 2017, letters he feels that regular (annual or more often) culvert cleaning, vegetation removal on both sides of the culverts at the causeway and at the horseshoe along with annual pumping will be the only interim management program that will effectively restore the conditions on his property to pre-county ownership and management of the Cardoza Ranch lands. He further reiterates that, long term, the only effective solution to ensure that his land and upstream properties are returned to a useable farming state will be to lower the culvert inverts and re-establishment of the creek channel, along with regular culvert and vegetation management.

Should you have any questions or need further clarification of this information, please contact me.

July 25, 2017
Mr. Steve Ehret, Park Planning Manager

Thank you for your consideration.

Sincerely



Thomas A. Parilo

cc: David Rabbitt, Supervisor District 2
Bert Whitaker, Director
Lee Schaller
Jim and Luci Mendoza
Timothy J. Hannan, Esquire

Enclosures

Phillip Danskin's survey report
Timothy Crough's assessment of the survey report
My letter dated June 15, 2017

Letter 9: Mr. Tom Parilo, on behalf of Dr. Lee Schaller, July 25, 2017

L9.01: Commenter states Dr. Lee Schaller has a surveyor's report and engineer's review of the surveyor's report. Commenter further states that surveyor and engineer comments indicate the pumping program has not been effective in draining Dr. Schaller's or other upstream properties

Master Response 1: The lake is a dynamic system and inundation levels vary from year to year. Predictably, levels of inundation were high in 2017, which was one of the wettest years in history. The City of Petaluma's (2011) Urban Water Management Plan states that annual average rainfall in Petaluma is 25 inches while the Department of Water Resources California Data Exchange Center (CDEC) measurement site (Petaluma River – D Street Bridge) shows about 36 inches during the 2017 water year. The overall recent dynamics of the lake are summarized in Appendix H and that background information is incorporated into this EIR by reference. To address inundation issues, Regional Parks has prepared an interim lake management plan to address inundation impacts on upstream neighboring properties. The plan includes four components: hydraulic structures maintenance, vegetation management, annual pumping, and adaptive management. The plan has been prepared collaboratively with Dr. Schaller, his consulting engineer, MIG, and Wildscape Engineering. Key components of the plan are included in the Project Description, while the entire plan may be found in Appendix H of the EIR. The additional analyses conducted to prepare the plan do not change the hydrology impact conclusions in the DEIR. To obtain data needed to implement the plan, Regional Parks has installed multiple gauges to record changes in lake water surface elevation (WSE) before, during and after storm events. Information from the gauges will assist in determining the effectiveness of the plan measures to reduce inundation effects on upstream neighboring properties. The plan calls for adaptive management, as Regional Parks may need to alter methods for reducing inundation effects as data are collected on WSE from the stream gauges, or it may find that certain measurements provide redundant information.

L9.02: Commenter states that Dr. Schaller believes his property is continuing to be impacted by extended inundation. Commenter further states that Dr. Schaller believes the only way to effectively restore his property from extended inundation is to lower the culvert inverts in Tolay Lake, re-establish the creek channel, and practice regular culvert and vegetation management.

Please refer to response to Master Response 1. Also, the Commenter is directed to the DEIR, Figure 3-9. The preferred lake restoration design recommends the culvert inverts be set at 215 feet to avoid excavating the lakebed. Figure 5-14 (Appendix H of Draft Master Plan) depicts the lake elevation (above 214.5 feet) at which water begins to inundate upstream neighboring properties. Therefore, having information on lake water surface elevation will enable Regional Parks staff to determine the effectiveness of the plan for reducing seasonal inundation on Dr. Schaller's property.

Timothy Crough, PE
Consulting Civil Engineer - CA Lic. C38033

L-10

12285 Lakeshore South
Auburn, CA 95602
Phone: (530) 277-1997

September 25, 2017

Karen Davis-Brown
Sonoma County Regional Parks
2300 County Center Drive, Suite 120A
Santa Rosa, Ca. 95403

Subject: Tolay Lake Regional Park Master Plan and
comments to the Draft Lake Pre-restoration Management Plan

Dear Ms. Davis-Brown,

Mr. Lee Schaller asked me to review and comment on the Tolay Lake Pre-restoration Management Plan (Working Draft), June 2017, prepared by Sonoma County. The document appears to be a component of the Tolay Lake Regional Park project; it consists of a single map showing the Upper Tolay Lake and most of Lee Schaller's property, with a title block indicating "Tolay Lake Regional Park" and several management activities (see attached).

Lake Pumping

L 10.01 { The Plan indicates that annual pumping will be "[b]egin as necessary on April 15 if no final storms are predicted or within 5 days of the last storm of season after April 15." It is not clear what "as necessary" means, or how one can determine what storm is the last storm of the season. It is also not clear where the pumping will take place or where the discharge point is. Mr. Schaller has indicated that prior to the County's acquisition of Tolay Lake property, the prior landowner Cardoza farmed the land and pumped water to allow farming on the Schaller land by May 1 of each year. Through such farming each year in what is now Upper Tolay Lake, it is likely that the vegetation on that land resembled the vegetation which can today be found on the southeast side of Lee Schaller's property – northwest of Upper Tolay Lake. Those conditions allowed storm water that ponded on Lee Schaller's property to be pumped downstream along Tolay Creek by May 1 each year.

L 10.02 { Upper Tolay Lake is now filled with thick vegetation; we have demonstrated that storm water does not move through the vegetation very quickly. By itself, pumping may not be sufficient to replicate the drainage conditions that preceded the County's acquisition of the property. In addition to the expected slow movement of water through the vegetation, the location of the pump discharge is critical to avoid a back-water condition. If the pump discharge point is too

close to the suction point, the pumped water may not have any effect in lowering the ponded water level.

Fire Mow Strip

A 30' wide fire break is shown on the Plan running along the northwesterly boundary of Upper Tolay Lake, from the southerly common property corner of Lee Schaller's property and the County's property, and extending northeasterly to a point located about 30'+/- southwest of the flow line of Tolay Creek. It appears that this mow strip consists of removing vegetation and any berm under the fence yearly, between August 1 and October 15¹.

It appears that this strip is intended to be a fire break. However, the timing of removal is late in the summer to early fall. A fire break would likely be more effective if it were installed before the end of June or mid-July.

Alternatively, one of the purposes for this mow strip may be to displace the ponded water on Lee Schaller's property. If so, the removal of vegetation along this portion of the Upper Tolay Lake (from August 1st and October 15th) would help to resolve Mr. Schaller's concerns of ponded water on his property. However, this mow strip would merely *reduce* the potential for ponding water on Lee Schaller's property, but is unlikely to displace all the ponded water observed earlier this Spring and documented on the photos taken by the County and the surveyor, Phil Danskin.

For displacing the ponded water on Mr. Schaller's property, the width of the vegetation removal should be more than 30-feet, and the length should extend to the flow line of Tolay Creek. The volume of vegetation removal should be determined by the volume of ponded water upstream of the fence line, and the volume of vegetation located below the desirable water level - sufficient to displace the anticipated amount of ponded water on Lee Schaller's property. Moreover, the downstream limit of vegetation removal should not be in a straight line, but rather, should extend in a downstream direction toward the flow line of Tolay Creek, and/or along the flow line of Tolay Creek. Otherwise, it is unlikely the vegetation removal, as shown, will be adequate to displace the ponded water on Lee Schaller's property.

In addition, the County may wish to consider investigating alternatives to mowing and manual vegetation removal, such as spraying an aquatic weed control product. Depending on the product selected, a single spray application may be suitable in the early summer, for both a fire break and storm water displacement.

Maintain Causeway Culverts.

There are no specifications indicating the level of maintenance of the culverts at the causeway. I would assume that the entire length and inside volume of the culverts will be cleared of all debris, and that all vegetation will be removed upstream and downstream of each culvert. The

¹ It should be noted that the "berm" as referenced in the Pre-Restoration Management Plan, and as repeatedly described by county staff, in fact does not exist at the flow line of Tolay Creek. The reference to such a "berm" in my February 20, 2017 was based solely on county topographic maps, and now appears to be in error. Subsequent to the letter, Schaller's surveyor undertook field measurements and concluded that no such berm or mound exists in the flow line of Tolay Creek.

L 9000
(cont'd)

amount of upstream and downstream vegetation removal needed should be a minimum of 15-foot upstream and 15 feet downstream of the culverts, or as needed depending on the density of the vegetation.

L 1007

Horseshoe Culvert.

The plan shows the removal of a gate to maintain the culvert yearly, between August 1 and October 15. It is not clear how the removal of the gate will affect the flow through the culvert. Culvert cleaning and vegetation removal should be specified here, as with the causeway culverts above.

L 1008

Farm Bridge.


The plan shows manual or weed eater vegetation removal upstream of the Farm Bridge; this extends upstream to the horseshoe culvert, with grazing below the Farm Bridge. Like the Horseshoe culvert, the extent of vegetation removal should depend on the density of the vegetation.

L 10.09

In my opinion, if the Pre-restoration Management Plan is implemented, as shown, the ponded water on Lee Schaller's property will not be significantly reduced; as such, ponding will likely continue to occur. The above comments should be considered to further reduce the potential for ponded water on Mr. Schaller's property by May 1 each year.

Let me know if you have any questions. You can contact me at (530) 277-1997, or e-mail at tcrough@cebridge.net.

Sincerely,



Timothy A. Crough, PE

- c: Bob Haroche, Esq.
- Tom Parilo, Thomas A. Parilo and Associates
- Lee Schaller

Letter 10: Timothy Crough, PE on behalf of Dr. Lee Schaller

L10.01: Commenter states the interim lake management plan does not clarify how one can determine the last storm of the season, and where pumping to draw down Tolay Lake will occur and where water will be discharged.

Refer to Master Response 1.

L10.02: Commenter states that Upper Tolay Lake is filled with thick vegetation and that pumping down the lake may not be sufficient by itself to replicate drainage conditions on Dr. Schaller's property prior to Regional Parks acquisition of the Tolay Lake Ranch property.

Refer to Master response 1.

L10.03: Commenter says that a proposed mow strip is to serve as a fire break along the common property line with Dr. Schaller's property vegetation should be removed earlier in the season to be more effective.

The timing of mowing is addressed in the ILMP, found in Appendix H.

L10.04: Commenter states that if the purpose of the mowed area is to help reduce inundation to Dr. Schaller's property the width of vegetation removed should be more than 30 feet, and the strip should be extended to the flow line of Tolay Creek.

Refer Master Response 1.

L10.05: Commenter states the County may wish to consider herbicides to aid vegetation removal along the above referenced mow strip.

The Draft Master Plan considers use of herbicides under specific circumstances and requires the use of licensed professionals per standards S51 (page 116) and S81 (page 128).

L10.06: Commenter states there are no specifications about level of maintenance for the culverts underneath the causeway.

Refer to Master Response 1.

L10.07: Commenter states that it is unclear how removing the gate from the horseshoe culvert will affect water conveyance through this culvert, and that cleaning of this culvert should be specified.

More recent photos taken on 11/03/17 of the culvert at the horseshoe don't indicate a gate. However, even with vegetation removed, the culvert inlet is significantly filled in and was observed on 11/03/17 to be flowing backwards (see photo).



The proposed project would eliminate the levees and culvert associated with the horseshoe feature allowing flows to convey across the entire area before re-entering a channel upstream of the new wider bridge at the current historic bridge location. The horseshoe culvert was in such poor condition (i.e. prior to Parks doing any maintenance or vegetation removal in this area) during development of the hydrologic model it was considered insignificant from a flooding perspective and therefore not included as a rated culvert.

L10.08: Commenter states that the amount of vegetation to be removed upstream of the Farm Bridge should depend on the density of vegetation present.

Comment noted.

L10.09: Commenter states that with implementation of the PRMP, inundation impacts on Dr. Schaller's property will not be significantly reduced.

Refer to Master Response 1.



Thomas A. Parilo & Associates

10320 Tillicum Way
Nevada City, CA 95959
(530) 265-6393

E-mail: taparilo@sbcglobal.net

L-11

September 26, 2017

Yolanda Solano, Planner III
Sonoma County Permit and Resources Management Department
2550 Ventura Avenue
Santa Rosa, CA 95403

Subject: Comments on Draft Environmental Impact Report and the Master Plan for Tolay Lake Regional Park Master Plan, Planning Commission hearing on September 28, 2017

Dear Ms. Solano:

Thank you for the opportunity to comment on the Draft Environmental Impact Report (DEIR) for the Tolay Lake Regional Park Master Plan project. I am writing on behalf of Lee W. Schaller, adjoining property owner to the northwest of the proposed regional park. We previously submitted a detailed comment letter on February 21, 2017. Please consider that letter as if it were fully restated herein. We are awaiting formal responses to that comment letter. The focus of this comment letter is to request that the Pre-Restoration Plan dated June, 2017 be acknowledged and reflected as a new project feature of the Tolay Lake Regional Park Master Plan.

My client has owned his 242-acre working farm since 1988. His land is used for hay growing, dairy cattle grazing and a vineyard. His hay growing operation adjoins the proposed Tolay Lake Regional Park lake body on his southerly property line and along both sides of Tolay Creek. His land is also under a Williamson Act contract with Sonoma County. As such, he is formally recognized to be a viable agricultural operation and one deserving of full protection under Sonoma County's Right to Farm Ordinance. Since the County assumed ownership and management of the Cardoza Family Ranch property in approximately 2006, Schaller's historical farming practices have been compromised due to the changed management practices that have resulted in extended inundation on his adjoining land.

