CARRQ

Citizens Advocating for Roblar Rural Quality
Citizens Against Roblar Road Quarry
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June 1, 2010

By Hand-Delivery

Robert Williams, Chair
Commissioner Don Bennet
Commissioner Paula Cook
Commissioner Dennis Murphy
Commissioner Tom Lynch
Sonoma County Planning Commission
2550 Ventura Avenue
Santa Rosa, CA 94503

Re: Roblar Road Quarry (SCH No. 2004092099) – Recirculation of Draft Environmental Impact Report

Dear Chair Williams and Commissioners:

Citizens Advocating Roblar Road Quality ("CARRQ") hereby requests that the Planning Commission direct County of Sonoma ("County") staff to ensure that the recirculated Environmental Impact Report ("EIR")for the proposed Roblar Road Quarry (or the "Quarry") address certain issues.

On May 17, 2010, counsel for Sonoma County informed CARRQ at a hearing before Judge Daum[1] that the Sonoma County intends to recirculate the EIR regarding the proposed Roblar Road Quarry. The proposed scope of the recirculated EIR is not clear to CARRQ. In order to support the County's efforts to comply with the California Environ-

[1] The hearing concerned the County's continued failure to comply with CARRQ's request for public documents connected with the County's consideration, and environmental analysis, of the proposed Roblar Road Quarry. CARRQ notes that the County's failure to disclose public documents in response to CARRQ's request under California's Public Records Act continues to materially impair CARRQ's ability to engage in, and evaluate the adequacy of, the County's compliance with CEQA with respect to the proposed Quarry – fundamental purposes of CEQA.

mental Quality Act ("CEQA"), CARRQ offers in this letter its comments on the appropriate scope for the recirculated EIR.

The current EIR is defective in many respects. These defects were addressed by CARRQ during the comment period on the Draft EIR, in additional comments on the Final EIR and through written comments and objections submitted to the Sonoma County Planning Commission on December 17, 2009 and April 1, 2010. CARRQ hereby requests that any recirculated EIR address the following issues.

1. **Air Quality**. Any recirculated EIR should re-analyze the impacts of the proposed quarry on air quality, including with regard to the following issues:

- The EIR's air quality analysis makes a number of assumptions that are not supported, including: average trip distance of 30 miles (each way) for employees and 24 miles (each way) for haul trucks; 478 daily and 50,148 annual vehicle trips; one-sixteenth of a mile vehicle travel on unpaved roads on-site. The air quality analysis should be recirculated with supportable assumptions (and include documentations providing support for the assumptions).

- The Bay Area Air Quality Management District ("BAAQMD") is in the process of updating its CEQA Guidelines to establish new, lower thresholds of significance to bring the region into compliance with ambient air quality standards for criteria pollutants. The recirculated EIR should compare the Project's criteria pollutant emissions with these new thresholds to evaluate the Project's contribution to potential future non-compliance events.

- The EIR fails to provide emission estimates for the particulate matter with a diameter of 2.5 micrometers or smaller ("PM2.5"). The U.S. EPA has ruled that emission estimates for particulate matter with a diameter of 10 micrometers or smaller ("PM10") can no longer be used as substitute for PM2.5. The recirculated EIR should include estimates of PM2.5 and, if they exceed the BAAQMD's new thresholds of

significance, should provide ambient air quality modeling of PM2.5 to determine whether the Project's emissions would exceed state or federal ambient air quality standards.

- The EIR fails to include the following fugitive dust PM10 emissions in its estimates of: (a) on site entrained road dust PM10 emissions from non-road equipment (dozer, loader, water truck, rock truck) traveling on unpaved roads; and (b) off-site entrained road dust PM10 emissions from on road haul truck traffic traveling on paved roads.

- The recirculated air quality analysis should utilize the current federal 1-hour ambient air quality standard for NO_2 of 0.100 ppm.

- The recirculated EIR should use wind data as a basis for its calculations regarding air quality and impacts from an appropriate site approved by the BAAQD near the project location, not from a wind data source near Valley Ford of other distant location.

- The EIR states that dynamite would be used to blast rock that is too hard to push out of the hill with large equipment. However dynamite, a nitroglycerin-based explosive, is rarely used these days in quarries due to its hazardous properties. The most widely used explosive is a mixture of ammonium nitrate and fuel oil ("ANFO"). The ammonium nitrate is in the form of a prill (small, bead-like pellet), which absorbs the fuel oil. ANFO is far less hazardous than dynamite and breaks more rock per unit of cost. Thus, it is the preferred explosive for blasting rock. The recirculated EIR should provide estimates of nitrogen oxides ("NOx") emissions from blasting with ANFO if any will ever be used at the quarry. Even NOx emissions from blasting contribute a only a small proportion of total NOx emissions, the rapid release and high concentration that may be associated with such activities may pose a health risk should the resulting plume not dissipate rapidly and subsequently drift on to the populations in the surrounding environs. In studies of open-mine blasting, nitrogen dioxide ("NO_2") was present in most of the

plumes typically ranging between 0 and 17 parts per million ("ppm").[2] The 1-hour California ambient air quality standard for NO_2 is 0.18 ppm, which is not to be exceeded. Blasting emissions could by far exceed the 1-hour California standard. This may be a significant impact that the recirculated EIR should identify.

