John Speka - Fwd: asphalt plant

From: Adrienne Thompson
To: John Speka; Planning Commission; Roger Mobley
Date: 7/20/2011 8:05 AM
Subject: Fwd: asphalt plant

>>> Christina Sears <cacsears@gmail.com> 7/19/2011 5:21 PM >>>
Dear Mendocino County Planning Commission:

I am opposed to putting an asphalt plant at the Harris Quarry Site as it would affect homeowners as well as the La Vida School where I would be going. 43-1
Please do not let this happen.

Thanks, Christina

--
Christina Sears
P.O Box 717
Covelo, CA
95428

John Speka - Harris Quarry

From: "kathe todd" <kathe@pacific.net>
To: <spekaj@co.mendocino.ca.us>
Date: 7/20/2011 10:36 AM
Subject: Harris Quarry

We definitely support the Harris Quarry. There is a great need for it in our community! Cut the crap and let them get on with it and stop wasting $$$! 44-1

Kathe and Ken Todd
(707) 485-7910
kathe@pacific.net

John Speka - harris quarry rezoning

From: Leslie Wieland <llwieland@yahoo.com>
To: <spekaj@co.mendocino.ca.us>
Date: 7/20/2011 4:53 PM
Subject: harris quarry rezoning

Dear Sir,

My wife and I moved to Willits thirty years ago to escape the attitude that "industry" has an automatic right to encroach on rural life in the name of "progress." I now live just a few miles west of Harris Quarry, having worked forty years to earn a few acres in the relative peace, quiet, and isolation of rural Mendocino County. 45-1

Rezoning Harris Quarry will allow massively increased industrialization of our (at least fairly) rural neighborhood. Well-lit nighttime skies, the rattle and clank of machinery, the traffic congestion, and worse, the accidents that would certainly result do not belong in rural Mendocino County.

The quarry itself is an ugly gateway to the Gateway to the Redwoods, but it mostly keeps to itself.
Let's keep it that way. KEEP THE CODE!

Sincerely,

John Wieland
3571 Williams Ranch Road
Willits, CA 95490

From: Tarney Sheldon <tarneysheldon@gmail.com>
To: "thompsoa@co.mendocino.ca.us" <thompsoa@co.mendocino.ca.us>
Date: 7/24/2011 5:08 PM
Subject: Ridgewood Ranch

This letter is in support of keeping our community safe, clean, healthy, and beautiful. I am opposed to allowing an asphalt plant to operate on Ridgewood Summit. Please do not allow this project to proceed. 46-1

Sincerely,
Tarney Sheldon
Resident of Redwood Valley
Born and raised in Mendocino County

From: Susan Henson <suebee.henson@gmail.com>
To: "spekaj@co.mendocino.ca.us" <spekaj@co.mendocino.ca.us>
Date: 6/28/2011 8:57 PM
Subject: Public comment Harris Quarry DEIR

47-1

I strongly object to the rezoning and expansion of the Harris Quarry on Highway 101 south of Willits. I live in Willits and work in Ukiah so am forced to pass this eyesore every weekday on my way to work. Aside from the aesthetic blight created by this operation, it is already a safety hazard for drivers on Hwy 101. I have observed trucks pulling out to head north and to make the turn they must block all four lanes of the road. They are loaded and move very slowly and on more than one occasion I have had to brake hard to avoid an accident. I can't imagine how much more dangerous this will become with increased truck traffic. In the rain...in the snow...on icy mornings...there will be accidents...there will be deaths.

This is the wrong use for this very visible location on a heavily used highway. Do not rezone and do not allow any expansion of this operation. Thank you.

Susan Henson
3725 Ridgewood Rd
Willits, CA 95490

Responses to Letters from Christina Sears, Kathe and Ken Todd, John Wieland, Tamey Sheldon, and Susan Henson

These five letters all contains comments on the merits of the project and not on the RDEIR. The following response applies to all five letters.

43-1 to 47-1. The commenters' opinions on the merits of the project are noted for the record. As no question is asked regarding the EIR, no additional response is required.

John Speka - Fwd: Please Vote NO on the Asphalt Plant

From: Adrienne Thompson
To: John Speka; Planning Commission; Roger Mobley
Date: 7/20/2011 8:06 AM
Subject: Fwd: Please Vote NO on the Asphalt Plant

>>> Sandra Linn <sanlinn38@yahoo.com> 7/19/2011 9:02 PM >>>

Dear Mendocino County Planning Commission:

I am writing to let you know that I am adamantly opposed to the installation of an Asphalt plant at the Harris Quarry adjacent to Ridgewood Ranch. 48-1

The draft EIR of this proposal lists 39 toxic air contaminant emissions including formaldehyde, hexane, phenol, polycyclic organic matter, benzene, toluene, cadmium, lead, arsenic and mercury.

La Vida Charter School is down wind from this Quarry and would be directly affected by air, water and noise pollution from this operation.

Exposure to these individual toxins is known to cause cancer, central nervous system disorders, liver damage, and respiratory problems. The cumulative and synergistic effect of exposure to 39 multiple toxic compounds is incalculable, and poses a significant threat to our health, especially the sensitivities of our children and elderly neighbors.

We do not want to be subjected to this daily contamination, including the intrusion on our well being and peace of mind. Nor do we want it for the wildlife, fish, oak woodlands and watersheds of Ridgewood Ranch and neighboring residents.

Increased heavy truck traffic turning in and out of the Quarry entrance,

crossing the center lane of busy Hwy 101, would add to the driving hazards at an already dangerous section of highway 101.

Rangeland is incompatible with heavy industrial operations; they belong on land which is zoned and suitable for industrial plants. Grist Aggregates in Longvale is already zoned industrial, and is seeking a permit to reopen this asphalt plant; they are potentially suitable alternative source for local asphalt.

We urge you to adhere to the master plan, and to protect our rangeland, the children and families of La Vida Charter School, the Ridgewood residents, the Ridgewood Organic Garden, the Butler Community Orchard, and the hundreds of visitors to the historic Home of Seabiscuit. Keep the Code as it is, we need to preserve and protect our rangeland as the County Master Plan intended.

