

This copy is for your personal, noncommercial use only. You can order presentation-ready copies for distribution to your colleagues, clients or customers [here](#) or use the "Reprints" tool that appears above any article. [Order a reprint of this article now.](#)

Lawsuit filed against Roblar quarry

By [BRETT WILKISON](#)
THE PRESS DEMOCRAT

Published: Friday, January 14, 2011 at 12:33 p.m.

A citizens group opposed to the Roblar Road rock quarry west of Cotati has sued the County of Sonoma and quarry owner John Barella challenging the project's approval last month.

The group claims that operations at the planned 70-acre quarry would harm water and air quality in the area and impact traffic, wildlife and nearby county-protected open space.

Those issues, and the safeguards needed to address them, were not sufficiently studied and spelled out in the county's environmental review of the quarry, the group claims.

"We continue to be concerned that there are environmental risks from this project, and we do not feel the environmental impact report has adequately addressed them," said Sue Buxton, president of the group, Citizens Advocating for Roblar Rural Quality.

The lawsuit was filed Thursday in Sonoma County Superior Court. In addition to a new environmental report, it asks that the project's approval be set aside and any pending or current work halted.

Steve Butler, an attorney and spokesman for John Barella, could not be reached for comment.

The Board of Supervisors gave final approval to the quarry Dec. 14 in a 3-2 vote.

The project is expected to produce about 11 million cubic yards of construction-grade rock worth about \$60 million over at least 20 years.

Opponents say blasting and digging at the quarry could pollute underground water sources and the air by releasing contaminants at the adjacent, former county landfill, which is unlined and uncapped.

They've called for an in-depth study of the dump's contents, a step the county officials have said was either unnecessary or ill-advised. In a lengthy October hearing on the project, then-Chief Deputy County Counsel Sheryl Bratton, the board's adviser on the matter, told supervisors that the county had not allowed Barella to undertake a "full characterization" of the contents of the former landfill because "you never know what you're going to get with that."

Opponents in the audience at the time reacted with cries of disbelief.

"We'd like to see the dump actually tested so we know what's in there," said Buxton. "Once our water is damaged there's no way to repair that."

Quarry supporters have maintained that the project's environmental safeguards



PD File/2010

Anti-quarry signs line the length of Roblar Road west of Cotati near the Sonoma County landfill.

would prevent any damage to surface and groundwater sources or air quality. Nearly 50 pages of mitigation measures were required to minimize impacts on the environment and roads, they said.

Because of the risks to water sources, Barella, the former owner of North Bay Construction, was required to indemnify the county and several cities that once used the landfill from any legal claims that could stem from a pollution leak caused by the quarry. The indemnification deal would provide a \$7.5 million insurance policy to cover legal claims and cleanup costs.

Quarry critics have suggested the insurance figure could fall short in the event of any pollution problem. At least one of the cities opposed to the quarry, Cotati, was still considering this week whether to join the lawsuit. In addition to pollution concerns, Cotati officials have expressed concern over the increased truck traffic stemming from the project.

Opponents, including the citizens group, also have suggested that another lawsuit could be filed as soon as next week challenging a controversial habitat plan connected to the quarry.

That plan would allow Barella to use neighboring county-protected open space to partly replace rare amphibian habitat that will be damaged by the quarry.

The deal, also approved on a 3-2 vote, could save Barella up to \$15 million — numbers he disputes — because he would not have to purchase new land or buy more costly habitat credits.

Supporters said the deal made the most biological sense by using a neighboring property to replace habitat lost to the quarry. But opponents said it tampers with land conservation agreements meant to be permanent and risks undermining public support for the county's 20-year-old, taxpayer-supported Agricultural Preservation and Open Space District.

Copyright © 2011 PressDemocrat.com — All rights reserved. Restricted use only.