While my client has many concerns with the proposed regional park as a neighbor, he wants to highlight the extended lake water ponding on his land as the focus of this comment on the DEIR, as follows.

Impacts of lake water inundation

Schaller uses the meadow area adjoining the common property line and along both sides of Tolay Creek for annual hay planting and harvesting. Since the beginning of the County's assumption of ownership and management of the former Cardoza Ranch property, Schaller has consistently requested that the County adjust its management to reflect the former owners' management practices. These practices assured that inundation on Schaller's property was largely confined to

the rainy season. Since the county's assumption of ownership and management he has had to deal with extended inundation well into the late spring and in some years to the early summer season. This factor has denied him the ability to use the lower lands of his property and harvest his annual hay crop in the manner that he was accustomed to since he purchased his property in 1988.

It is important to be clear about Schaller's interest and concern regarding the lake restoration plan. He has consistently stated that he does not want any extended inundation and soil saturation on his land beyond the normal rainy season as a result of the lake restoration efforts or wetland enhancements on the County land. Since 2005, my client has raised concerns about inundation on his land due to the establishment of an extended seasonal lake.

L1P.01 { Schaller feels that the approximately 71+/-acre extended seasonal lake included in the Master Plan will create the same or even longer extended inundation on his property. This impact is corroborated by Timothy Crough, PE, his consulting engineer, DEIR comment of letter February 20, 2017. In addition, our Notice of Preparation letter dated July 29, 2015, requested that the DEIR specifically evaluate how the preferred lake alternative would impact or otherwise reduce the extended inundation that he has experienced for almost 10 years since the Regional Parks Department assumed ownership and management of Tolay Lake. The DEIR is silent on that request. We are therefore using this opportunity to now request that the Planning Commission demand that Schaller's concerns be addressed.

Since that time and more specifically in the spring of 2017, we are pleased to note that Mr. Bert Whitaker, Director of the Regional Parks Department has actively engaged Schaller regarding his concerns. We are assuming that his sincere efforts are in response to Schaller's DEIR comment letter and are a means to ensure that the County intends to seriously address his concerns.

L1P.02 { To assure that Schaller's concerns are fully addressed, he is requesting that the Tolay Lake Regional Park Pre-Restoration Plan (with modifications and comments from Tim Crough, P.E.) be included as a project feature for the Master Plan. He also requests that the Pre-Restoration plan be implemented immediately as part of the Phase 1 opening of the park. It is well known that the County plans to immediately open the park to unlimited visitors in contrast with the current interim park management plan where visitors are limited in numbers and days of the week. Schaller specifically requests that the formal opening of the Tolay Lake Regional Park be linked to implementation of the Pre-Restoration Plan, as modified.

L1P.03 { Chapter 5, Table 5-4 of the Master Plan identifies the four distinct implementation phases for the park. The lake restoration phase will not occur until Phase 3 which is projected to occur in the 10 to 20-year time frame. Due to the projected costs of these improvements, funding challenges and other priorities, Schaller is of the belief that the lake improvements will not occur for a much longer time frame. In the meantime, he will be subjected to continued extended lake inundation on his land. To offset this reality, Schaller is respectfully requesting that (1) the Pre-Restoration Plan (not yet finalized) be included into the Phase 1, First 5 years, Master Plan schedule, and implemented in the spring of 2018; and (2) that the county respond to the comments provided by Tim Crough, P.E. in his letter dated September 25, 2017. (It is acknowledged that the Regional Parks Department has already begun at least one component of that Plan, namely cleaning out the three causeway culverts that are largely plugged with vegetation and debris.)

As noted in our February 21, 2017 letter commenting on the DEIR, Schaller requests that, in addition to including the Pre-restoration Plan into the Phase 1 implementation program, that detailed responses be provided in the EIR to the following questions/suggestions and comments:

- L11.04 { 1. What is the planned depth of the upper lake? It is noted that the February 2013 Contours created by USGS LiDAR Photogrammetry Integration 2007 of the upper lake bed elevations are approximately 214 feet. If the 10 arch culvert inlets are set at 215 feet, there will be at least one foot of ponded water in the lake and on Schaller's property for an extended amount of time and in most years well past May 1.
- L11.05 { 2. What measures will be taken to minimize inundation of Schaller's property following the end of the rainy season such that his land is dried out by May 1st of each year?
- L11.06 { 3. With extended ponding projected by our consulting engineer, please evaluate lowering one or more of the arch culvert inlets to 214 feet, or lower, along with an evaluation of the impacts to Schaller's property.
- L11.07 { 4. Schaller requests the following features as mitigation measures or project changes:
 - a. Provide a fail-safe, protection factor to assure no damage due to extended inundation and elevated ground water conditions in the dry season.
 - L11.08 { b. Set aside annual funds to monitor, maintain and repair the many water features within the master plan together with additional mitigation measures to ensure that his land is dried by May 1st each year to insure his ongoing hay harvesting operations.
 - L11.09 { c. Amend the Master Plan to include a commitment as part of the Phase 1 implementation program (as noted above) that the county will not impact upstream landowners with extended inundation past May 1 of each year due to the county's water management practices.

During the intervening time before the creek and restoration improvements are made, Schaller requests that the following interim lake management measures be employed. These are the same measures which were discussed and conceptually agreed upon at Supervisor David Rabbit's hydrology meeting with neighbors, park staff, and master plan and hydrology consultants on February 9, 2017. As a follow-up to this meeting, the Regional Parks Department conducted pumping of the lake and prepared the June, 2017, Pre-Restoration Plan.

- L11.10 { 1. Annually maintain and clean out the three culverts in the causeway and the one in the horseshoe berm
 - a. This maintenance plan shall also include vegetation and debris removal that impede the design flows within all culverts so that lake water will not back-up onto Schaller's land (See Tim Crough letter of September 25, 2017, submitted under separate copy).
- L11.11 { 2. Replace the existing farm bridge with the new bridge called for in the master plan.
- L11.12 { 3. Remove the gate cover in the horseshoe culvert of the lower lake.
- L11.13 { 4. Improve the stream channel below the farm bridge to those approximating the downstream channel in the lower creek area. (Note, the county could replace the existing farm bridge with a temporary railroad flat car style of bridge until a permanent one is designed and built)
- L11.14 { 5. Continue the annual pumping program of the lake.

L11.15 { Schaller requests that these interim measures, as modified, be included in the Pre-Restoration Plan and be specifically included as part of the Phase 1 implementation of the Master Plan and be included in the Mitigation Monitoring and Reporting Program.

We look forward to and appreciate your careful consideration of these concerns. Please contact me should you have any questions or have a need for clarification.

Sincerely,



Thomas A. Parilo, Principal

cc: Lee Schaller
Bob Haroche, Esquire
Supervisor David Rabbit, District 2
Bert Whitaker
Karen Davis-Brown

Letter 11: Mr. Tom Parilo, on behalf of Dr. Lee Schaller, September 26, 2017

L11.01: Commenter states this letter directs comments on the lake ILMP.

Comment acknowledged.

L11.02: Commenter states that Dr. Schaller's historical farming practices have been compromised as a result of changed lake management practices since Regional Parks acquired Tolay Lake Ranch.

Regional Parks conducted a study to determine the nature of the historic farm practices and how they impacted lake levels and inundation on Dr. Schaller's property. The study documented that active measures (i.e., pumping) were needed to drain the lake to facilitate timely crop planting were needed about 50% of the time between 1980 and 1994. The proposed lake restoration is intended to reduce flooding to upstream landowners. Additionally, an Interim Lake Management Plan has been prepared to immediately reduce any flooding impacts to upstream landowners following adoption of the Master Plan and certification of the EIR.

L11.03: Commenter states that Dr. Schaller has requested Regional Parks to employ the same lake management practices as the previous landowner.

Refer to Master Response 1.

L11.04: Commenter asks to know the planned depth of the Upper portion of Tolay Lake.

Page 253 of the Master Plan Combined Appendix shows water depths associated with different types of aquatic habitat. The deepest water would be at least 3 feet in those areas identified as "open water", which represents the smallest amount of aquatic habitat types present under the preferred lake restoration design.

L11.05: Commenter asks what measures will be taken to minimize inundation to Dr. Schaller's property following the end of the rainy season such that the property is dried out by May 1 of each year.

Refer to Master Response 1.

L11.06: Commenter asks that the feasibility of lowering the arch culverts to 214 feet be evaluated. This option was evaluated lowering the culverts during the development of the conceptual lake restoration plan. Lowering the arched culverts to 214 feet was rejected due to potential impacts to pre-historic resources in the lakebed.

L11.07: Commenter states a fail-safe protection factor should be developed to ensure no damage due to extended inundation to Dr. Schaller's property.

Refer to Master Response 1.

L11.08: Commenter asks that annual funds to established to monitor, maintain and repair many of the water features within the Master Plan with additional mitigation measures to ensure that Dr. Schaller's property is dried out by May 1.

Refer to Master Response 1.

L11.09: Commenter asks that the Master Plan be amended to include a commitment to not impact upstream property owners with extended inundation beyond May 1.

Refer to Master Response 1.

L11.10: Commenter asks that the three culverts in the causeway and the one in the horseshoe berm be maintained and cleaned out regularly.

Refer to Master Response 1.

L11.11: Commenter asks that the Farm Bridge be replaced.

Figure 5-8 in the Draft Master Plan shows the preferred lake restoration conceptual plan. The plan includes re-designing the Farm Bridge to convey higher volumes of water than it currently conveys.

L11.12: Commenter asks that the gate from the horseshoe berm culvert be removed.

Refer to Master Response 1.

L11.13: Commenter asks that the stream channel below the Farm Bridge be improved so that the channel approximates the channel in lower Tolay Creek.

Design of both the channel directly upstream of the farm bridge and downstream of the farm bridge would be undertaken as part of the next phase. Design development would consider improvements to the stream channel to ensure adequate conveyance and bed and bank stability as flows re-enter from the wetland above the bridge and pass through the bridge and down to the less disturbed stream reaches below. The approximately 1,000 feet of channel directly below the farm bridge was identified under the hydrology study to have insufficient capacity for the rarer, larger storm events and it was recommended that this channel section be restored to a more natural and stable configuration sized for the anticipated flows.

A temporary railroad flatcar could potentially work in the interim, however any temporary bridge installation would still require some engineering analysis and design to ensure adequate conveyance and continued public safety.

L11.14: Commenter asks that annual pumping of the lake be continued.

Please refer to Master Response 1.

L11.15: Commenter asks that a prior draft of the interim lake management plan be incorporated in the EIR's Mitigation Monitoring and Reporting Plan, and that lake restoration be moved into Phase I of Master Plan implementation.

Current and past inundation from lake flooding is not an impact analyzed in the EIR, since the impact is not associated with the Master Plan project. The impact began at some point in time after Regional Parks acquired Tolay Lake Ranch. There is currently no identified source of funds for lake restoration. As such, moving the lake restoration project to earlier phase of Master Plan may not be feasible. However, an interim lake management plan has been developed that will be implemented immediately following adoption of the Master Plan and certification of the EIR.



September 27, 2017

L-12

Sonoma County Planning Commission
c/o Sonoma County Permit & Resource Management Dept.
2550 Ventura Avenue
Santa Rosa, CA 95403

Re: *Tolay Lake Regional Park Master Plan and DEIR;*
Comments of Neighbor Lee Schaller
BCS file no.: 8819

Dear Commissioners:

L12.01

On behalf of Lee Schaller, the landowner immediately north of the proposed Tolay Lake Regional Park, I am submitting the following comments on the Park's Master Plan and Draft Environmental Impact Report (DEIR). While Schaller has over the years expressed a number of concerns regarding the establishment of a new public, regional park in this primarily agricultural area, the focus of these comments concerns the unmitigated impacts Regional Parks' land management practices have had, and continue to have, on Schaller's farming operations - practices which are neither included as part of the DEIR's project description nor considered as part of its baseline analysis.

L12.02

In June of this year, Regional Parks sought to address Schaller's concerns by means of a Pre-Restoration Management Plan (PRMP), a "working draft" of which is attached as **Exhibit A**.¹ As discussed below, because of its lack of specificity, it is unknown whether this PRMP as presently conceived can effectively mitigate the impacts of prolonged flood water inundation resulting from Regional Parks' management of the downstream Tolay Lake Ranch (former Cardoza ranch) and Tolay Creek Ranch. By means of these comments, Schaller highlights those areas of uncertainty in the PRMP, offers suggestions

¹ "Plan" is somewhat of a misnomer for this one-page document, more aptly described as a concept map.

BEYERS COSTIN SIMON
A Professional Corporation
200 Fourth Street, Suite 400
Post Office Box 878
Santa Rosa, California 95402-0878
Tel 707.547.2000 Fax 707.526.2746
beyerscostin.com

L12.02
(cont'd.)

for its elaboration and improvement, and requests that it be formally incorporated into the final EIR as a component of the proposed project.