Sincerely,

Sandra Linn, Ukiah

Butler Community Orchard member

Longtime friend of Ridgewood Ranch

Response to Letter from Sandra Linn

48-1. This letter contains the same comments presented in Comment Letter 30; please see the responses to that letter.

John Speka - Fwd: letter opposing asphalt plant

From: Adrienne Thompson
To: John Speka; Planning Commission; Roger Mobley
Date: 7/20/2011 8:06 AM
Subject: Fwd: letter opposing asphalt plant

>>> Dan Hibshman <dhibshman@sbcglobal.net> 7/20/2011 7:05 AM >>>

Dear Mendocino County Planning Commission:

I am writing to let you know that I am strongly opposed to the installation of an asphalt plant at the Harris quarry adjacent to Ridgewood Ranch. 49-1

I am a member and supporter of a project which is working to establish an orchard on agricultural land at Ridgewood Ranch. The orchard is down wind from this quarry and would be directly affected by air, water and noise pollution from this operation.

You must be aware that La Vida Charter School as well as the residents of Ridgewood Ranch would also be very negatively affected by an asphalt plant at the quarry. The draft EIR of this proposal lists 39 toxic air contaminant emissions including formaldehyde, hexane, phenol, polycyclic organic matter, benzene, toluene, cadmium, lead, arsenic and mercury.

Exposure to these individual toxins is known to cause cancer, central nervous system disorders, liver damage, and respiratory problems. The cumulative and synergistic effect of exposure to 39 multiple toxic compounds is incalculable, and poses a significant threat to health, especially the sensitivities of children and elderly people.

Increased heavy truck traffic turning in and out of the quarry entrance, crossing the center lane of busy Hwy 101, would add to the driving hazards at an already dangerous section of highway 101.

Rangeland is incompatible with heavy industrial operations; they belong on land which is zoned and suitable for industrial plants. Grist Aggregates in Longvale is already zoned industrial, and is seeking a permit to reopen its asphalt plant; that is a potentially suitable local alternative source for asphalt.

I urge you to adhere to the existing general plan for this very special part of Mendocino County.

Sincerely,

Dan Hibshman

(925 W. Standley St., Ukiah)

Response to Letter from Dan Hibshman

49-1. This letter contains the same comments presented in Comment Letter 30; please see the responses to that letter.

marty l. wysinger

From: "marty l. wysinger" <goldenrules@peoplepc.com>
To: "john speka" <spekaj@co.mendocino.ca.us>
Cc: <spekaj@co.mendocino.ca.us>
Sent: Tuesday, July 26, 2011 9:07 PM
Subject: harris Quarry

50-1

I"ve been living here at golden rule moble village for nine years now and this rock Quarry has been a dusty mass, then the wind blows south at the village and I have call the chp about the trucks leaving the Quarry loosing rocks from the trucks and not having a tailgate on them, did you know that these trucks dont have to stop at the chp safety scale house on top of the mountain going south and north and sometimes they will be over weight. now for the asphalt plant, we olny need one an thats granite construction, they can take care of our needs, why do you need to polluters on the same water ways, back to the rock Quarry did you know in the raining season they cant holed back all that mud, it just runs thought the creeks here on the ranch, just think about it that hole mountain side and about five inches of rain in one day or night I seen it, we live down the hill. please dont get caught with the game playing of the rock Quarry and granite do the right thing. god is watching us in everything we do..marty lewis wysinger

RECEIVED
JUL 28 2011
BY
PLANNING & BUILDING SERVICES
Ukiah, CA 95482

Response to Letter from Marty Wysinger

50-1. The information and concerns expressed by the commenter are noted for the record. As no questions are asked regarding the EIR, no additional response is required.

July 19, 2011

To Vice President Walter Mondale and Mrs. Mondale:

Your past interest and dedication to the commemoration of the great race horse 'Seabiscuit' at the Golden Rule (Ridgewood Ranch) in Northern California has caused me to write to you in an effort to inform you both of a situation of import at this historic sight. At present, as you may or may not know, a corporation known as Northern Aggregates has been aggressively pushing to change the zoning regulations in the surrounding areas of Mendocino County and particularly the are in which the Golden Rule Ranch and Seabiscuit are located. 51-1

By changing the existing codes, this corporation will be able to construct an Asphalt Plant, adding it to an already existing Rock Quarry. The pristine forest, valleys, mountains and open range would be re-established as a zoning area open to industrialization.

Northern Aggregates states that such an addition, an asphalt plant, should be beneficial to the General community, cost effective, and located in a centralized location with easy access, as it is parallel to Hwy 101, a major highway that runs North and South through California. However, the General Community as a whole: the retirement community-several in their 80's and 90's- and the La Vida school located within shouting distance of the proposed construction site, and just opposite the statue of Seabiscuit which you and your wife helped establish, are all in opposition to the re-zoning of this beautiful timberland country and ranching area.

You may ask yourselves why so many are opposed to the construction of an asphalt plant at this location. Following is just a partial list of Air Contaminant

Emissions that will be released into this atmosphere and surrounding watersheds in spite of the most aggressive attempts to suppress the release of these toxins: Arsenic, cadmium, lead, mercury, zinc, benzene, chloromethane, formaldehyde, methyl chloroform, tetrachloroethene, plus 29 more toxins not listed that will be released, almost all of which have high cancer impacts on health.

In addition to this list would be:
A very high probability of traffic accidents due to the location at the top of a hill, where visibility, especially at night, is not good, and the speed of the vehicles proceeding both north and south, which effect the entering and exiting of the large trucks that carry asphalt. This corporation also intends to work the asphalt plant up to 100 nights a year plus daytime yearly work schedules.
Northern Aggregates intends to extract up to 200,00 cubic yards of rock per year for 30 years (up from the current allowed 75,000 cubic yards per year), to process for road and highway usage.

The list of negative results are many and too lengthy to address in this writing, but air pollution, water contamination, cancer causing health toxins, noise, safety hazards and the public opposition are major reasons to avoid any and all attempts to construct an asphalt plant at this site.