- In response to comment H-8, the Final EIR states that the use of "PG&E electricity would be limited to the proposed office building, truck scale, security lighting, and the existing ranch house" and concludes that "GHG emissions associated with these uses would be negligible, accounting for 0.1 percent of all project greenhouse gas emissions." This statement and conclusion ignore the considerable electricity demand for the Project's processing equipment, which, according to Mitigation Measure F.1a, will be powered by electricity rather than a diesel-generator. The recirculated EIR should contain an estimate of the GHG emissions associated with electricity generation for the stationary equipment and all other electricity-consuming processes at the Project.

- The EIR does not make a finding with respect to GHG emissions. The BAAQMD has developed a threshold of significance for GHG emissions which should be used in the impact analysis of the recirculated EIR.

2. **Haul Routes**.

- The recirculated EIR should thoroughly analyze the impact of the alternative haul route identified in the EIR as the environmentally preferred alternative. In particular, CARRQ reiterates its position that the alternative haul route proposed to be constructed through land currently under a conservation easement held by the Sonoma County Agricultural Preservation and Open Space District (the "Open Space District") is not an alternative, but rather an integral component of the project itself, proposed by the

[2] http://www.acarp.com.au/abstracts.aspx?repId=C14054.

applicant, and that should be fully analyzed as part of the project. The analysis of the haul route through Open Space District easement lands must fully analyze the impacts on the adjacent land that will remain subject to the conservation easement, and whether this route can comply with laws governing the exchange of lands subject to conservation easements (including whether the County can comply with requirements of supporting appraisals).

- In addition, CARRQ hereby requests that the recirculated EIR fully analyze the environmental impacts of the route over lands within an Open Space District conservation easement or through the Neve property (the "Overland Routes"), and contrast the impacts of the Overland Routes to an alternative haul route that would use the existing right of way along Roblar Road west of the proposed Quarry. The recirculated EIR should compare the environmental impacts of the use of Roblar Road west of the project with the use the Overland Route.

3. **Roadway Wear Impacts.** The recirculated EIR should fully disclose and analyze the impacts to and mitigation of roadway wear. The calculated traffic index for project haul roads in the current EIR does not indicate how the level of significance was obtained. The differential between the existing and existing plus project traffic indexes, which appear on Table 4.E.11, does not explain those levels' significance. The calculation of the levels' significance must be explained in the recirculated EIR. Further, the significance of the mitigation measures discussed in Section 4.E (at page 30) under Mitigation Measure E6A, 6B should be re-evaluated. Specific criteria that will require the applicant to rebuild the roads should be stated. In addition, the recirculated EIR should analyze whether the roadway maintenance agreement proposed under Measure E6B will fully mitigate the degradation to pavement by this project. The recirculated EIR should analyze whether the impacts of the project to roadway degradation will be fully recovered through any agreement or mitigation, and if they may not be, the reason for

this failure of mitigation should be explained. Finally, if identified mitigation measures that would reduce roadway wear impacts to less than significant are nonetheless rejected as infeasible, , the recirculated EIR should specifically address why it is infeasible for the applicant to compensate the County and public for such roadway degradation.

4. **Recycling Operations**. The County Staff Report states that up to 10% of the proposed production is anticipated to be recycled concrete or asphalt. The recirculated EIR disclose whether or not the conditions of approval will restrict recycling to no more than 10% of the proposed production, and how such restrictions (if any) would be enforced, and should analyze the environmental impacts associated with this activity on all resources, including biology, air quality and water quality.

5. **Water Quality**. A December 15, 2009 letter from the California Regional Water Quality Control Board stated that the Board did not believe sufficient mitigation has been provided for impacts to surface waters, and that they were concerned the Quarry would degrade the water quality. County Staff and applicant responded to this letter by constructing new groundwater models and redesigning its systems in and around the quarry. These new models and designs by applicant and County Staff should be used in the recirculated EIR. In particular, any and all plans and models offered by applicant in order to show mitigation to protect surface and groundwater should be reviewed in the EIR and circulated to the public for review and comment.

Sincerely,

Sue Buxton
President

PROOF OF SERVICE

On June ___, 2010, I served the attached **Letter to the Sonoma County Planning Commission**, dated June 1, 2010, on the parties in this action by placing a true copy thereof in sealed envelope(s), addressed as follows:

Sonoma County Permit and Resources
Management Department
2550 Ventura Avenue
Santa Rosa, CA 95403
Fax: 707-565-1103

I caused the attached document to be personally delivered to the persons at the addresses set forth above. I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct, and that this declaration was executed on June ___, 2010.