

regulators ordered Santa Rosa treatment plant to turn out by December 1. But the city's new \$6.5-million filters will not go on line until sometime next week, and they may need some tinkering before they work

Sebastopol council: No on no net fill

88-124

BY BRUCE ROBINSON

Ten months after the idea was introduced by Sebastopol's Laguna Advisory Committee, the city council on Tuesday evening, voting 3-1, finally took action on the controversial "no net fill" policy recommendation for low-lying lands within Sebastopol's city limits to reject the proposed policy.

A "no net-fill" policy would have prohibited new fill for construction being trucked in from outside the wetland's area. Instead, fill would have to be obtained from a "borrow site" within the Laguna de Santa Rosa. The policy's intent was to prevent destruction of natural wetlands which could cause flooding downstream from the Laguna.

"I like the intent," said councilman Bill Roventini, but he said that any filling that occurs within Sebastopol would have an "insignificant effect" on the Laguna's overall flood storage capacity. Mayor Anne Magnie cited the lack of a designated "borrow site" for the fill as the fatal flaw in the proposed policy.

Councilman Nick Stewart cast the dissenting vote, saying he was still concerned that "cumulative impacts are significant." Tom Miller abstained, due to a potential conflict of interest. He works for a business located below the 76 foot flood level.

The vote on Magnie's motion capped an hour-long discussion of a five-page proposed City Council Policy on the Laguna derived from the recommendations of the city's Laguna Advisory Committee. Only one issue remains unresolved before the council will be ready to adopt the Laguna policy — the proposed prohibition on any new construction on lands in the flood plain that are still in a natural state.

That question is being linked to a review of the city's wetlands ordinance, which includes a zoning overlay that is applied to lands adjacent to and including the Laguna channel. That ordinance was characterized as needing "refinement and strengthening" in the Laguna Advisory Committee's report, but the panel did not elaborate. "What's deficient?" Mayor Magnie asked, "What needs strengthening?"

Richard Nichols, the member of the advisory committee who pressed for the inclusion of the critical comment, responded

through actual use. Initially, therefore, not all wastewater will be filtered, he said.

Carlson said that he expects the system to be able to produce 100 percent filtered water by February — barring any large storms which would overload their present 20 million gallons per day capacity. When all eight chambers are operational that capacity would double to 40 mgd.

By April, the system is expected to be fully computer-automated, said Carlson.

The North Coast Water Quality Control Board, reacting to the outcry to the city's illegal river discharges in 1985, originally ordered Santa Rosa to install filters by November 1986. The city's lobbying for "equivalent" wastewater treatment instead of the filters resulted in improved treatment and a two-year extension of the deadline.

Construction of the filters began last February.

During the two-year delay, adverse weather conditions for land disposal forced the city to make another illegal emergency discharge in early 1986. The following winter the city successfully petitioned the board to allow them to temporarily increase discharges from 1 to 5 percent as a trade-off for improved treatment.

Last Wednesday, according to water board engineer Luis Rivera, Santa Rosa once more began its legal winter discharges into the River. Once the River initially reaches a flow of 1000 cubic feet per second, the city is permitted to release up to one percent of the river's flow. Flows up to five percent are allowed with the permission of the water board's executive officer, Ben Kor.

The wastewater, although not filtered, still meets the state's tough new discharge standards. But according to water board officials, without the filters those standards cannot be met consistently.

Because the city is presently meeting the new standards and the filter project is progressing well, water board executive officer Ben Kor is not troubled by the city's tardiness.

"It looks to me that they're going to achieve what the (water) board has in mind," said Kor.

Kor said that only if the city was not able to meet the standards over a period of a day or more would he consider charging the city with violating their permit.

Attorney Joe Baxter, an Occidental resident who was a major advocate of the filters, offered a different interpretation of the state's requirements. He said that the city could use other methods besides filtration to meet the state standards, but that it was required to implement "the best possible technology" for treating the effluent. He suggested that unless the filters were an improvement over present methods, the city wasn't meeting its obligations.

River activist Tom Lynch had no problem with the delay of 100 percent filtration. Lynch said he had faith that the filters could deliver the clean water needed for