One last item to consider is the fact that an alternative site has been suggested; this alternative site has been used as an asphalt plant in the past and is known as the Grist Creek Aggregate Longvale plant. The owner of this property filed an application in April 2011, for a permit to reopen this plant. However, the few who are pushing for an asphalt plant rezoning ruling are against the relocation suggestion, insisting on the new asphalt plant site at the quarry just above and adjacent to Ridgewood Ranch...Seabiscuit's 5,000 acres.

A Mendocino County Planning Commission Public hearing is to be held on July 21st at 9:00 am in Ukiah, California, 95482, to consider an Environmental Impact Report (EIR); and this report will be presented to a Board of Supervisors for final approval at a future date.

This constant struggle of Big Business vs. the people has been an on going battle of 'might vs. right' for approximately 7 years, and appears to have no end in sight; and so this letter has been written to you with the hope that you, Mr. and Mrs. Vice President, might consider making a statement in letter form, or email, to be presented, when we receive it, to the 'powers that be' in the matter of 'we the people' vs. industrialization.

We feel that if you could find it in your hearts to step forward at this time with a statement showing your interest in this preservation of pristine timberlands, watersheds, and environmental air control, those in the positions of authority would consider the seriousness of this matter.

Your positions of authority, your integrity and good name, your general concern for the people and their rights are sure to be strong influences toward the resolution of this matter. At this point, I would just like to say thank you for any consideration you and your wife may be able to make in the preservation of the Seabiscuit area; and also to thank you for taking note of this letter and it's request for your assistance if at all possible.

Thank you once again,
Respectfully,

James Garza: Ridgewood Ranch, 16100 N Hwy 101, Willits, CA. 95490
Typed and sent by P. L. Tetzlaff email: pltetz@aol.com,

Response to Letter from James Garza

51-1. The information and concerns expressed by the commenter are noted for the record. As no questions are asked regarding the EIR, no additional response is required.

John Speka - Fwd: NO ASPHALT!

From: Adrienne Thompson
To: Planning Commission
Date: 7/19/2011 4:02 PM
Subject: Fwd: NO ASPHALT!
CC: John Speka; Roger Mobley

And another comment letter.

>>> butlercommunityorchard <butlerorchard@PACIFIC.NET> 7/19/2011 3:59 PM >>>

Dear Mendocino County Planning Commission:

As President of the Butler Cherry Ranch Project's Board of Directors and Coordinator of the Butler Community Orchard, I'm opposed to installation of an asphalt plant at the Harris Quarry right next door to Ridgewood Ranch. The Ranch is the home of our organic fruit orchard, as well as other organic agricultural programs. A polluting operation such as this proposed asphalt plant is totally incompatible with these projects, as well as posing a health threat to La Vida school children, a senior community, and other Ranch residents. According to the draft EIR, this plan will expose the surrounding area to 39 toxic air contaminant emissions including formaldehyde, hexane, phenol, polycyclic organic matter, benzene, toluene, cadmium, lead, arsenic and mercury. Our watersheds (fish!), woodlands (wildlife!), and rangeland (cattle!) are precious resources and should not be compromised either. 52-1

Highway safety is also jeopardized by the anticipated increase in heavy truck traffic at the Quarry entrance.

I understand that Grist Aggregates in Longvale is already zoned industrial, and is seeking a permit to reopen its asphalt plant. This would be a more appropriate location for locally sourced asphalt.

I urge you to adhere to the Master Plan, and to protect our wild and range lands, our agricultural endeavors, the children of La Vida Charter School, and Ridgewood Ranch residents. Keep the Code as it is, we need to preserve and protect our lands as the County Master Plan intended.

Sincerely,

Dot Brovarney

July 19, 2011

Dot Brovarney
President/Coordinator
Butler Cherry Ranch Project
www.butlercommunityorchard.org

Response to Letter from Dot Brovarney

52-1. The information and concerns expressed by the commenter are noted for the record. Please see Responses 10-8 and 16-7 regarding the Longvale site.

RECEIVED
JUL 15 2011
BY
PLANNING & BUILDING SERVICES
Ukiah, CA 95482

Gmail **Cora Saxton <skyhorn67@gmail.com>**

Harris quarry

2 messages

Cora Saxton <skyhorn67@gmail.com> **Wed, Jul 6, 2011 at 6:58 AM**
To: spekaj@mendocino.ca.us

Hello and thank you for receiving the public comments on the Harris quarry matter. 53-1
Having lived up on Black Bart road for over 10 years and crossing Hwy 101 almost daily I have very strong feelings against adding significant truck traffic to the already dangerous situation. The asphalt plant idea is crazy! On a good day crossing the highway can be harrowing and takes a bit of patience. The thought that any large, slow moving truck, let alone dozens, will be added daily makes me think no one is paying attention to what the traffic situation is like. I have seen many close calls and even an accident. This isn't just about inconveince, I feel it's dangerous and adding a suicide lane is just what the name implies and is irresponsible. In the winter visibility is very poor in the mornings, and drivers aren't always very good about their lights. The ridge top is where people tend to hit the gas to finally pass that slow moving vehicle and there is the minimum clear view to judge the approaching cars speed and distance.

Please understand that I recognize the incentive to keep the plant close to the source, but I see the location as a serious problem. The plant should be done in an industrial area of town where traffic is already regulated with lights and stop signs. The random nature of the merge into Hwy 101 is not suited for heavy truck traffic.

Sincerely,
Tracey McNamara and Cora Saxton

--
Cora Saxton < skyhorn67@gmail.com>

Response to Letter from Tracey McNamara and Cora Saxton

53-1. The information and concerns expressed by the commenter are noted for the record. As no questions are asked regarding the EIR, no additional response is required.

July 17, 2011

Ms. Virginia De Vries
4260 Blackhawk Dr
Willits CA 95490-8773

RECEIVED
JUL 19 2011
BY
PLANNING & BUILDING SERVICES
Ukiah, CA 95482

Dear Mr. Speka + Planners:

54-1

There are so many reasons not to construct a 300 ton per hour asphalt plant at the Harris Quarry site. These reasons have been expounded on over + over by many, many people. I would like our comments to be part of the public record since work obligations prevent us from attending the meting.