Extended Inundation from the County's Change in Land Management

L12.03

Schaller has owned his 242-acre ranch at 600 Stage Gulch Road, Petaluma since 1988. His ranch is under the Williamson Act and is actively farmed for hay and other crops. During the first two decades of Schaller's ownership, until its acquisition in 2005 by Regional Parks, the adjoining Tolay Lake Ranch was managed by its prior owner Cardoza in a manner which avoided extended water inundation of Schaller's property. Among other practices, Cardoza regularly cleared all culverts on his property, including those in the causeway; employed a backhoe and drag lines to clear emergent vegetation along the lowlands adjacent to Tolay Creek; and pumped water each spring downstream along Tolay Creek. Although Cardoza's land management practices did not entirely eliminate the seasonal inundation of Schaller's property - it was typically flooded from December through February - they did prevent *extended* inundation, and allowed the harvesting of crop on Schaller's land by May 1.²

L12.04

This historical extent and level of inundation dramatically changed once Regional Parks' acquired and began managing the former Cardoza ranch. In an apparent effort to restore and/or expand Tolay Lake and surrounding habitat, Regional Parks discontinued the clearing of culverts, removal of emergent vegetation, and annual pumping of standing water. Not surprisingly, this change in land management resulted in the propagation of thick vegetation in the upper lake, the clogging of culverts, and the backing up and ponding of water on both Schaller's property as well as the Mendoza JLT ranch property even further north.³

L12.05

These changed conditions began in 2006 and since 2010 have grown steadily worse. As depicted in aerial photography, Schaller's property now

² See, generally, DEIR at 4.6-6 to 4.6-7 for a discussion of historic land management practices on the Tolay Ranch property.

³ See letter of Jim and Luci Mendoza, dated February 22, 2017, describing their ranch's similar inundation, attached as **Exhibit B**.

L12.05
(Cont'd.)

experiences inundation from December through early May, with significant impact on his hay farming operations.⁴ Indeed, in recent years Schaller was able to harvest only about 20-40 percent of his hay crop, and this past spring his *entire* crop had to be abandoned due to the standing water. Schaller also understands that his upstream neighbor, Mendoza, this last year had to completely re-till and replant his permanent pasture due to standing water.

Past Efforts and Discussions to Address Inundation

L12.06

Schaller has for years been seeking to work with Regional Parks to address the extended flooding that has accompanied the agency's change in land management. In 2007 county staff proposed to "pump the lake down to our northerly property boundary in the spring" in order to "maintain[] the hydrologic patterns that allow Dr. Schaller to farm his land."⁵ Subsequently, staff determined *not* to undertake this pumping due to drought conditions, although pumping was finally implemented this past winter.

L12.07

Unfortunately, as confirmed by Schaller's surveyor and consulting civil engineer, such recent pumping has had no meaningful effect in draining water from his ranch in order to make it once again suitable for farming as it had been prior to Regional Parks' acquisition of the Cardoza property.⁶

L12.08

Schaller's representatives have repeatedly brought these issues to the attention of Regional Parks, and requested that the DEIR evaluate the impacts on the Schaller property of the agency's change in land management within the Tolay Lake and Tolay Creek ranches, and incorporate appropriate hydrologic measures to mitigate them.⁷ Despite these requests, neither the DEIR nor the

⁴ Compare aerial photography between 2002 and 2015, included within Exhibit C at pp. 13-14.

⁵ See letter of Steve Ehrut, dated March 13, 2007, included within Exhibit C at pp. 11-12.

⁶ See letters of Phil Danskin, PLS, dated July 6, 2107, and Timothy Crough, PE, dated July 24, 2017, included within Exhibit D at pp. 3-10.

⁷ See, e.g., letters of Thomas Parilo dated July 29, 2015 (Exhibit C) and February 21, 2017 (Exhibit E); letter of Timothy Crough dated February 20, 2017 (included within Exhibit E at pp. 7-10).

L12.08
(cont'd.)

Park Master Plan address in any meaningful fashion the damaging impacts Regional Parks' practices have had, and continue to have, on Schaller's ranching operations.⁸

L12.09
~~XXXXXXXXXX~~

Instead, in June of this year, following meetings between Schaller and County representatives and consultants, Regional Parks produced the PRMP, which appears to be an interim series of measures to address the extended inundation of Schaller's land. Schaller's engineering and planning consultants have recently provided their comments on that PRMP, the highlights of which are discussed below.⁹

The DEIR Does Not Adequately Describe the "Project"

~~XXXXXXXXXX~~
L12.10

An EIR has been described as an "environmental alarm bell" whose purpose is "to alert the public and its responsible officials to environmental changes before they have reached ecological points of no return. The EIR is also intended to demonstrate to an apprehensive citizenry that the agency has, in fact, analyzed and considered the ecological implications of its action."¹⁰ A crucial component, indeed the starting point, of that analysis is a full and fair description of the project proposed to be undertaken.

⁸ Independent of the CEQA analysis addressed herein, it is worth noting that, if left unaddressed, the impacts created by Regional Parks' failure to properly maintain its property, including culverts and other improvements, could expose it to liability for nuisance (trespass), *Contra Costa County v. Pinole Point Properties, LLC*, 235 Cal. App. 4th 914 (2015), and inverse condemnation. *Sheffet v. County of Los Angeles*, 3 Cal. App. 3d 720 (1970).

⁹ See letters of Timothy Crough, dated September 25, 2017 (Exhibit F), and Thomas Parilo, dated September 26, 2017 (Exhibit G).

¹⁰ *County of Amador v. El Dorado County, Water Agency*, 76 Cal. App. 4th 931, 944 (1999), quoting *Laurel Heights Improvement Assn. v. Regents of University of California*, 47 Cal. 3d 376, 392 (1988) (citations omitted).

L12.11

The CEQA Guidelines indicate that the baseline environmental setting will “normally” be those conditions in effect at the time a notice of preparation is published,¹⁷ but “[t]his general rule is of course not insurmountable.”¹⁸ Indeed, “[n]either CEQA nor the CEQA Guidelines mandates a uniform, inflexible rule for determination of the existing conditions baseline. Rather, an agency enjoys the discretion to decide... exactly how the existing physical conditions without the project can most realistically be measured... .”¹⁹ It is therefore not uncommon for an agency to measure baseline conditions over a course of several, or even many, years *preceding* an EIR’s notice of preparation.²⁰

L12.12

In this instance, the DEIR explicitly acknowledges that Regional Parks *has* altered the historical farming practices on the former Cardoza ranch,²¹ but it nowhere describes or analyzes those historical practices as a part of the baseline environmental setting which the proposed project has altered, and will continue to alter, for the indefinite future. Regional Parks has in effect already commenced the proposed Tolay Lake restoration by abandoning decades of prior land management practice and farming, but the EIR treats the environmental baseline, simply and incorrectly, as if Regional Parks’ changed conduct is irrelevant and without legally significant impact on prior, baseline environmental conditions.

¹⁷ 14 CCR § 15125(a) (emphasis added).

¹⁸ *Riverwatch v. County of San Diego*, 76 Cal. App. 4th 1428, 1453 (1999).

¹⁹ *Communities for a Better Environment v. South Coast Air Quality Mgmt. Dist.*, 48 Cal. 4th 310, 328 (2010).

²⁰ See, e.g., *San Francisco Baykeeper, Inc. v. State Lands Commission*, 242 Cal. App. 4th 202 (2015) (agency properly described the baseline for sand mining project using a five-year average of annual mining volumes predating the EIR process); *North County Advocates v. City of Carlsbad*, 241 Cal. App. 4th 94, 105-06 (2015) (agency properly described traffic baseline relying on measurements over a 30-year period preceding the commencement of CEQA review).

²¹ DEIR at pp. 4.6-7 to 4.6-7.

Resolving the Deficiencies in the DEIR

- L12.13 { The PRMP, in its present "working draft" state, is too uncertain, too limited, and too non-binding to properly address Schaller's expressed concerns, but he does not reject it out of hand. Instead he offers the following comments and proposed mitigation measures which he requests be addressed and incorporated into the final EIR:
- L12.14 { Lake Pumping: The PRMP refers to seasonal lake pumping "as necessary," but offers no criteria or metric to determine what is "necessary" to avoid disrupting Schaller's farming operations. The plan also needs to identify a specific point of pumping discharge, so as to ensure any pumping has meaningful effect.
- L12.15 { Fire Mow Strip: The PRMP proposes a narrow, 30-foot strip of vegetation clearance, which is inadequate to help dewater Schaller's land. The strip should instead be widened to 100 feet, and lengthened to extend northerly toward the Tolay Creek flow line. Furthermore, it should be installed earlier in the year, before the proposed August 1 and October 15 timeframe, which is well into and beyond the peak fire season.
- L12.16 { Causeway and Horseshoe Culverts: The PRMP should require these culverts to be cleaned their entire length and volume, and be cleared of vegetation for a minimum distance of 15 feet on either side. The "horseshoe" culvert should have its gate permanently removed.
- L12.17 { Farm Bridge: The PRMP should specify the extent of vegetation clearance between the bridge and the northerly horseshoe culvert. The bridge itself should be replaced now with either the Master Plan's permanent design or a temporary railroad flat car bridge.
- L12.18 { Regulatory Approvals: The PRMP contains the significant disclaimer that "all actions subject to approval of Environmental Regulatory Agencies and Easement holders." The plan should identify all such third parties, the approvals or consents required of them, and efforts to date to secure the same.

L12.19 { Mitigation Monitoring and Reporting Program: Though not explicitly acknowledged, the PRMP is an obvious means to mitigate the hydrologic impacts Regional Parks' management of Tolay Lake Ranch has had on its upstream neighbor Schaller. As such, the DEIR's project description, baseline characterization, and mitigation measures should be amended to incorporate the PRMP as a necessary *and required* mitigation for the project and included in the Mitigation Monitoring and Reporting Program. Given that Regional Parks' lake restoration activity has already effectively commenced by means of its changed land management practices, the PRMP, as refined in accordance with these comments, should be implemented beginning in spring 2018. Furthermore, if implementation of any PRMP measure requires an agency permit, the acquisition of that permit should not delay the implementation of those measures which are deemed to be maintenance.

Conclusion

L12.20 { The Tolay Ranch Master Plan DEIR, in its current form, is legally inadequate for the reasons stated. With further refinement of the PRMP, however, and its incorporation as a final EIR mitigation measure, it may yet be possible for Regional Parks to correct its deficiencies and to adequately address Schaller's concerns and objections as expressed herein. Schaller is prepared to continue collaborating with Regional Parks toward that end.

Thank you for your consideration of this matter.

Sincerely,



Bob Haroche

cc: Supervisor David Rabbitt
Bert Whitaker
Yolanda Solano
Karen Davis-Brown
Verne Ball, Esq.

Letter 12: Mr. Bob Haroche (Beyers Costin and Simon) on behalf of Dr. Lee Schaller

L12.01: Commenter states that Dr. Schaller has concerned about unmitigated impacts associated with Regional Parks land management practices, and that these practices were not included in the DEIR Project Description or the environmental baseline. Commenter is implying that the DEIR should “roll back” the baseline to the time at which the Cardozas used a variety of activities to draw down Tolay Lake. CEQA Guidelines (Section 15125(a)) require a comparison of the proposed project to the environmental baseline, which is defined as the time the Notice of Preparation is released, which was June, 2015. The Project Description for the DEIR is the Master Plan, which does not include historic lake management practices, but instead focuses on park management for the next 35 years after it has been adopted.

In order to embrace the Commenter’s theory, the County would have to imagine that existing conditions do not exist. This “hypothetical baseline” approach is contrary to CEQA’s requirements. Use of June, 2015 as the environmental baseline for evaluating the Master Plan is justified and supported by case law and the CEQA Guidelines, and it avoids the type of hypothetical baseline analysis that CEQA prohibits.

That said, the Commenter’s concerns have been addressed collaboratively through project modifications. Regional Parks prepared a study that documented historic lake management practices up until the period applicable to the environmental baseline, which is June, 2015. This study is found in Appendix H of the EIR being provided for informational purposes only and is not part of the DEIR.

L12.02: Commenter states that Dr. Schaller believes there is uncertainty about whether the lake management plan will be effective in reducing extended inundation on his property, and that Dr. Schaller has experienced a loss in hay crop cultivation as a result of extended inundation.

Please refer to Master Response 1.

L12.03: Commenter states that prior to Regional Parks acquisition of Tolay Lake Ranch, the previous owners regularly cleared culverts, cleared emergent vegetation along the edge of Tolay Lake, and pumped water from the lake to a downstream location each spring. Dr. Schaller’s property. These actions prevented extended inundation of Dr. Schaller’s property.

Comment acknowledged.

L12.04: Commenter states that lake management changed after Regional Parks acquired Tolay Lake Ranch.

See response to comment L11.02.

L12.05: Commenter states that changed lake conditions following Regional Parks’ acquisition of Tolay Lake Ranch have become worse, and now extended inundation occurs through early may and impacts hay farming.

Regional Parks conducted a study for informational purposes only to analyze how lake management changes have affected extended inundation. The study may be found in Appendix H of the EIR.

L12.06: Commenter states Regional Parks decided not to pump due to drought conditions.

Comment acknowledged.

L12.07: Commenter states that pumping during spring, 2017 had no impact on reducing extended inundation on Dr. Schaller's property.

Comment acknowledged.

L12.08: Commenter states that Dr. Schaller and his consultants have asked Regional Parks to analyze the impacts of changed lake management since 2006 (year Tolay Lake Ranch was acquired) on extended inundation in the DEIR, and incorporate mitigation measures to reduce those impacts.

Refer to responses to L5.03 and L12.05.

L12.09: Commenter states that Regional Parks have prepared an interim lake management plan.

Comment acknowledged. The updated interim lake management plan is the result of consultations and negotiations with the Commenter.

L12.10: Commenter states that a DEIR should analyze a "full and fair" project description.

Comment acknowledged. The prior actions that preceded the current action are described in the EIR, although they are not part of the current project.

L12.11: Commenter states that the environmental baseline will normally be those conditions in effect when the NOP is prepared, but that it is not uncommon to measure baseline conditions over time periods before the NOP.

