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Council backs off from 'no net fill' policy

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The no net fill policy proposed for development in low-lying areas of Sebastopol by the city's Laguna Advisory Committee appears to be a case of good theory but weak application, the Sebastopol City Council learned Tuesday.

Under such a policy, builders on parcels lying below the 100-year flood elevation would be required to match any fill they use to raise their buildings above the flood level with an equal volume

excavated from some other location within the flood plain. The intent is to prevent the infilling from raising the water level of any future floods due to cumulative displacement.

Having earlier appointed a Technical Advisory Committee to investigate the impacts and effectiveness of the proposed policy, the council learned that their panel found that the calculations of both the Army Corps of Engineers and the Sonoma County Water Agency showed that even if the entire portion of Sebastopol

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that lies below the 76-foot flood level were filled up to that height—something that would never happen—the increase in potential flooding downstream on the Russian River would be 1/100th of a foot or less.

"Despite the fact it can't be measured, they still believe there is still some cumulative effect," reported city planning consultant Bruce Aspinall. Summarizing the conclusions of the advisory group, Aspinall said, "There may be other ways of achieving no net fill," such as regional mitigation projects like clearing silt or gravel deposits from the Laguna or Russian River channel.

Bob Harder of the North Coast Builders Exchange, a member of the technical panel, reiterated their admonition to the council to press for coordinated action throughout the Santa Rosa plain. "It's a regional problem," Harder said.

"You're part of it, but a very small part." City engineer Paul Schoch noted that the 50 acres of the 8000-acre flood plain lie within Sebastopol's city limits.

Bill Haigwood, a member of both the council-appointed Laguna committees, said the Laguna Advisory Committee, which originated the no net fill recommendation, still supported it, even without quantifiable impacts. And Aspinall noted that the county water agency was also sending mixed messages. Despite their calculations showing negligible impacts from infilling in Sebastopol, Aspinall said the agency staff was now leaning toward support for a no net fill policy on new construction within the flood plain.

That left Mayor Anne Magnie and her colleagues facing a policy dilemma. As Nick Stewart noted, "We're in a highly visible position," but he couldn't disagree

with Magnie's conclusion that, "No net fill doesn't serve any purpose at this point."

Added Richard Johnson, "I can't adopt a no net fill policy if it means I'm forestalling development in that part of town." As a general concept, no net fill "makes sense," Johnson said, but it has also raised fears of "a moratorium in that part of town." The industrial and commercial area of Morris Street and the cannery complex are among the lands that lie below the 76-foot level.

The council took no action, but continued consideration of the policy to their next meeting, a special session August 30 that will be devoted to study and action on a number of Laguna-related issues.

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