Changing zoning AFTER citizens have already made life decisions on where they live is simply unfair. Major emotional + financial investments by citizens should not be cancelled out to serve the selfish interests of a few. No compelling need for an asphalt plant has been proven in this DEIR. Furthermore, there are other alternatives that are not mentioned in this report. Grist Creek Aggregates Longvale site which is already zoned industrial is not near a school, church or residential housing as is the Harris Quarry location. We oppose the mineral Processing Combining district Overlay. Do not change our zoning to industrial.

54-2

We are concerned residents,

Virginia deVries & Christopher O. Jones

Christopher O. Jones

Response to Letter from Virginia De Vries and Christopher O. Jones

54-1. The information and concerns expressed by the commenter are noted for the record. As no questions are asked regarding the EIR, no additional response is required.

54-2. The EIR is not required to provide reasons why the project was proposed. The RDEIR contains an analysis of project alternatives. Please see Responses 10-8 and 16-7 regarding the Longvale site.

John Speka - Fwd: Letter opposing Asphalt Plant

From: Adrienne Thompson
To: John Speka; Planning Commission; Roger Mobley
Date: 7/19/2011 4:41 PM
Subject: Fwd: Letter opposing Asphalt Plant

and another :)

>>> Jenny Burnstad <jmburnstad@yahoo.com> 7/19/2011 4:38 PM >>>
Dear Mendocino County Planning Commission:

I am writing to let you know that I am adamantly opposed to the installation of an Asphalt plant at the Harris Quarry adjacent to Ridgewood Ranch. 55-1

There is a Biodynamic Agriculture Orchard and Learning Center as well as La Vida Charter School down wind from this Quarry and both would be directly affected by air, water and noise pollution from this operation. The draft EIR of this proposal lists 39 toxic air contaminant emissions including formaldehyde, hexane, phenol, polycyclic organic matter, benzene, toluene, cadmium, lead, arsenic and mercury.

Exposure to these individual toxins is known to cause cancer, central nervous system disorders, liver damage, and respiratory problems. The cumulative and synergistic effect of exposure to 39 multiple toxic compounds is incalculable, and poses a significant threat to our health, especially the sensitivities of our children and elderly neighbors.

We do not want to be subject to this daily contamination of our well being and our peace of mind. Nor do we want it for the wildlife, fish, oak woodlands and watersheds of Ridgewood Ranch and neighboring residents.

Increased heavy truck traffic turning in and out of the Quarry entrance, crossing the center lane of busy Hwy 101, would add to the driving hazards at an already dangerous section of highway 101.

Rangeland is incompatible with heavy industrial operations; they belong on land which is zoned and suitable for industrial plants. Grist Aggregates in Longvale is already zoned industrial, and is seeking a permit to reopen this asphalt plant; they are potentially suitable alternative source for local asphalt.

We urge you to adhere to the master plan, and to protect our rangeland, the children and families of La Vida Charter School, the Ridgewood residents and the hundreds of visitors to the historic Home of Seabiscuit. Keep the Code as it is, we need to preserve and protect our rangeland as the County Master Plan intended.

Sincerely,

Jenny Burnstad, Director
Cloud Forest Institute

Response to Letter from Jenny Burnstad

55-1. The information and concerns expressed by the commenter are noted for the record. As no questions are asked regarding the EIR, no additional response is required. Please see Responses 19-4 and 19-5 regarding the health issue and Responses 10-8 and 16-7 regarding the Longvale site.

I am a resident on Ridgeview Rd, and I am extremely opposed to the planned asphalt plant. I am in agreement with all the reasons that have been put forth by Keep the Code members. In addition to the destruction of our local environment from the run-off, air, sound, and light pollution, I am concerned about the traffic horrors that would be created by this operation. It is just amazing that anyone would even consider a plan like this just because of the potential for traffic accidents. Have you ever tried to enter 101 from Black Bart Rd to go to Willits? I do just about every day of the week. I am even more concerned about trying to turn onto Black Bart Rd from Ukiah. You are completely vulnerable sitting between traffic going 70 mph in both directions. Add a rock truck to the mix, trying to pull out, or already in the lanes, and you have a situation you do not want to be in. But it happens all the time, and now you want to more than double that possibility? I suppose Caltrans, the county, and the owners of the plant think that the added distress to our lives and a few tragic accidents are a small price to pay for their progress and bottom line. Come on, do the right thing, do not change the code. Allow the quarry to continue, hold them to the rate of extraction they are supposed to do, and move the asphalt plant to an industrial area, if we even need another one, that bypass is not a done deal. Consider the citizens you are representing, put yourself in our situation and think about how you would feel. Progress in the 21st century means limiting the taking of our resources, finding alternatives, stopping the wheel of destruction that has been turning out of control for the sake of the few. Protect our conservation land and preserve our lifestyle, Mendocino county is a beautiful place to be and why I choose to live here. Thanks for listening, Stacey Rohrbaugh, 15900 Ridgeview Rd, Willits

56-1

7/11/2011

Delete Reply Forward Spam Move...

Previous | Next | Back to Messages

Select Message Encoding | Full Headers

Check Mail New

Copyright © 1994-2011 Yahoo! Inc. All rights reserved. Terms of Service - Copyright/IP Policy - Guidelines
NOTICE: We collect personal information on this site.
To learn more about how we use your information, see our Privacy Policy - About Our Ads.

RECEIVED
JUL 13 2011
BY
PLANNING & BUILDING SERVICES
Ukiah, CA 95482

Response to Letter from Stacey Rohrbaugh

56-1. The information and concerns expressed by the commenter are noted for the record. As no questions are asked regarding the EIR, no additional response is required.

RECEIVED
JUL 11 2011
BY
PLANNING & BUILDING SERVICES
Ukiah, CA 95482

Po Box 884
Willits CA 95490
July 7 2011

County Planning Commission

Dear People,

I am writing to oppose Northern Aggregates plan to expand the Harris Quarry. 57-1

"Keep the Code", No rezoning!