Refer to response L12.01.

L12.12: Commenter states that the DEIR does not consider and analyze historical lake management practices (prior to Park's 2006 acquisition). Commenter further states that Regional Parks has effectively initiated lake restoration by abandoning the historic lake management practices practiced by the previous landowner.

Refer to response to L12.01. Also, none of the lake restoration actions described in the DEIR and Master Plan have been implemented to date.

L12.13: Commenter states the pre-restoration management plan is too uncertain to address Dr. Schaller's concerns about extended inundation on his property. Dr. Schaller offers specific mitigation measures for incorporation in the FEIR in subsequent comments.

Refer to Master Response 1.

L12.14: Commenter states more specificity is needed regarding seasonal pumping.

Refer to Master Response 1.

L12.15: Commenter states the fire mow strip should be widened from 30 to 100 feet.

Refer to Master Response 1.

L12.16: Commenter states the (causeway) culverts should be cleaned their entire length and volume, and cleared of vegetation on 15 feet of either side. The horseshoe culvert gate should be permanently removed.

Refer to response to 10.07.

L12.17: Commenter states the Farm Bridge should be removed.

Refer to response L11.11.

L12.18: Commenter states that all 3rd party regulatory approvals should be stated and the efforts to date to secure these permits.

Table 3-8 on page 3-23 of the DEIR lists the permits likely to be required. .

L12.19: Commenter states the DEIR should be amended to include the pre-restoration management plan in the Project Description, baseline characterization, and as a series of mitigation measures to be included in the Mitigation and Monitoring Reporting Plan (MMRP).

Refer to Master Response 1.

L12.20: Commenter states the DEIR is legally inadequate in its current form.

Refer to Master Response 1 and L12.01.

DEPARTMENT OF TRANSPORTATION

DISTRICT 4
 P.O. BOX 23660
 OAKLAND, CA 94623-0660
 PHONE (510) 286-5528
 FAX (510) 286-5559
 TTY 711
 www.dot.ca.gov



*Making Conservation
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L13

July 13, 2017

04-SON-2017-00154

SCH # 20150620847

Ms. Karen Davis-Brown
 Sonoma County Regional Parks
 2300 County Center Drive, Suite 120a
 Santa Rosa, CA 95403

Tolay Lake Regional Park Master Plan – Traffic Study June 15, 2017 Response to Caltrans Comment Letter

Dear Ms. Davis-Brown:

This letter responds to the December 8, 2016 Traffic Impact Study (TIS) by W-Trans. Comments from our February 9, 2017 letter are incorporated by reference.

Travel Demand Analysis

L13.01

Please address our concerns from the February 9, 2017 Caltrans comment letter below and incorporate them into the Final Environmental Impact Report (FEIR). Please provide a copy of the FEIR to Caltrans for review.

L13.02

In reference to Page 4.10-19, 20:

- Impact TRAF-6: Use “Bicycles May Use Full Lane” signs instead of “Share the Road” signs.
- Impact TRAF-7: As the project would adversely impact westbound State Route (SR) 116, mitigation measures similar to those proposed under TRAF-3 should be considered for this impact as well.

L13.03

The TIS refers to Lakeville Road as Lakeville Road Highway (SR 116) when referencing the SR 116 (Lakeville Highway)/ SR 116 (Stage Gulch Road)/Lakeville Road and Lakeville Road/SR 37 intersections. This roadway is in fact a county road called Lakeville Road. Please clarify the misnomer of the roadway segment.

L13.04

Encroachment Permit

Please be advised that any work or traffic control that encroaches onto the State right-of-way (ROW) requires an encroachment permit that is issued by Caltrans. To apply, a completed encroachment permit application, environmental documentation, and five (5) sets of plans clearly indicating State ROW must be submitted to the following address: David Salladay, District Office Chief, Office of Permits, California Department of Transportation, District 4, P.O. Box 23660, Oakland, CA 94623-0660. Traffic-related mitigation measures should be incorporated into the


Ms. Karen Davis-Brown, County of Sonoma
July 13, 2017
Page 2

L13.04
(cont'd.)

construction plans prior to the encroachment permit process. See the website linked below for more information: <http://www.dot.ca.gov/hq/traffops/developserv/permits>.

Should you have any questions regarding this letter, please call Stephen Conteh at 510-286-5534 or stephen.conteh@dot.ca.gov.

Sincerely,



for Jannette Ramirez.

PATRICIA MAURICE
District Branch Chief
Local Development - Intergovernmental Review

C: State Clearinghouse

Letter 13: California Department of Transportation (2nd letter submitted July 13, 2017)

L13.01: Commenter states their concerns listed in their February 2017 letter need to be addressed, and requests a copy of the Final EIR (FEIR).

Comment acknowledged.

L13.02: Commenter requests language changes to Impact TRAF-6 and TRAF-7.

Refer to responses to L4.03 and L4.04.

L13.03: Commenter requests a change in Lakeville Highway to its correct name Lakeville Road.

Lakeville Highway is how this road is commonly referenced. However, this name change will be made the first time it appears in the DEIR, on page 2-1, so it reads:

Lakeville Highway Road

L13.04: Commenter states that any work or traffic control that encroaches onto the State right-of-way requires a Caltrans encroachment permit.

This language is already included in the mitigation measure for Impact TRAF-12 on page 4.10-20 of the DEIR.

III. REVISIONS TO THE DRAFT EIR

3. REVISIONS TO THE DRAFT EIR

The following section includes all revisions to the Draft EIR made in response to comments received during the Draft EIR comment period. All text revisions are indicated by strike-through and underlining. All the revised pages supersede the corresponding pages in the February 2017 Draft EIR. None of the criteria listed in CEQA Guidelines section 15088.5 (Recirculation of an EIR Prior to Certification) indicating the need for recirculation of the February 2017 Draft EIR has been met because of the revisions. In particular:

- § no new significant environmental impact due to the project or due to a new mitigation measure has been identified;
- § no substantial increase in the severity of a significant environmental impact has been identified; and
- § no additional feasible project alternative or mitigation measure considerably different from others analyzed in the Draft EIR has been identified that would clearly lessen the environmental impacts of the project.

In addition, after public release of the Tolay Lake Regional Park Master Plan document and the Draft EIR, Sonoma County Regional Park Staff made some revisions to the Plan. These Plan revisions are available for review at:

<http://sonomacounty.ca.gov/Parks/Planning/Tolay-Lake-Regional-Park/Master-Plan/>

None of the Plan revisions required changes to the Draft EIR.

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2. EXECUTIVE SUMMARY

2.1 PROJECT UNDER REVIEW

This EIR has been prepared to evaluate the environmental impacts of the proposed Tolay Lake Regional Park Master Plan (project). The project would result in the development of a new open space regional park facility to serve the residents of Sonoma County. The proposed Tolay Lake Regional Park would provide day use activities and permit camping and other overnight uses on a year-round basis. The Park would be open seven days a week, from dawn to dusk.

The Master Plan consists of conceptual plans for physical improvements; a resource management plan, educational and interpretive plan, trails plan, and phasing and implementation plan; Park maintenance and operation activities; and Master Plan goals, objectives, and policies that will guide implementation of Park activities and provide resource protection measures and activities.

The Master Plan includes recreational improvements for multi-use and hiking-only trails; equestrian facilities; a Park center that includes a visitor center with interpretive and educational facilities; as well as improved restrooms and parking. The Master Plan provides resource management recommendations for continued cattle operations, as well as improvements in fencing, boundaries, and exclusion zones of sensitive habitats and prehistoric cultural resources. Additionally, the Master Plan includes improvements to park access, ADA improvements, a new ranger residence, and water supply and wastewater facilities.

The Master Plan provides recommendations for habitat restoration focusing on the restoration of Tolay Lake to maximize and improve the lake ecology for native species, and restoration of 4.5 miles of Tolay Creek in the Park. In addition, the Master Plan provides recommendations for the protection and interpretation of the significant cultural and historical resources of the property, including a schedule of tasks for long-term monitoring of natural resources in the Park.

The types of recreational activities proposed for the site include: nature study and outdoor educational programs, hiking, docent led walks, horseback riding, mountain biking, group and family picnicking, bird watching and other types of passive recreation, and overnight hike-in individual and group camping on a permit basis.

The project would be in southern Sonoma County at 5869 Cannon Lane, approximately 5 miles southeast of the City of Petaluma, 12 miles southwest of Sonoma, and 25 miles southeast of Santa Rosa (see Figure 3-1 and -2). Primary access is from Cannon Lane, a County-maintained road off Lakeville [Highway Road](#). Secondary access would be provided on the southern boundary from SR 121 north of the SR 37 intersection.

A detailed description of the proposed project, including project background and history, is provided in Section 3, Project Description. The conceptual site plan for the Park is shown in Figure 3-5. The conceptual site plan for the Park Complex area is shown in Figure 3-6. The key elements of the project are summarized in Table 2-1 and described and illustrated fully in Chapter 3, Project Description.

- Air Quality
- Agricultural and Forestry Resources
- Cultural Resources
- Geology and Soils
- Greenhouse Gases
- Hazards and Hazardous Materials
- Mineral Resources
- Noise
- Population and Housing
- Public Services

2.2.3 Significant and Unavoidable Impacts

As discussed in Section 4 of this EIR, the project would result in a significant unavoidable impact from:

- Traffic
- Noise
- Public Services and Recreation

2.2.4 Alternatives to the Project

The following alternatives ~~is~~ are considered in this EIR:

- Alternative A: No Project/Interim Management Plan
- Alternative B: Reduce Noise Using Traffic Control
- Alternative C: Reduce Noise by Acquiring Noise Sensitive Properties

2.3 SUMMARY TABLE

Table 2-2 identifies impacts and mitigation measures associated with the proposed project. This information is organized to correspond with environmental issues discussed in Section 4. The table is arranged in four columns: 1) environmental impacts; 2) level of significance prior to mitigation measures; 3) mitigation measures; and 4) level of significance after mitigation. For a complete description of potential impacts and recommended mitigation measures, refer to Section 4.

3.3.7 Habitat Restoration and Enhancement

The Master Plan includes restoration and enhancement activities for developed and disturbed areas, native habitat areas, stream and riparian habitats, Tolay Lake and other wetland areas, woodlands, grasslands, meadows, and grazing areas. These activities include restoration/enhancement activities, invasive species management, fire management, resource protection guidelines and standards, and adaptive management strategies. As shown on Figure 3-8, the Master Plan would also implement proposed restoration in areas. These activities include native grassland monitoring, riparian and woodland plantings, and wetland and meadow plantings.

More detail on these activities is included in Chapter 6 of the Master Plan for details of the Resource Management Plan.

3.3.8 Lake Restoration

Tolay Lake is a shallow lake, averaging between 4 to 8 feet in depth and filling in the winter and draining in the spring, with a surface area of approximately 200 acres during the rainy season. Tolay Lake would be restored to its original hydrology within the Lake and original wet meadow, and improved to reduce flooding to upstream properties. Restoration activities would maintain an elevation at the lake outlet of 215 feet (msl). The restoration would establish a stable water elevation and high quality wetland habitat on both sides of the Causeway, increase water movement, and return the lake to a more natural, pre-agricultural condition, and reduce upstream flooding.

The goal of the restoration would be to restore, enhance, and increase seasonal wetland habitat, and habitat for shorebirds, dabbling ducks, and waterfowl. This includes providing water depths that range from 0 to 1.5 feet deep for shallow and deeper seasonal wetlands, which would provide foraging habitat for dabbling ducks during annual migrations.

Prior to acquisition of Tolay Lake Ranch, the previous landowners actively drained the lake so they could grow crops on the lakebed. This involved using a ditch pump powered by a tractor in the vicinity of the historic bridge and discharged via a 10 to 12 inch rubber hose to a location downstream where the channel was steep enough to carry the water away. According to an interview with a former ranch worker, Mr. Marcucci, the landowner would make efforts to keep the ditches open and the water ponded at the historic bridge would last the longest during pumping operations. Pumping would run all day long for a few days up to a couple of weeks. According to Mr. Marcucci, pumping to drain the lake occurred about half of the years when he worked at the ranch. They would start working the lakebed fields in late March, starting at the outside edges working inward aiming to essentially “push down” the top layer in order to preserve the moisture in the soil. The channel immediately below the historic bridge was further modified and bermed (Personal communication with Mr. Allen Marcucci on January 6th 2018). After the property was acquired by Regional Parks, efforts to actively manage lake inundation levels to facilitate farming were discontinued because of Parks’ mission to restore the lake to a more natural condition and avoid any further disruption of buried cultural resources within the lakebed. According to the park ranger, depth and extent of water inundation varied since 2005 depending on the water year, with some years the lake filling up early and more recently (2017) the lake was observed to be at its largest since Parks took ownership (Personal comm. Mr. Brandon Bredo on February 2nd, 2018).

As mentioned above, lake restoration would improve the rate at which the lake drains during wet years. The restoration would include: filling or intermittently damming Central Lakebed Channels A and B and Drainage Channel 2, removing or intermittently damming hillside drainage ditches (North Creek, Eagle Creek, East-West, Pumpkin Patch, and Drainage Channel 1), raising the elevation of the causeway by as much as 4.75 feet at its center and replacing the Causeway Culvert with ten (10) high capacity culverts, removing the Horseshoe Culvert and associated levees, enlarge the outlet at the Farm Bridge, and replacement of the farm bridge. The proposed lake restoration is shown in Figure 3-9.

However, until lake restoration begins, Regional Parks will undertake multiple actions described in the Interim Lake Management Plan (Appendix H) to facilitate more rapid draining of the lake. The key components of the Interim Lake Management Plan include the following:

- Hydraulic structure management
- Vegetation management
- Annual pumping
- Adaptive management
- Other conditions

Each of these components is described below.

Hydraulic Structure Maintenance

1. Clear all debris and vegetation from the entire length and inside areas of existing east and west channel and improved causeway culverts annually as soil saturation conditions allow and no later than October 15.
2. Remove the central channel causeway culvert and replace with a culvert or culverts that is shorter in length, wider in width, and no shorter in height. Such replacement culvert(s) shall be installed during the dry season 2018, or the first possible dry season opportunity upon completion of CEQA/permitting compliance documentation.
3. Remove the horseshoe culvert and create a channel opening along the horseshoe culvert alignment matching the existing channel upstream and downstream (of the horseshoe culvert) during the dry season 2018, or the first possible dry season opportunity upon completed CEQA compliance documentation.
4. Remove the wood beam low chords from the historic farm bridge.

Vegetation Management

1. Cut vegetation to no higher than 6 inches upstream and downstream from the existing causeway culverts annually as soon as soil saturation conditions allow and no later than October 15. The minimum area of vegetation management upstream and downstream of each culvert shall be 12 feet in width and 60 feet in length. Adaptive Management – the area of

vegetation management may be reduced as effectiveness of other measures allows. Other approaches to vegetation management could be considered including goat grazing or prescribed fire.

2. Cut vegetation to no higher than 6 inches from farm bridge to 50 feet north from existing horseshoe berm annually as soon as soil saturation conditions allow and no later than October 15. Adaptive Management - the area of vegetation management may be reduced or eliminated as effectiveness of other measures allows.
3. Clear vegetation downstream 100 feet from the farm bridge via cattle grazing a minimum of twice yearly. Adaptive Management - the frequency of grazing may be reduced as effectiveness of other measures allows.
4. Fire mow/cut vegetation to no higher than 6 inches along the length of the Schaller- Park property line annually as soon as soil saturation conditions allow and no later than July 15. The area of vegetation removal shall be 150 feet wide. Any willow within the vegetation management area shall be preserved to the extent practicable. Adaptive Management - the area of vegetation management may be reduced or eliminated as effectiveness of other measures allows.

Annual Pumping

1. Pump water from the creek area below the farm bridge to approximately 1,000 to 1,500 feet downstream of the farm bridge (the location where the Tolay Creek channel steepens) beginning April 15 of each year if the lake water-surface elevation (WSE) is greater than 214 feet (NAVD88) and less than 215.3 feet, as determined by staff gauge readings located immediately upstream from the causeway.
2. If the lake WSE is greater than 215.3 feet on April 15 (i.e. following a large winter or series of storms leading up to April 15, or during a large storm on April 15), start of pumping shall be delayed until the lake drains down to 215.3 feet WSE or until the WSE differential between the central channel staff gauge immediately upstream from the causeway and the staff gauge immediately upstream from the farm bridge drops below 0.10 feet.
3. Pumping shall continue until the lake WSE falls to 214 feet.
4. The rate of pumping shall not be less 400 gallons per minute (gpm). A pumping rate of 1,000 gpm is recommended. A discharge hose should be installed from the pump to a downstream point where the creek velocity is not less than 2 fps, or a minimum distance of 1,000 feet downstream of the pump. Pumping will be done during daylight hours for a minimum of six hours per day.

Adaptive Management

1. If the existing culverts are clogged, or if vegetation clearing was not sufficient to prevent head loss through the central channel causeway culvert, pumping upstream from the causeway shall be performed as necessary to drain the lake within a reasonable timeframe (by the end of May).

2. If draining the lake to 214 feet WSE is insufficient to prevent impacts to agriculture on the Impacted Property, the "target" WSE at which pumping can be stopped shall be reduced to the extent necessary to prevent impacts to agriculture on said property.
3. If draining the lake to 214 feet WSE is more than is necessary to prevent impacts to agriculture on the northern private property, the "target" WSE at which pumping can be stopped may be increased to as much as 214.5 feet.
4. The criteria which governs initiation of pumping may be revised based on observation of Plan efficacy and associated data collected. For example, the "trigger" WSE of 215.3 feet may be adjusted upward if flow downstream from the farm bridge is observed to stop at a higher WSE, or downward if the flow downstream from the farm bridge is observed continue down to a lower WSE. Similarly, the "trigger" flow velocity of 0.5 fps and/or the "trigger" WSE differential (between the staff gauge immediately upstream from the causeway and the staff gauge immediately upstream from the farm bridge) can be adjusted upward or downward according to observation or eliminated as supplemental criteria if either are deemed necessary.

Other Conditions

1. Park staff shall observe and record the central channel staff gauge immediately downstream from the causeway in addition to the central staff gauge immediately upstream from the causeway as part of the pumping protocol. The purpose of this measure is to provide data for analysis of the energy loss through the causeway culvert. This condition may be removed from the Plan if the data are not useful.
2. Documentation shall include written descriptions and photo-documentation. All of the following shall be recorded and documented by Park staff:
 - Hydraulic structure improvements (include as-built schematic drawings), repairs, and maintenance including extent, date, and method of culvert clearing and notes pertaining to any unaddressed culvert maintenance needs such as inability to clear culverts;
 - Extent, date, and method of all vegetation management;
 - Pumping information including location(s), pumping rate, start and ending date, start and ending time, starting and ending lake WSE (central channel causeway culvert staff gauge reading); and
 - Daily visual observations of lake levels (staff gauge readings and flow in the channel downstream from the farm bridge) and any creek flowrate or flow velocity measurements taken starting on April 15th each year (for years when the lake is still free-draining on April 15).

3. The Plan shall be reviewed on an annual basis to evaluate its efficacy in minimizing impacts of lake formation on agricultural operations on the property to the north in a fashion that limits impacts to Tolay Lake habitat and Park operations and resources during the interim management period, and shall be revised as needed.
4. If non-grazing vegetation management cannot be concluded outside of bird nesting season (generally February 16 to August 14) due to fire break or other needs, then any required nesting bird surveys shall be conducted prior to initiating any mowing or fire management activities.

3.3.9 Cultural Resource Conservation

The Tolay Creek watershed and its surrounding landscape represent a long continuum of significant cultural prehistoric and historic traditional Native American practices, and diverse and numerous archaeological sites.

The Master Plan project components have been developed to avoid, protect and monitor sensitive cultural resources in the Park. The Master Plan includes objectives and standards developed allowing for adaptive management to best protect cultural and tribal resources within the Park. See Chapter 6 of the Master Plan for details of the Cultural Resource Management Plan.

3.5 REQUIRED PERMITS AND APPROVALS

For the proposed project, Sonoma County Regional Parks is the Lead Agency. Approvals that may be required for implementation of the project include the following, additional District approvals may be required for certain structures and improvements.

Table 3-8: Potential Permits and Approvals

Lead Agency	Permit
Sonoma County	Project approval, EIR certification, General Plan Amendment
Sonoma County Agricultural Preservation and Open Space District	Master Plan approval (per Tolay Lake Conservation Easement and Tolay Creek Conservation Easement)
California Department of Transportation (Caltrans)	Encroachment Permit for Southern Entrance
U.S. Army Corps of Engineers (Corps)	Wetland Delineation Approvals and Permit
United States Fish and Wildlife Service (USFWS)	Consultation with USFWS regarding fish and wildlife resources
California Regional Water Quality Control Board, North Coast Region (RWQCB)	National Pollution Discharge Elimination System (NPDES) Permit Section 401 certification for water quality
California Department of Fish and Wildlife (CDFW)	Section 1602 Streambed Alteration Agreement Review and comment on wetlands impacts and sensitive species
Marin-Sonoma Mosquito and Vector Control District	Mosquito abatement monitoring and abatement coordination

4.5 CULTURAL RESOURCES

4.5.3.7 Significant Impacts

Parks would consult with architects and landscape architects who meet The Secretary of the Interior’s Standards for Professional Qualifications when components of the Master Plan that involve historic characteristics and features are implemented. In addition to adhering to these standards, Regional Parks will pursue Historic Landmark Designation and Landmark Commission review prior to any alterations or demolition of a historic building or structure.

Table 4.5-5 Historic Resource Rehabilitation Standards

1. A property will be used as it was historically or be given a new use that requires minimal change to its distinctive materials, features, spaces, and spatial relationships.
2. The historic character of a property will be retained and preserved. The removal of distinctive materials or alteration of features, spaces, and spatial relationships that characterize a property will be avoided.
3. Each property will be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or elements from other historic properties, will not be undertaken.
4. Changes to a property that have acquired historic significance in their own right shall be retained and preserved.
5. Distinctive materials, features, finishes, and construction techniques or examples of craftsmanship that characterize a property will be preserved.
6. Deteriorated historic features will be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature will match the old in design, color, texture, and, where possible, materials. Replacement of missing features will be substantiated by documentary and physical evidence.
7. Chemical or physical treatments, if appropriate, will be undertaken using the gentlest means possible. Treatments that cause damage to historic materials will not be used.
8. Archeological resources will be protected and preserved in place. If such resources must be disturbed, mitigation measures will be undertaken.
9. New additions, exterior alterations, or related new construction will not destroy historic materials, features, and spatial relationships that characterize the property. The new work will be differentiated from the old and will be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment.
10. New additions and adjacent or related new construction will be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

The mitigation measure listed below would protect historic resources and ensure that impacts would be *less than significant*.

MM CULT-4: Document by way of historic narrative, photographs and architectural drawings any built environment historic resources that are slated for removal, demolition or would be the focus of modifications and management approaches that significantly alter the resource.

CULT-5: *The project would directly or indirectly destroy a unique paleontological resource or site or unique geologic feature. (S)*

A search of the UCMP database did not list any vertebrate or plant localities within the Tolay Lake Regional Park or the one-mile buffer zone around the Park. Although no vertebrate or plant locations were found, it is possible that intact paleontological resources exist at depth. As a result, recommended mitigation measures are provided below to reduce potentially significant

4.10 TRANSPORTATION

4.10.3.1 Future 2022 plus Project Phase A Conditions

Impact TRAF-6: Cannon Lane: The County intends to provide improvements to Cannon Lane based on recommendations from the Cannon Lane Roadway Concept, April 17, 2015, Fehr & Peers. However, these improvements will not be completed prior to the opening of the project. Therefore, based on potential safety issues, this would be considered a significant impact.

Mitigation Measure TRAF-6: As an added safety measures for both vehicles and bicycles, the County should provide additional road safety signage such as Reduced Speed Ahead, ~~Share the Road (bicycles)~~ **Bicycles May Use Full Lane**, 15 mph advisory, and Narrow Road advisory signs. With mitigation, impacts would be *less than significant*.

4.10.11.2 Future 2040 plus Project Phase B Conditions

Impact TRAF-7: Lakeville Highway (SR 116)/Stage Gulch Road: Phase B of the project would expect to increase average side street delay by more than five seconds and would be expected to result in a drop in operation from acceptable LOS D to unacceptable LOS E during the weekend midday peak hour, which would be considered significant and cumulatively considerable. However, the intersection currently warrants the installation of a traffic signal or roundabout based on traffic signal warrants and existing traffic volumes. Since there is no adopted plan or funding mechanism for these improvements, the impact of the project would be considered **Significant and Unavoidable**.

Mitigation Measure. See Mitigation Measure TRAF-3. With application of this mitigation measure impact will still remain Significant and Unavoidable.

Impact TRAF-8: Lakeville Highway/Cannon Lane: Phase B of the project would be expected to increase average side street delay by more than five seconds resulting in a LOS E condition which would be considered significant and cumulatively considerable.

Mitigation Measure: See *Mitigation Measure TRAF-2*. With mitigation, impacts would be **less than significant**.

Impact TRAF-9: Lakeville Highway/Cannon Lane: Project traffic volumes would be expected to increase queues in the southbound left-turn lane during the Fall Festival weekend conditions. The queues would be expected to extend well beyond the capacity of the existing left-turn lane on Lakeville Highway which would be considered significant.

Mitigation Measure – See *Mitigation Measure TRAF-3*. With mitigation, impacts would be **less than significant**.

Impact TRAF-10: SR 37/Lakeville Highway-Reclamation Road: The intersection is already operating at unacceptable levels of service. Phase B of the project would increase average delay at the intersection by less than five seconds when compared with the Future 2040 Conditions. Therefore, the project's impact would be considered less-than-significant since it is not cumulatively considerable based on the County's significance criteria.

Impact TRAF-11: SR 37/Arnold Drive (SR 121): The intersection is already operating at unacceptable levels of service. Phase B of the project would be expected to increase average delay at the intersection by less than five seconds when compared with the Future 2040 Conditions. Therefore, the project's impact would be considered less-than-significant since it is not cumulatively considerable based on the County's significance criteria.

Impact TRAF-12: Arnold Drive (SR 121)/Ram's Gate-South Park Entrance: Phase B of the project would result in LOS F operation on the eastbound (Park exit) approach of the intersection, however, since the approach volume totals less than 30 vehicles, it is less-than-significant by Sonoma County standards. The project would warrant the addition of a northbound left-turn lane on SR 121.

Mitigation Measure TRAF-12: When the project opens its access to SR121, a northbound left-turn lane with a storage of at least 100 feet and appropriate transition meeting Caltrans standards should be installed and operational. The left-turn lane would require widening of SR121 and

infeasible during the scoping process and briefly explain the reasons underlying the lead agency's determination. Among the factors that may be used to eliminate alternatives from detailed consideration in an EIR are: (i) failure to meet most of the basic project objectives, (ii) infeasibility, or (iii) inability to avoid significant environmental impacts."