Watching the mountain being scraped away is horrible enough.

Thank you

Linda Brechenridge

Response to Letter from Linda Breckenridge

57-1. The information and concerns expressed by the commenter are noted for the record. As no questions are asked regarding the EIR, no additional response is required.

Adrienne Thompson - Re: scoping session Willits-2010

From: "jerry wells & tracey wells" <jacey@instawave.net>
To: <spekaj@co.mendocino.ca.us>
Date: 8/10/2011 4:21 PM
Subject: Re: scoping session Willits-2010

Mr Speka my name is Jerry Wells and I attended this scoping session mtg. last year. I was relatively new to this issue of Keep the Code-Harris Quarry. What I heard there really bothered me. Apparently Northern Aggregates, with Frank Dutra and his lawyers and others were there along with Ignacio "nash" Gonzalez and scores of people from the community around Golden Rule Mobile Park, (Senior Park) Golden Rule Church,La Vita Charter School for Elementary students, Residents who live around the church, and many more who live on Black Bart Rd. Black Oak Rd. and surrounding areas, etc. Whenever I would hear a question or a comment Re: the proposed asphalt plant I kept hearing one individual answering those questions/comments in a way that sounded like the person had a vested interest in this asphalt plant being approved! I asked someone near me 'is that guy the spokeman for Northern Aggregates or one of their lawyers?' I was told " no, that's Ignacio Gonzalez the Planning Director for Mendocino Cty." I was shocked as I expected one of Northern Aggregates people to respond or not to respond to them. It actually sounded like he was on their payroll! I'm not saying he is, but if you'd been there you sure would have thought so. It seemed like he minimizes any issue that made the project look or sound like a bad idea. In my opinion Mr. Gonzalez showed much favoritism to the applicant. That just doesn't seem right to me . What do you think Mr. Speka? 58-1

cc:File
Respectfully, Jerry Wells

Response to Letter from Jerry Wells

58-1. The concerns expressed by the commenter are noted for the record. As no questions are asked regarding the EIR, no additional response is required.

Golden Rule Mobile Home Park
16100 N Hwy 101
Willits, CA. 95490

RECEIVED
JUL 14 2011
BY
PLANNING & BUILDING SERVICES
Ukiah, CA 95482

July 1, 2011

PETITION TO THE COUNTY OF MENDOCINO
DEPARTMENT OF PLANNING AND BUILDING SERVICES:
501 LOW GAP RD. UKIAH, CA. 95482

The undersigned residents of the Golden Rule Mobile Home Community are adamantly opposed to the installation of an Asphalt plant at the Harris Quarry adjacent to Ridgewood Ranch. 59-1

Increased heavy truck traffic turning in and out of the Quarry entrance, crossing the center lane of busy Hwy 101, would add to the driving hazards at an already dangerous section of highway 101.

We live down wind from this Quarry and would be directly affected by air, water, and noise pollution from this operation. The draft EIR of this project proposal lists 39 toxic air contaminant emissions including formaldehyde, hexane, phenol, polycyclic organic matter, benzene, toluene, cadmium, lead, arsenic, and mercury.

Exposure to these individual toxins is known to cause cancer, central nervous system disorders, liver damage, and respiratory problems. The cumulative and synergistic effect of exposure to 39 multiple toxic compounds is incalculable, and poses a significant threat to our health.

We do not want to be subjected to this daily assault to our well being and peace of mind. Nor do we want it for the children attending La Vida Charter School, or for the wildlife, fish, oak woodlands, and watersheds of Ridgewood Ranch and neighboring residents.

Rangeland is incompatible with heavy industrial operations; they belong on land which is zoned and suitable for industrial plants. Grist Aggregates in Longvale is *already zoned industrial*, and is seeking a permit to reopen this asphalt plant; they are a potentially suitable alternative source for local asphalt.

We urge you to adhere to the master plan, and to protect our rangeland and the Ridgewood residents. We bought our homes in good faith. Keep the Code as it is, we need to preserve and protect our rangelands as the County Master Plan intended.

Signed by 100 residents of Golden Rule Mobile Village.
Signatures are attached to this petition. Patricia Tetzlaff

PETITION: Golden Rule Mobile Village, July 1, 2011

The appropriate place for industry is in an Industrial zone. We do not want our rangeland rezoned to industrial. We do not want an asphalt plant at the Harris Quarry Site. Keep the Code as it is.

Name (Print)	Signature	Address
A. Bowles	A. Bowles	Lot 59
SHARON BLACKWELL	Sharon Blackwell	# 82
NORTON L HEATH	Norton L Heath	# 92
JAMES GRAGA		#15
JOYCE SMITH	Joyce Smith	#94
Sandra S Byrnes	Sandra S Byrnes	#46
VIRGINIA MITCHELL	V. Mitchell	#45
Rose M. LaFontaine		#81
Mark Hollander		?
LYNN TRUAX	Lynn Truax	#44
Ted Walker	Frances Walker	#70
DON HARRIS	Don Hayes	#30
CARL GAARE	Carl Gaare	#16
Lenore Flanders	Lenore Flanders	#24
Evelyn Wood	E Wood	#34
Margaret Koster	Margaret Koster	#72
Philip Hurt		#66
Patricia Tetzlaff	Patricia Tetzlaff	#89
Donna Patterson	Donna Patterson	#39
Lois Schneider	Lois Schneider	#65
Mary Davenport	Mary Davenport	#4
Linda Martin	LINDA MARTIN	25
Joe Martin	JOE MARTIN	25

PETITION: Golden Rule Mobile Village, July 1, 2011

The appropriate place for industry is in an Industrial zone. We do not want our rangeland rezoned to industrial. We do not want an asphalt plant at the Harris Quarry Site. Keep the Code as it is.