To determine what range of alternatives should be considered, the impacts identified for the proposed project were considered along with the project objectives. The proposed project is described in detail in Section 3, Project Description, and the potential environmental effects of the proposed project are analyzed in Sections 4.1 through 4.11.

5.3 PROJECT OBJECTIVES

To develop project alternatives, the EIR preparers considered the project objectives and reviewed the significant impacts in Section 4 to identify those significant impacts that could be avoided or reduced substantially through an alternative.

The ~~In opening the Park, the~~ project's objectives are to:

- Preserve a land that is sacred with deep spiritual significance;
- Preserve a land that reflects California's long and storied heritage;
- Create an outdoor destination in the region for all ages and cultures;
- Create a recreation resource to inspire;
- Restore and preserve a thriving, ecologically rich landscape;
- Create a place for innovative and interactive education and experiences;
- Preserve a landscape to experience and learn about its natural and cultural history; and
- Create a space to find peace and respite.

The underlying purpose of all of these objectives is to open a park to the public while maintaining its conservation values.

5.4 ALTERNATIVES CONSIDERED

The following discussion is provided to meet the requirement of the *CEQA Guidelines* and provide the public and decision makers with information that will help them understand the significant impacts associated with the alternatives to the proposed project.

The project resulted in impacts to aesthetics, biological resources, and transportation that could be mitigated with the implementation of mitigation measures. Additionally, the project resulted in significant and unavoidable impacts to noise and transportation. Significant unavoidable impacts to noise would be created by the increase in peak hour traffic on both weekdays and weekend days on Cannon Lane, which prior to the project is a lightly-traveled country road. The increase in noise during peak hour periods would exceed noise standards established by the County's General Plan Noise element resulting in a Significant and Unavoidable impact. Limiting access to the Park to reduce this impact would fail to meet the project objectives of creating a new park and recreation resource. Therefore, this impact cannot be mitigated or avoided.

Alternatives B and C were developed to reduce Significant and Unavoidable noise impacts. Alternative B would reduce attendance at special events by reducing the amount of peak hour traffic that enters and exits the Park. Alternative C would reduce the noise impact to less than Significant and Unavoidable by acquiring adjacent properties along Cannon Lane (APNs 068-020-017, 068-050-008, 068-050-009, 068-060-046, 068-060-066, 068-060-070, 068-060-071, 068-060-072, 068-060-075, and 068-060-067) for which their residences are considered sensitive noise receptors.

Significant unavoidable impacts to transportation would result from existing unacceptable delay at Lakeville Highway (SR 116)/Stage Gulch Road, which the project traffic would incrementally increase. There is no adopted plan or funding mechanism for improvements needed to reduce the delay at this intersection and this impact cannot be mitigated by this project or any other project in the County. Therefore, only a No Project/Interim Master Plan Alternative was evaluated:

The alternatives below are evaluated recognizing they are potentially feasible. As noted in Section 15126.6 of the CEQA Guidelines it is appropriate to include potentially feasible alternatives in an EIR. Moreover, feasibility is considered at two stages: during the preparation of the EIR, and at the time the appropriate decision-making body is making findings. Alternatives B and C are evaluated as “potentially feasible,” but whether they are actually feasible will need to be considered by the Board of Supervisors on policy and other grounds.

5.4.1 Alternatives Rejected as Being Infeasible

As described above, Section 15126.6(c) of the CEQA Guidelines requires an EIR to identify any alternatives that were considered by the lead agency but were rejected as infeasible during the scoping process, and briefly explain the reasons underlying the lead agency’s determination. An alternative suggested by a commenter but not carried forward for detailed analysis is to till the lakebed in violation of the controlling conservation easements. First, this would not reduce any significant impacts, and second, it is not legally feasible both because of the controlling easements, and because the historic lake management was not itself legal under existing law.

~~As stated above, limiting access to the Park to reduce significant unavoidable impacts would fail to meet the project objective of creating a new park and recreation resource for County and regional residents. Additionally, Tolay Lake is an area rich in cultural resources and history that is important on a state and national level. Therefore, alternatives to limit access through some kind of permit system was rejected as infeasible.~~

Regarding choosing an alternate location, the project is a Master Plan for a Regional Park with unique characteristics. The Park has an intermittent perennial lake/wetland complex, which is not present in any other land owned or managed by Regional Parks. The project area provides important natural resource open space, and scenic values not found at other locations managed by Regional Parks. The Park is the only park that includes a working ranch. Due to these special features, there is not another location managed by Regional Parks that could serve the same purpose as the project area. Therefore, alternative sites were not analyzed.

5.5 ALTERNATIVES ANALYSIS

Following is a description of the alternative, its anticipated environmental impacts, and a comparison of those impacts to the proposed project. The discussion includes a determination as to whether the alternative would reduce, eliminate, or create new significant impacts.

5.5.1 Alternative A: No Project/Interim Master Plan

Under Alternative A: No Project/Interim Master Plan, the project area would remain as it currently exists and would not be opened for general public use without permits. No grading or construction would take place on the project area. Alternative A: No Project/Interim Master Plan

5.5.2 Alternative B: Reduce Noise using Traffic Control

Based on Sonoma County's General Plan Noise Element, a 5 dBA or greater increase in permanent noise is considered a significant impact. Under Alternative B, Regional Parks would regulate the number of vehicles entering and exiting the Park during peak hour periods during weekdays, weekend days, and special events, which could reduce traffic related noise. This would likely involve maintaining a permitting system, and while this is potentially feasible, it is contrary to the project's objective.

5.5.2.1 Aesthetics

Under Alternative B, all aspects of the Master Plan would be implemented. The visual character of the Park would be the same as the project. Any changes in visual character would be related to the new development of visitor-serving buildings, parking areas, new trails, or interpretive signage. Impacts to visual resources under Alternative B would be less than significant impacts of the project to visual character and scenic vistas.

Under Alternative B there would be the installation of new nighttime lighting that could potentially create a new source of light and glare. However, the same mitigation measures associated with the project would be required under this alternative. Therefore, this impact would be the same as the impacts from light and glare under the project, which were mitigated to less than significant. Therefore, impacts on light and glare under Alternative B would be the same compared to the project. Overall, impacts to visual resources would be the same as the project.

5.5.2.2 Agricultural and Forestry Resources

Under Alternative B, grazing would continue on the project site. Additionally, the Williamson Act Contracts on the site expired. These conditions would be the same as under the project. Under Alternative B, there would still be a General Plan Amendment approved to change the project site land use designation from Land Extensive Agriculture and Land Intensive Agriculture to Public-Quasi Public/Park. Like the project, agricultural uses would not change. Therefore, impacts to agricultural and forestry resources would be the same under Alternative B as the project.

5.5.2.3 Air Quality/Greenhouse Gas Emissions

Under Alternative B, there would be construction of new buildings or trails, paving of Cannon Lane, construction of a wastewater treatment plant, and other improvements requiring grading. Under Alternative B, there would be construction and increased vehicle trips during Park operations; therefore, air quality or greenhouse gas (GHG) emissions would occur from construction equipment and vehicles, visitor vehicle trips, grading, paving, or operation of Park facilities. There would be no significant impacts to air quality and GHG from the project, and the same BAAQMD construction related mitigation measures for the project would still apply to Alternative B. Air quality and GHG emissions under Alternative B would be substantially the same compared to the project because there would be no increase in vehicle trips to and from the Park (and a small decrease, with no regional impact), and construction emissions and use of energy for Park operations would be the

same. Therefore, impacts to air quality and GHG emissions under Alternative B would be the same as those associated with the project.

5.5.2.4 Biological Resources

Under Alternative B, the Master Plan would be implemented as described for the project. There would be new construction, ground disturbing activities, such as grading, fill, and/or excavation. There would be removal of exotic vegetation and occasional tree removal would sometimes be required for maintenance or reduction of wildfire risk. The Resource Management Plan portion of the Master Plan includes standards and guidelines that would ensure impacts to biological resources from ground disturbing activities would remain less than significant. Therefore, this impact would be the same as the impact from tree removal under the project, which were mitigated to less than significant.

Under this alternative the substantial habitat restoration proposed by the project would still occur. Ongoing habitat restoration on the Tolay Creek Ranch property would continue. Therefore, under Alternative B, the significant benefits to biological resources from the project would remain the same as the project. Overall, Alternative B would have similar impacts to biological resources as the project.

5.5.2.5 Cultural Resources

Under Alternative B, there would be impacts from construction and ground disturbing activities in the project area. There would still be potential to adversely affect archeological or paleontological resources, destroy a unique geologic feature, or disturb any human remains. However, under Alternative B, the substantial cultural resource protection measures proposed in the Master Plan would still be implemented.

Under Alternative B, there would be changes to the Park Complex buildings that could affect their historic designation. Again, the mitigation measures from the project that pertain to impacts to historic resources, would be implemented. This impact would be the same as the impact to historic and cultural resources under the project, which were mitigated to less than significant. Therefore, under Alternative B, impacts to cultural resources would be same as for the project.

5.5.2.6 Geology/Soils

Under Alternative B, there would be new construction in the Park. There would be ground disturbing activities, such as grading, fill, and/or excavation. The project includes mitigation measures for impacts to geology and soils, which would still occur under Alternative B. The Master Plan includes beneficial policies in the Trails Chapter and the Operations and Maintenance Chapter related to erosion protection and these would still be implemented.

Under Alternative B new buildings would be constructed in the Park Complex. There would be potential for exposing people or structures to rupture of earthquake fault and seismic-related ground

failure/shaking. These impacts would be the same as those associated with the project, which were less than significant. Like the project, Alternative B would have no impacts on potentially exposing people or structures to landslides. Therefore, overall, impacts under Alternative B would be the same as the project since the Master Plan would still be implemented.

5.5.2.7 Hazards/Hazardous Materials

Under Alternative B, there would be new construction in the Park. Like the project, there would be use, transport, or release/disposal of potentially hazardous construction materials. For implementing the Master Plan the DEIR states the project would need to comply with CCR Title 8, Control of Hazardous Substances, and the Sonoma County Fire Code. Alternative B would also need to comply with these requirements during Master Plan implementation, resulting in less than significant impacts.

Comparable to the project, there would be no impacts on schools or hazardous sites or be located near a private or public airport. Under Alternative B, there would be new construction and increase in people both employees, and visitors on the site. Like the project, Alternative B would implement all aspects of the Master Plan, which in Chapter 5 includes designated evacuation routes, and water sources for wildfire suppression. Chapter 6 of the Master Plan includes multiple guidelines and standards to minimize wildfire risk. Therefore, these less than significant impacts to buildings or people from wildfire would be the same for Alternative B compared to the project. Overall Alternative B would have the same impacts regarding hazards and hazardous materials as the project.

5.5.2.8 Hydrology/Water Quality

Under Alternative B, there would be construction and grading activities that would expose areas susceptible to erosion resulting in sedimentation in Tolay Lake or Tolay Creek. Additionally, there would be increased paved surfaces that would contribute additional stormwater runoff contaminants typical of urban landscapes. Under Alternative B, Tolay Lake restoration would occur resulting in multiple public benefits. There would still be installation of a water well to extract groundwater under Alternative B. Like the project, impacts would be less than significant regarding stormwater runoff from an increase in paved surfaces, or reduction of water quality. These impacts would be the same under Alternative B.

Under Alternative B, grading and new construction would occur, but construction would not occur in the FEMA-designated 100-year flood zone and there would be no impacts relative to the FEMA flood zone. Comparable to the project, Alternative B is not located downstream of any levees or dams, and is therefore not subject to flooding due to dam failure. Tsunami inundation maps indicate that the Park is not located in an area subject to inundation by tsunamis. There are no significant impacts on hydrology/water quality resulting from the project. Moreover, under Alternative B, the various policies contained in the Master Plan that would protect water resources and water quality would still be implemented. Therefore, under Alternative B, the significant benefits to hydrology and water quality from the project would still occur and the impacts would be the same as with the project.

5.5.2.9 Land Use and Planning

Under Alternative B, the Master Plan would be adopted and implemented. Park access would be improved, and the Park would be developed per guidance included in the Master Plan. Visits to the Park would increase. Sonoma County General Plan Goal PF-2.1 would be met (to a lesser degree), which is to Assure that park and recreation, public education, fire suppression and emergency medical, and solid waste services, and public utility sites are available to the meet future needs of Sonoma County residents. General Plan Objective PF-2.1 would also be met (to a lesser degree), which is to Provide an adequate supply and equitable geographic distribution of regional and local parks and recreation services based on population projections. Therefore, like the project, Alternative B would meet regional demand for recreation (albeit to a lesser degree), which is a stated goal and objective of the Sonoma County General Plan (Goal and Objective PF-2.1).

Like the project, Alternative B would not physically divide an established community, nor would it conflict with any applicable habitat conservation plan or natural community conservation plan. Therefore, impacts on land use and planning under Alternative B would be the same as those associated with the project since Sonoma County General Plan goals related to recreation, would be met.

5.5.2.10 Mineral Resources

Under Alternative B, rock material (gravel) would continue to be extracted from the quarry for onsite use related to road maintenance and other repairs within the property. Under Alternative B, like the project, there would be no change in the availability of a mineral resource. This impact would be the same as under the project.