Name (Print)	Signature	Address
Jerry Wells	Jerry Wells	16100 N. Hwy 101 #33
Catharine	Catharine J. Martin	" #17
Don McMahon		16100 N Hwy #60
Charles Martin	C Martin	16100 N Hwy #17
MYRNA BRYANT	Myrna Bryant	16100 N Hwy #14
Julene Casker	Julene Casker	16100 N Hwy #32
TOM POWELL	Tom Powell	16080 N. Hwy 101 A32
Annie B. Holmes	Annie B Holmes	16100 N Hwy 101 #78
KATE CARTER	K. Carter	16100 N. HWY 101 #88
Jerri Garza	JERRI GARZA	16100 N. HWY 101 #15
Scott	SCOTT BRYANT	16100 N. HWY 101 #14
KAY F KRETSCHMER		16100 N HWY 101 #93
Walter G Williams	Walter G Williams	16100 N. Hwy 101 SP #56
ARJUNA	Arjuna	239A E. Valley St. Willits #28
MIRIAM RAPHAEL	Miriam Raphael	16100 N Hwy 101 Sp 100 Lots
Carole Haas	Carole Haas	16100 N. Hwy 100, Sp 9, Willits
Bill Haas	Bill Haas	16100 " " 9
MARIE E HEATH	Marie E. Heath	16100 N. Hwy 101 92
Robert Dunn	Robert Dunn	16100 N. Hwy 101 #61
JOANN THOMAS	JoAnn Thomas	16100 N. Hwy 101 - #13
MARIA TELFER	Maria Telfer	16100 N. Hwy 101 # 39
JOANNE WOOD	Joanne Wood	16100 N Hwy 100 #84
Peter L. Byrne		16100 Highway 101 #3

PETITION: Golden Rule Mobile Village, July 1, 2011

The appropriate place for industry is in an Industrial zone. We do not want our rangeland rezoned to industrial. We do not want an asphalt plant at the Harris Quarry Site. Keep the Code as it is.

Name (Print)	Signature	Address
SIADYS. Gladys	Reid	16100 HWY 101 #55 Willits
Celia Dunn.		16100 N. Hwy 101 #61 Willits
MARY WYSINGER		16100 N. HWY 101 #43
GRACIE FRIDAE		16100 No. Hwy 101, #35, W
Sheryl Mitcham		16100 N Hwy 101 #41
	Wayne Mitcham	16100 N Hwy 101 #41 W. W
DONA FRIDAE		16100 N Hwy 101 #77, Willits
John Honeycutt		16100 Hwy 101 #38 Willits
Sherry Honeycutt		16100 Hwy 101 #38 Willits
Elmae Simmons (ELOISE)		" #91 "
TRACEY WELLS		16100 N. Hwy 101 #3 Willits
William T Bell	Spc 84	
Sharon L Noonan	SHARON L. NOONAN #64	
DIANE. E. LEE		#6
Charles Kelley		16100 N. Highway 101 #59A
Robert Daitola		16100 N Hwy 101 Spc 88
Suellen Coleman		16100 N. Hwy 101 Sp 87
Mylinda Battle		16100 N. Hwy 101 Sp 87
Marsine Lloyd		16100 N. Hwy 101, Sp. 49
Jenna Jane Johansen		16100 No Hwy 101 #58
		16100 No Hwy 101 #50
RICHARD HAYES		#57
David Knotts		#80

PETITION: Golden Rule Mobile Village, July 1, 2011

The appropriate place for industry is in an Industrial zone. We do not want our rangeland rezoned to industrial. We do not want an asphalt plant at the Harris Quarry Site. Keep the Code as it is.

Name (Print)	Signature	Address	
Shirley Tyrrell	Shirley Tyrrell	16100 N Hwy 101	SP 57
Carl F Hornbeck	Carl F Hornbeck	16100 N Hwy 101	
Janice Hornbeck	Janice Hornbeck	" "	"
Viola A Laws	Viola A. Laws	16100 N Hwy 101	Sp 63
Billy R. Laws	Billy R Laws	" "	"
Mae Williams	Mae Williams	" "	56
Marilyn McMahon	MARILYN McMAHON	" "	SP 60
Jaysen Green	Jaysen Green	" "	SP 4
Douglas A. Jones #62	16100 N. Hwy 101		
Cliff Zimmerly	16100 N. Hwy 101		Sp 19
Thomas D. Gillette	THOMAS D GILBERTSON		SP. 20
Ethel M. Woodruff	ETHEL M. WOODRUFF		67
Patricia McComish	Patricia McComish	16100 N. Hwy 101 #22	
Don Stroud	Don Stroud	16100 N Hwy 101	Sp 69
Norma Stroud	Norma Stroud	"	Sp 69
Carlos Prados			SP. 73
Betty Sauerbeck		16100 N Hwy 101	Sp 74
Coast Ranch Coast Rod		16100 N. Hy 101	Space 23
Genesseee Avants	Genesseee Avants	16100 N. Hy 101	space 23
Willis Foley			
P.O. Box 1691 Willits Ca			
R.V. PARK - Golden Rule			
Joyce Coleman		16100 N. Hwy. 101 Sp. 76	JOYCE COLEMAN

PETITION: Golden Rule Mobile Village, July 1, 2011

The appropriate place for industry is in an Industrial zone. We do not want our rangeland rezoned to industrial. We do not want an asphalt plant at the Harris Quarry Site. Keep the Code as it is.

Name (Print)	Signature	Address
Roy Lee Coleman	Roy Lee Coleman	16100 N Hwy 101 SP76 Willits Ca
Bonnie M Cook	Bonnie M Cook	16100 N Hwy 101-SP53 Willits CA
Betty & Felix Garza	(BETTY + FELIX BARZA)	#5 16100 N. Hwy Willits Ca
Laura & Gottberg	Laura C. Gottberg	16100 N Highway 101 Willits Ca
Vonnie Giudici	Vonnie Giudici	16100 N Hwy 101 Sp# 27
Linda Asman	Linda Asman	16100 N. Hwy 101 #79
Karl Asman	Karl Asman	" #79
Lolly Grubb	Lolly Grubb	"
Dick Harkins		"
LUCINDA HALT		" #90

Response to Letter from Pamela Tetzlaff

59-1. The concerns expressed by the commenter are noted for the record, and the petitions are incorporated into the record. As no questions are asked regarding the EIR, no additional response is required.