5.5.2.11 Noise

Under Alternative B, there would be noise or vibration generated by construction activities and there would be construction related noise or vibration impacts. Impacts from construction noise from the project would be less than significant, and this impact would be same for Alternative B. Like the project, Alternative B would not be located near a public or private airstrip.

Although the proposed project would not result in traffic noise that exceeds County standards, the resulting increase in traffic that could occur under the proposed project would nonetheless increase ambient noise levels by 5 dBA or more, resulting in a significant unavoidable impact. Under Alternative B, there would be traffic control to limit the number of vehicles entering and exiting the Park during peak use hours on weekdays, weekend days, and special events. The resulting reduced number of vehicle trips during peak use periods would reduce transportation related noise impacts to houses along Cannon Lane. Therefore, the permanent ambient noise level increase resulting from the project would still occur under Alternative B but would be somewhat lower than noise levels associated with the project. Overall, the permanent increase in noise levels under Alternative B would be less than significant.

5.5.2.12 Public Services and Recreation

Under Alternative B, impacts to public services would be the same as those associated with the project.

There would be new construction of recreational facilities, and there would not be adverse physical impacts on the environment associated with vehicle noise and traffic. However, traffic control during peak use periods would reduce park usage. Therefore, under Alternative B impacts on public services and recreation would be somewhat less than those associated with the project.

5.5.2.13 Transportation

Under Alternative B, vehicle trips would continue to contribute to the Lakeville Road (SR 116)/Stage Gulch Road intersection. This intersection is currently operating at a deficient LOS and this condition would continue under Alternative B. The project would contribute additional traffic to this intersection; therefore, impacts to this intersection would be the same under Alternative B. This alternative would not avoid the significant and unavoidable impact associated with reduction of LOS at Lakeville Road (SR 116)/Stage Gulch Road. Additionally, the need to regulate traffic entering and exiting the Park during peak use periods could cause excessive queuing at the intersection of Cannon Lane and Lakeville Road resulting in greater traffic impacts.

Under Alternative B, improvements would be required at the intersection of Lakeville Road/Cannon Lane or along Cannon Lane. Additionally, Alternative B would require the construction of a southern entrance to the Park. Therefore, there would be a need for mitigation at Lakeville Road/Cannon Lane or along Cannon Lane and there would be an impact at the South Park Entrance on SR 121 that would require the installation of a left turn lane. These impacts would be the same as those associated with the project. Like the project, Alternative B would not cause changes in air traffic patterns, result in inadequate emergency access, or conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities. Overall, impacts to transportation would be the same or slightly higher (due to possible queuing at the intersection of Cannon Lane and Lakeville Road) as those associated with the project.

5.5.2.14 Utilities

Under Alternative B there would be new construction of park facilities, including overnight facilities, and consequently there would be increased water demand, generation of solid waste, and generation of wastewater from increased Park visitation. Alternative B would require a new source of potable water or require construction of a new wastewater treatment facilities to serve the project area. These conditions would be the same as under the project. There are no significant impacts to utilities resulting from the project, overall, impacts on utilities under Alternative B would be the same as those associated with the project.

5.5.3 Alternative C: Reduce Noise by Acquiring Noise Sensitive Receptor Properties

Under Alternative C, Regional Parks would acquire those properties considered sensitive noise receptors for traffic related noise along Cannon Lane. These properties would include APNs , 068-020-017, 068-050-008, 068-0505-009, 068-060-046, 068-060-066, 068-060-070, 068-060-071, 068-060-072, 068-060-075, and 068-060-067) for which the residences are considered sensitive noise receptors. This alternative would call for the expansion of the park beyond the currently proposed park boundary.

5.5.3.1 Aesthetics

Under Alternative C, all aspects of the Master Plan would be implemented. The visual character of the Park would be the same as the project. Any changes in visual character would be related to the new development of visitor-serving buildings, parking areas, new trails, or interpretive signage. Impacts to visual resources under Alternative C would be less than significant impacts of the project to visual character and scenic vistas.

Under Alternative C, there would be installation of new nighttime lighting that could potentially create a new source of light and glare. However, the same mitigation measures associated with the project would be required under this alternative. Therefore, this impact would be the same as the impacts from light and glare under the project, which were mitigated to less than significant. Therefore, impacts on light and glare under Alternative C would be the same compared to the project. Overall, impacts to visual resources would be substantially the same as the project.

5.5.3.2 Agricultural and Forestry Resources

Under Alternative C, grazing would continue. Additionally, the Williamson Act Contracts on the site expired. These conditions would be the same as under the project. Under Alternative C there would still be a General Plan Amendment approved to change the project site land use designation from Land Extensive Agriculture and Land Intensive Agriculture to Public-Quasi Public/Park. Like the project, agricultural uses would not change. Therefore, impacts to agricultural and forestry resources would be the same under Alternative C as the project.

5.5.3.3 Air Quality/Greenhouse Gas Emissions

Under Alternative C, there would be construction of new buildings or trails, paving of Cannon Lane, construction of a wastewater treatment plant, and other improvements requiring grading. Under Alternative C, there would be construction and increased vehicle trips during Park operations; therefore, air quality or greenhouse gas (GHG) emissions would occur from construction equipment and vehicles, visitor vehicle trips, grading, paving, or operation of Park facilities. There would be no

significant impacts to air quality and GHG from the project, and the same BAAQMD construction related mitigation measures for the project would still apply to Alternative C. Air quality and GHG emissions under Alternative C would be the same compared to the project because there would be no increase or decrease in vehicle trips to and from the Park, and construction emissions and use of energy for Park operations would be the same. Therefore, impacts to air quality and GHG emissions under Alternative C would be the same as those associated with the project.

5.5.3.4 Biological Resources

Under Alternative C, the Master Plan would be implemented as described for the project. There would be new construction, ground disturbing activities, such as grading, fill, and/or excavation.

There would be removal of exotic vegetation and occasional tree removal would sometimes be required for maintenance or reduction of wildfire risk. The Resource Management Plan portion of the Master Plan includes standards and guidelines that would ensure impacts to biological resources from ground disturbing activities would remain less than significant. Therefore, this impact would be the same as the impact from tree removal under the project, which were mitigated to less than significant.

Under this alternative the substantial habitat restoration proposed by the project would still occur. Ongoing habitat restoration on the Tolay Creek Ranch property would continue. Therefore, under Alternative C, the significant benefits to biological resources from the project would remain the same as the project. Overall, Alternative C would have similar impacts to biological resources as the project.

5.5.3.5 Cultural Resources

Under Alternative C, there would be impacts from construction and ground disturbing activities in the project area. There would still be potential to adversely affect archeological or paleontological resources, destroy a unique geologic feature, or disturb any human remains. However, under Alternative C, the substantial cultural resource protection measures proposed in the Master Plan would still be implemented.

Under Alternative C, there would be changes to the Park Complex buildings that could affect their historic designation. Again, the mitigation measures from the project that pertain to impacts to historic resources, would be implemented. This impact would be the same as the impact to historic and cultural resources under the project, which were mitigated to less than significant. Therefore, under Alternative C, impacts to cultural resources would be same as for the project.

5.5.3.6 Geology/Soils

Under Alternative C, there would be new construction in the Park. There would be ground disturbing activities, such as grading, fill, and/or excavation. The project includes mitigation measures for

impacts to geology and soils, which would still occur under Alternative C. The Master Plan includes beneficial policies in the Trails Chapter and the Operations and Maintenance Chapter related to erosion protection and these would still be implemented.

Under Alternative C new buildings would be constructed in the Park Complex. There would be potential for exposing people or structures to rupture of earthquake fault and seismic-related ground failure/shaking. These impacts would be the same as those associated with the project, which were less than significant. Like the project, Alternative C would have no impacts on potentially exposing people or structures to landslides. Therefore, overall, impacts under Alternative C would be the same as the project since the Master Plan would still be implemented.

5.5.3.7 Hazards/Hazardous Materials

Under Alternative C, there would be new construction in the Park. Like the project, there would be use, transport, or release/disposal of potentially hazardous construction materials. For implementing the Master Plan the DEIR states the project would need to comply with CCR Title 8, Control of Hazardous Substances, and the Sonoma County Fire Code. Alternative C would also need to comply with these requirements during Master Plan implementation, resulting in less than significant impacts.

Comparable to the project, there would be no impacts on schools or hazardous sites or be located near a private or public airport. Under Alternative C, there would be new construction and increase in people both employees, and visitors on the site. Like the project, Alternative C would implement all aspects of the Master Plan, which in Chapter 5 includes designated evacuation routes, and water sources for wildfire suppression. Chapter 6 of the Master Plan includes multiple guidelines and standards to minimize wildfire risk. Therefore, these less than significant impacts to buildings or people from wildfire would be the same for Alternative C compared to the project. Overall Alternative C would have the same impacts regarding hazards and hazardous materials as the project.

5.5.3.8 Hydrology/Water Quality

Under Alternative C, there would be construction and grading activities that would expose areas susceptible to erosion resulting in sedimentation in Tolay Lake or Tolay Creek. Additionally, there would be increased paved surfaces that would contribute additional stormwater runoff contaminants typical of urban landscapes. Under Alternative C, Tolay Lake restoration would occur resulting in multiple public benefits. There would still be installation of a water well to extract groundwater under Alternative C. Like the project, impacts from these activities would be less than significant. Like the project impacts would be less than significant regarding stormwater runoff from an increase in paved surfaces, or reduction of water quality. These impacts would be the same under Alternative C.

Under Alternative C, grading would occur, and new construction would occur, but construction would not occur in the FEMA-designated 100-year flood zone and there would be no impacts relative to the FEMA flood zone. Comparable to the project, Alternative C is not located downstream of any levees or dams, and is therefore not subject to flooding due to dam failure. Tsunami inundation maps indicate that the Park is not located in an area subject to inundation by tsunami. There are no significant impacts on hydrology/water quality resulting from the project. Moreover, under Alternative C, the various policies contained in the Master Plan that would protect water resources and water quality would still be implemented. Therefore, under Alternative C, the significant benefits to hydrology and water quality from the project would still occur and the impacts would be the same as with the project.

5.5.3.9 Land Use and Planning

Under Alternative C, the Master Plan would be adopted and implemented. Park access would be improved, and the Park would be developed per guidance included in the Master Plan. Visits to the Park would increase. Sonoma County General Plan Goal PF-2.1 would be met, which is to *Assure that park and recreation, public education, fire suppression and emergency medical, and solid waste services, and public utility sites are available to the meet future needs of Sonoma County residents.* General Plan Objective PF-2.1 would also be met, which is to *Provide an adequate supply and equitable geographic distribution of regional and local parks and recreation services based on population projections.* Therefore, like the project, Alternative C would meet regional demand for recreation, which is a stated goal and objective of the Sonoma County General Plan (Goal and Objective PF-2.1).

Like the project, Alternative C would not physically divide an established community, nor would it conflict with any applicable habitat conservation plan or natural community conservation plan. Therefore, impacts on land use and planning under Alternative C would be the same as those associated with the project since Sonoma County General Plan goals related to recreation, would be met.

5.5.3.10 Mineral Resources

Under Alternative C, rock material (gravel) would continue to be extracted from the quarry for onsite use related to road maintenance and other repairs within the property. Under Alternative C, like the project, there would be no change in the availability of a mineral resource. This impact would be the same as under the project.

5.5.3.11 Noise

Under Alternative C, there would be noise or vibration generated by construction activities and there would be construction related noise or vibration impacts. Impacts from construction noise from the project would be less than significant, and this impact would be same for Alternative C. Like the project, Alternative C would not be located near a public or private airstrip.

Although the proposed project would not result in traffic noise that exceeds County standards, the resulting increase in traffic that could occur under the proposed project would nonetheless increase ambient noise levels by 5 dBA or more, resulting in a significant unavoidable impact. Under Alternative C, there would no longer be sensitive receptors experiencing a permanent noise source of 5 dBA or greater from increased vehicle trips on Cannon Lane during peak use periods. Therefore, the permanent ambient noise level increase resulting from the project would still occur under Alternative C but there would no longer be nearby sensitive receptor residences that would receive noise levels greater than 5 dBA. This would reduce the Significant and Unavoidable impact to off-site receptors to less than significant. Therefore, the permanent increase in noise levels under Alternative C would be less than significant compared to the project's impact of Significant and Unavoidable. The park itself is also considered a sensitive receptor but it is also too far from the road to be significantly impacted by noise.

5.5.3.12 Public Services and Recreation

Impacts to public services under Alternative C would be the same as those associated with the project.

Under Alternative C, there would be new construction of recreational facilities, and there would be adverse physical impacts on the environment associated with vehicle noise and traffic. However, the purchase of properties that are considered sensitive noise receptors would result in a less than significant impact. Therefore, under Alternative C impacts of recreation on the environment would be less than those associated with the project.

5.5.3.13 Transportation

Under Alternative C, vehicle trips would continue to contribute to the Lakeville Road (SR 116)/Stage Gulch Road intersection. This intersection is currently operating at a deficient LOS and this condition would continue under Alternative C. Regional Parks does not believe that the small expansion would lead to increased trips to the Park. The project would contribute additional traffic to this intersection; therefore, impacts to this intersection would be the same under Alternative B. This alternative would not avoid the significant and unavoidable impact associated with reduction of LOS at Lakeville Road (SR 116)/Stage Gulch Road. However, noise associated with increased traffic along Cannon Lane would not result in significant impacts, since the properties that represent sensitive noise receptors would be acquired by Regional Parks.