RECEIVED
AUG 31 2011
BY PLANNING & BUILDING SERVICES
Ukiah, CA 95482

Nash Gonzalez, Director
Mendocino County Planning and Building Services
501 Low Gap Road
Ukiah, CA 95470

August 25, 2011

Subject: Northern Aggregates quarry and proposed asphalt concrete plant near Ridgewood Summit.

Dear Mr. Gonzalez,

I am a lifelong resident of this county and I am concerned about all things local. I am concerned the health of the environment that I leave for my children, I am concerned about the health of our communities, and I am concerned about the resources that are both our natural heritage and, in many cases, the economic lifeblood of our economy and our local governments. 60-1

While my profession and relationships might indicate some bias in this matter, I also write with the experience and knowledge gained from 27 years of public service in local highway and bridge construction.

It is inarguable that high quality road building aggregates and products will be needed in Mendocino County for the foreseeable future. Asphalt concrete products that are used to build and maintain the highways and county roads that residents and commerce depend on will continue to be needed until the wheel is re-invented. Due to the local high cost of asphalt concrete products, there are already too many heavily used, unsurfaced , public and private roadways and driveways that cause some of the worst impacts to local water quality and the viability of aquatic life.

It is also inarguable that there is currently only one viable source of high quality asphalt concrete aggregates located inside the county that is capable meeting local demand. However it is likely that this source will continue to be unused for asphalt concrete production until a new manufacturing plant is located. The most economical and environmentally sound location for any asphalt concrete production facility is immediately adjacent to the aggregate source, where the least fuel will be burned to truck rock back and forth . With adjacent highway 101 access near the center of the County, and no close neighbors, there is not any better location for an asphalt concrete production facility than the one proposed. In contrast, there are hundreds of residences within a short distance (less than one mile) of the current asphalt production plant in Calpella, as well as around the old Longvale plant, which is also being considered for resumed use. Ridgewood Summit is the most isolated and the most economical location to site an asphalt concrete plant, and it would be a benefit to of all Mendocino County residents and consumers.

Since the Chase mine east of Lake Mendocino was reclaimed and closed over a decade ago, virtually all of the asphalt concrete and a majority of Portland Cement Concrete aggregates used in this county have been imported from mines in neighboring counties, all owned by large non-local materials and construction contracting companies.

This has resulted in the loss of high quality, high paying local mining jobs, loss of local revenue (little if any of the mining revenue or profits are returned to Mendocino County's economy,) higher cost for asphalt concrete products due not only to the aggregate trucking costs, but also a complete lack of competition. Mendocino County should be exporting rock products, not mining jobs.
Higher materials cost leads to fewer public and private construction projects for the available funds, and obviously, fewer jobs. Local asphalt concrete sales have a long history of being monopolized by one non-locally owned producer/contractor that can avoid local sales tax (they don't sell the materials to themselves) which helps them to also monopolize the local construction market , and results in even more revenue leaving the county because the small local contractors have no materials source available to compete with the big outside corporation that can always cut itself any deal on the materials.

With all of the additional trucking and diesel burned to truck materials in from other counties (at least some sectors have benefited), air quality for all county residents has been diminished to the extent that all of the NIMBY emotional complaints about asphalt plant emissions near Ridgewood Summit sound ridiculous. Has anyone in Calpella complained recently? Is it better to have asphalt produced in Willits, or

Calpella, or in Ukiah, or how about 20 miles out some dirt road to nowhere and back so that we can senselessly burn fuel, as we do when we import sparkling water from France, or truck our solid waste to another county.

I sympathize somewhat with the few Ridgewood area Residents who will have to endure an extra five to ten seconds of an industrial view every day as they drive their gas guzzlers to work in Willits or Ukiah or Santa Rosa, and then back out into the brush lands for their privacy. However their emotional tirades about this project are predominantly self-serving and as selfish as their urge to get away from it all, spread out their homes into naturally fire prone areas, and cut off all of the mountain top wildlife corridors.

County government serves for the greater good of county residents, not just a vocal minority with no substantial interest or issues. The decisions to be made by county government on this project are easy ones. The minimal impacts caused to a few people by this project, if any, are far outweighed by the greater benefits to all residents of the county.

My last comment is that, in their haste to disparage, opponents of this project have published many negative and untrue comments about the project's applicants. As a resident engineer administering public projects, I've worked with hundreds of contractors and materials suppliers from all over the country. None have been more honest and hard working than the owners of Northern Aggregates. For more than a quarter of a century they have run businesses and employed hundreds of county residents with high quality, high paying jobs. For the good of Mendocino County, their profits have been reinvested locally to create more local jobs. Investment for the related highway improvements, zoning change, and permits to run an asphalt plant at this location are just one example.

For the good of Mendocino County, its residents, its economy, and its environment, the proposed asphalt concrete plant near Ridgewood Summit should be approved as soon as possible.

Please include my comments in the public record and share them with the Board of Supervisors.

Sincerely,

Matt McKeon

Matt McKeon, P.E.
Redwood Valley

Response to Letter from Matt McKeon, P.E.

60-1. The information and opinions expressed by the commenter are noted for the record. As no questions are asked regarding the EIR, no additional response is required.

John Speka - Harris Quarry Expansion Project comment

From: Joe West <lowdown@wildblue.net>
To: <spekaj@co.mendocino.ca.us>
Date: 8/28/2011 7:05 PM
Subject: Harris Quarry Expansion Project comment
CC: "Jack Magne'" <jackatocha@aol.com>, Bob Whitney <BobWhitney@instawave.net>

John Speka, Planner 1
Mendocino County Planning & Building Services
501 Low Gap Road, Rm 1440
Ukiah, Ca. 95482

Re: Harris Quarry Expansion Project

Dear Mr. Speka,

Please allow me to express a couple of reservations concerning the Harris Quarry Expansion Project.