Under Alternative C, improvements would be required at the intersection of Lakeville Road/Cannon Lane or along Cannon Lane. Additionally, Alternative C would still require the construction of a southern entrance to the Park. Therefore, there would be a need for mitigation at Lakeville Road/Cannon Lane or along Cannon Lane and there would be an impact at the South Park Entrance on SR 121 that would require the installation of a left turn lane. These impacts would be the same as those associated with the project. Like the project, Alternative C would not cause changes in air

traffic patterns, result in inadequate emergency access, or conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities. Overall, impacts to transportation would be the same as those associated with the project.

5.5.3.14 Utilities

Under Alternative C there would be new construction of any park facilities, including overnight facilities, and consequently there would be increased water demand, generation of solid waste, and generation of wastewater from increased Park visitation. Alternative C would require a new source of potable water or require construction of a new wastewater treatment facilities to serve the project area.

Therefore, although there are no significant impacts to utilities resulting from the project, overall, impacts on utilities under Alternative C would be the same as those associated with the project.

5.5.3.15 Relationship of the Alternatives to the Project Objectives

Alternative A would only meet three of the eight project objectives; those objectives pertaining to preservation. Alternative A would not create an outdoor destination in the region for all ages and cultures, would not restore and preserve a thriving, ecologically rich landscape, and would not expand the innovative and interactive education and experiences currently held at the Park. In addition, Alternative A would not address General Plan Goal and Objective PF-2.1, pertaining ~~that~~ pertain to meeting regional demands for outdoor recreation. Overall, Alternative A is compatible with many objectives but incompatible with the underlying purpose of the project.

Alternative B would implement all elements of the Master Plan, and would include traffic controls along Cannon Lane during peak use time periods. This alternative, however, would not fully open the park and although it would facilitate some park and conservation purposes, it would not fully meet the underlying purpose of the project.

Alternative C would implement all elements of the Master Plan, and would involve acquiring properties on which sensitive noise receptors (residences) are located, thereby eliminating those sensitive receptors. Similarly, acquiring properties under Alternative C would not interfere with meeting project objectives; all eight objectives would be met.

IV. MITIGATION MONITORING PROGRAM

Section 21081.6 of the Public Resources Code requires a Lead Agency 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” (Mitigation Monitoring Program [MMP], §15097 of the *CEQA Guidelines* provides additional direction on mitigation monitoring or reporting). Sonoma County Regional Parks is the Lead Agency and the project sponsor for the Tolay Lake Regional Park Master Plan project and is therefore responsible for enforcing and monitoring most of the mitigation measures in this mitigation monitoring program.

The Draft EIR was prepared to address the potential environmental impacts of the proposed project. Where appropriate, this document identified project design features or recommended mitigation measures to avoid or to mitigate identified potential impacts to a level where no significant impact on the environment would occur. This MMP is designed to monitor implementation of the mitigation measures identified for the project in the DEIR.

The MMP for the Tolay Lake Regional Park Master Plan project will be in place throughout all phases of the project. The project sponsor (Sonoma County Regional Parks) shall be responsible for implementing all mitigation measures unless otherwise noted. The County’s existing planning, engineering, review and inspection processes will be used as the basic foundation for the MMP procedures and will also serve to provide the documentation for the reporting program.

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Environmental Impacts	Mitigation Measures	Time Frame/Monitoring Milestone	Responsible Monitoring Party
AESTHETICS			
<p>Impact AES-4: Project construction and implementation would not create a new source of substantial light or glare which would adversely affect day or nighttime views in the area.</p>	<p>MM AES-4: Construction or reconstruction of buildings may require the installation of new lighting. As part of the project design process, Sonoma County Parks shall specify and install night-lighting consistent with Dark Sky Association BMPs. This type of lighting shall meet the following standards:</p> <ul style="list-style-type: none"> a. Use fixtures recommended by the International Dark Sky Association b. Provide adequate light for the intended task – do not “over-light” an area c. Use fully-shielded lighting fixtures that control the light output in order to keep the light in the intended area and reduce spillover 	<p>Through all phases of project design, construction, or reconstruction activities.</p>	<p>Construction Contractor/Sonoma County Regional Parks</p>
BIOLOGICAL RESOURCES			
<p>Impact BIO-6: The project would not conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance.</p>	<p>MM BIO-6a: Prior to project implementation, a qualified arborist would inventory trees in areas proposed for development and determine whether they are protected.</p> <p>MM BIO-6b: Valley oak trees removed would be replaced at the ratios detailed in Table 4.3-3</p>	<p>Tree removal, site clearing activities.</p>	<p>Construction Contractor/Sonoma County Regional Parks</p>
CULTURAL RESOURCES			
<p>Impact CULT-4: The project would cause a substantial adverse change in the significance of an historical resource as defined in §15064.5 [§15064.5 generally defines historical resource under CEQA.</p>	<p>MM CULT-4: Document by way of historic narrative, photographs and architectural drawings any built environment historic resources that are slated for removal, demolition or would be the focus of modifications and management approaches that significantly alter the resource.</p>	<p>Through all phases of demolition or ground-disturbing activities.</p>	<p>Demolition Contractor/Sonoma County Regional Parks</p>

Environmental Impacts	Mitigation Measures	Time Frame/Monitoring Milestone	Responsible Monitoring Party
<p>Impact CULT-5: The project would directly or indirectly destroy a unique paleontological resource or site or unique geologic feature.</p>	<p>MM CULT 5: Cease Ground-Disturbing Activities and Implement Treatment Plan if Paleontological Resources Are Encountered. In the event that paleontological resources and or unique geological features are unearthed during ground-disturbing activities, ground-disturbing activities shall be halted or diverted away from the vicinity of the find so that the find can be evaluated. A buffer area of at least 60 feet shall be established around the find where construction activities shall not be allowed to continue until appropriate paleontological treatment plan has been approved by the County. Work shall be allowed to continue outside of the buffer area. The County shall coordinate with a professional paleontologist, who meets the qualifications set forth by the Society of Vertebrate Paleontology, to develop an appropriate treatment plan for the resources. Treatment may include implementation of paleontological salvage excavations to remove the resource along with subsequent laboratory processing and analysis or preservation in place. At the paleontologist’s discretion and to reduce construction delay, the grading and excavation contractor shall assist in removing rock samples for initial processing.</p>	<p>Through all phases of demolition or ground-disturbing activities.</p>	<p>Demolition Contractor/Sonoma County Regional Parks</p>
<p>Impact CULT-6: The project would disturb any human remains, including those interred outside of formal cemeteries.</p>	<p>MM CULT-6: Unknown Human Remains. In the event of accidental discovery of cultural resources, such as structural features or unusual amounts of bone or shell, artifacts, human remains, architectural remains (such as bricks or other foundation elements), or historic archaeological artifacts (such as antique glass bottles, ceramics, horseshoes, etc.), work shall be suspended and Sonoma County Regional Parks staff would be contacted (do not touch or remove the cultural material or human remains). A qualified cultural resource specialist and</p>	<p>Through all phases of demolition or ground-disturbing activities.</p>	<p>Demolition Contractor/Sonoma County Regional Parks</p>

Environmental Impacts	Mitigation Measures	Time Frame/Monitoring Milestone	Responsible Monitoring Party
	tribal representative, as appropriate, would be retained and would perform any necessary investigations to determine the significance of the find. The Parks would then implement the measures deemed necessary for the recordation and/or protection of the cultural resources. In addition, pursuant to Sections 5097.97 and 5097.98 of the California PCR and Section 7050.5 of the CHSC in the event of the discovery of human remains, all work shall be halted and the Sonoma County Coroner shall be immediately notified. If the remains are determined to be Native American, guidelines of the Native American Heritage Commission would be adhered to in the treatment and disposition of the remains.		
NOISE			
Impact NOI-5: The proposed Master Plan would result in a substantial and permanent increase in ambient noise levels from increased traffic levels on Cannon Lane.	There are no feasible mitigation measures available to reduce this significant increase in traffic noise this impact would be considered <i>significant and unavoidable</i> .	Not Applicable	Not Applicable
PUBLIC SERVICES AND RECREATION			
Impact PUB/REC-3: The project includes recreational facilities that would require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment	Impacts to traffic and noise would remain significant, with no mitigation measures available to reduce their impacts. Therefore, impacts from the project for these environmental topics would be <i>significant and unavoidable</i> .	Not Applicable	Not Applicable
TRANSPORTATION			
Impact TRAF-1: Lakeville Highway (SR 116)/Stage Gulch Road: Phase A of the project would expect to increase average side street delay by more than five seconds, which would be considered significant and cumulatively considerable. However, the intersection currently warrants the	Impact TRAF-1: Lakeville Highway (SR 116)/Stage Gulch Road: Phase A of the project would expect to increase average side street delay by more than five seconds, which would be considered significant and cumulatively considerable. However, the intersection currently warrants the installation of a traffic signal or roundabout based on traffic signal warrants and existing	Through all phases of construction activities, including mobilization.	Sonoma County Department of Public Works, coordination with Caltrans

Environmental Impacts	Mitigation Measures	Time Frame/Monitoring Milestone	Responsible Monitoring Party
installation of a traffic signal or roundabout based on traffic signal warrants and existing traffic volumes.	traffic volumes.		
Impact TRAF-2: Lakeville Highway/Cannon Lane: Phase A of the project would be expected to increase average side street delay by more than five seconds resulting in a LOS E condition which would be considered significant and cumulatively considerable.	Mitigation Measure TRAF-2: The project should provide widening of Cannon Lane near throat of the intersection with Lakeville Highway. Specifically, at least 24 feet of width should be provided on Cannon Lane for 100 feet of length. Since the first 50 feet of Cannon Lane, east of Lakeville Highway, is already 24 feet wide or more, the mitigation would result in widening for approximately the remaining 50 feet. This widening would allow right-turning vehicles to travel around vehicles queued for westbound left-turn movements. Since the westbound left-turn traffic is less than 30 vehicles per hour, Level of Service criteria would not apply to this movement.	Through all phases of construction activities, including mobilization.	Sonoma County Department of Public Works and Regional Parks
Impact TRAF-3: Lakeville Highway/Cannon Lane: Project traffic volumes would be expected to increase queues in the southbound left-turn lane during the Fall Festival weekend conditions. The queues would be expected to extend well beyond the capacity of the existing left-turn lane on Lakeville Highway which would be considered significant.	Mitigation Measure TRAF-3: The project should provide manual traffic control officers at the intersection between the hours of 11:00 a.m. and 3:00 p.m. on Saturdays and Sundays during the Fall Festival.	Through all phases of construction activities, including mobilization.	Sonoma County Regional Parks, Sheriff Department
Impact TRAF-6: Cannon Lane: The County intends to provide improvements to Cannon Lane based on recommendations from the Cannon Lane Roadway Concept, April 17, 2015, Fehr & Peers. However, these improvements will not be completed prior to the opening of the project. Therefore, based on potential safety issues,	Mitigation Measure TRAF-6: As an added safety measures for both vehicles and bicycles, the County should provide additional road safety signage such as Reduced Speed Ahead, Share the Road (bicycles), 15 mph advisory, and Narrow Road advisory signs.	Through all phases of construction activities, including mobilization.	Sonoma County Department of Public Works

Environmental Impacts	Mitigation Measures	Time Frame/Monitoring Milestone	Responsible Monitoring Party
this would be considered a significant impact.			
Impact TRAF-7: Lakeville Highway (SR 116)/Stage Gulch Road: Phase B of the project would expect to increase average side street delay by more than five seconds and would be expected to result in a drop in operation from acceptable LOS D to unacceptable LOS E during the weekend midday peak hour, which would be considered significant and cumulatively considerable. However, the intersection currently warrants the installation of a traffic signal or roundabout based on traffic signal warrants and existing traffic volumes.	Since there is no adopted plan or funding mechanism for these improvements, the impact of the project would be considered <i>significant and unavoidable</i> .	Not Applicable	Not Applicable
Impact TRAF-8 - Lakeville Highway/Cannon Lane: Phase B of the project would be expected to increase average side street delay by more than five seconds resulting in an LOS E condition which would be considered significant and cumulatively considerable.	See Mitigation Measure TRAF-2.	Through all phases of construction activities, including mobilization.	Sonoma County Department of Public Works
Impact TRAF-9 - Lakeville Highway/Cannon Lane: Project traffic volumes would be expected to increase queues in the southbound left-turn lane during the Fall Festival weekend conditions. The queues would be expected to extend well beyond the capacity of the existing left-turn lane on Lakeville Highway which would be considered significant.	See Mitigation Measure TRAF-3.	Through all phases of construction activities, including mobilization.	Sonoma County Department of Public Works
Impact TRAF-12: Arnold Drive (SR 121)/Ram’s Gate-South Park Entrance:	Mitigation Measure TRAF-12: When the project opens its access to SR121, a northbound left-turn lane with a	Through all phases of construction	Sonoma County

Environmental Impacts	Mitigation Measures	Time Frame/Monitoring Milestone	Responsible Monitoring Party
<p>Phase B of the project would result in LOS F operation on the eastbound (Park exit) approach of the intersection, however, since the approach volume totals less than 30 vehicles, it is less-than-significant by Sonoma County standards. The project would warrant the addition of a northbound left-turn lane on SR 121.</p>	<p>storage of at least 100 feet and appropriate transition meeting Caltrans standards should be installed and operational. The left-turn lane would require widening of SR121 and would also require a Caltrans encroachment permit.</p>	<p>activities, including mobilization.</p>	
<p><i>Source: Tolay Lake Regional Park Master Plan DEIR, 2017.</i></p>			