The Project DEIR section on hydrology and water quality raises the issue of negative impacts on the Forsythe Creel drainage, an important tributary to the headwaters of the Russian River. There seems to be a general agreement that Mendocino County will be suffering from a lack of water resources into the future, and therefore, exceptional care must be taken to assure that the resources that we have are protected in perpetuity. Stormwater pollution prevention plans notwithstanding, I feel that the siting of an asphalt plant in such an area is a preventable mistake. The fact that the current zoning of the quarry is not currently for industrial purposes means that we actually have to go out of our way to create a situation that threatens the future water security of the county. 61-1

The fact that the quarry's zoning will have to be changed to allow an industrial activity raises another important issue. Doing so creates a dangerous precedent that can open the door to an even more undesirable activity along our coastline. The worldwide depletion of petroleum resources will undoubtedly place overwhelming pressure to extract these resources wherever they can be found. Accompanying the extraction will surely be the need to establish nearby refining capability. The precedent of modifying the county general plan to accommodate financially attractive industry in otherwise zoned Rangeland areas would, I feel, be a mistake that will be difficult to reverse.

Thank you for considering my concerns. Sincerely,

Joseph West
19261 Ridgeway Hwy
Potter Valley, Ca. 95469
(lowdown@wildblue.net)

Response to Letter from Joseph West

61-1. The information and opinions expressed by the commenter are noted for the record. As no questions are asked regarding the EIR, no additional response is required. Please see Section 4.2 of the RDEIR regarding water availability and water quality. Also see Response 8-35. The commenter's opinion regarding the advisability of changing the zoning code is noted for the record.

KEEP THE CODE

August 31, 2011

John Speka
Planner I
Mendocino County Planning & Building Services
501 Low Gap Road
Ukiah, Ca 95482

Subject: Comments on Revised Draft Environmental Impact Report for Harris Quarry Expansion Project: Air Quality

62-1

Dear Mendocino County Planning Commissioners and Board of Supervisors,

Keep The Code has appreciated the additional 45 days granted for public comment. We have recently uncovered what we believe to be significant unsupported information and erroneous conclusionary statements contained in the Revised DEIR section regarding air quality.

Keep The Code has persisted for years, voicing the concerns of its membership and of many other citizens of Mendocino County in opposition to certain critically important elements of the proposed Harris Quarry Expansion Project, such as air pollution from the proposed asphalt plant. This proposed project, in all its various forms has been commented upon by Keep The Code's Attorneys, its Expert Consultants' analyses, and by so many committed citizens who believe their public officials will ultimately hear, (and heed) the collective wishes of the citizenry.

Over time we have pointed out various DEIR and Revised DEIR inconsistencies, inadequacies and flaws. Perhaps coincidentally, all these seemed to have favored the Applicant.

We are reminded of, and hereby quote, in part, **Section 15003 (I and J) of this RDEIR** (Policies), **" Adequacy, completeness, and a good faith effort at full disclosure are required... CEQA requires that decisions be informed and balanced"**

The following is this RDEIR's most significant flaw in regard to Air Quality

Analysis:

The Revised DEIR , Section 4.6, page 244 (last paragraph), and first paragraph, (page 245) states in part: " The prevailing winds in the area are from the West through Northwest, with local variations due to topography. During daylight hours **up-canyon winds predominate. " Note (up-canyon denotes South to North)**

This information is in direct conflict with observations provided by **National Weather Service Spotter, Mr. Norton Heath. Mr. Heath's signed letter is attached.**

Mr Heath reports that **down canyon** winds predominate during daylight hours, in a North to South direction. Mr Heath lives in the Golden Rule Home Village located in Walker Valley of Ridgewood Ranch, along with 500 or more other ranch residents immediately down-wind of the Harris Quarry project area.

Accurate wind direction is obviously essential in determining whether the considerable pollutants emanating from this project would be blown away from, or directly at the adjacent population. This is particularly true during the daytime for the La Vida school children, teachers, the farm interns, senior citizens and residents of the ranch all subject to air pollution exposure during the day.

To be clear, this RDEIR claims the canyon air-flow is **up-canyon-** which is a **South to North** direction- away from the Ridgewood Ranch, Redwood Valley and Ukiah Valley population. The opposite seems true.

Significantly, and perhaps the primary source of this gross error in the predominate wind direction is the fact that this RDEIR depends on a meteorological monitoring installation that is 4.7 miles away, where there is differing topography, temperature, elevation, open spaces, wind direction and propensity for pollutant dispersion. Even given these handicaps- one would expect that checking with long term residents of the area regarding wind direction would have produced more accurate results. **This RDEIR now has to seriously question and re-consider the multiple declarations of insignificance or mitigated air-quality impacts based on flawed meteorological data.- Specifically, the significantly erroneous statement that " During daylight hours up-canyon winds predominate."**

Mr. Paul Miller, KTC Air Quality Expert states: **" All the modeling seems to be based on questionable meteorological data that does not address the site specific characteristics of the project site."** Mr Miller goes on to state: " According to the Air Quality Appendix, all of the meteorological data was collected in the area (4.7 miles away), but not at the project site. The data is probably only generally representative of the area and not representative of the specifics of the project geography, including the North- South valley which will act as a conduit for air pollutants if the project is developed."

We respectfully request the County establish more reliable meteorological data , specifically in regard to daytime wind direction; and conduct accurate air pollution monitoring for these wind conditions; and ascertain the significant adverse impacts to air quality for the Walker Valley, Redwood Valley and Ukiah Valley.

Thank you,

Jack Magne'
For- Keep The Code

Response to Letter from Jack Magne (Keep the Code)

62-1. Please see the responses to Comment Letters 12 and 63 regarding the issues the commenter raises.

Norton Heath
id#: M01
Certified Weather Spotter of Mendocino Coun
NWS Eureka, California

Report any severe or significant weather to the NWS
1-800-240-3027

Mr John Speka
Planner I
Mendocino County Planning & Building Services
501 Low Gap Road- Rm 1440
Ukiah, Ca. 95482

Distribution to:
Planning Commissioners
Board of Supervisors

Subject: COMMENT- Revised Draft Environmental Impact Report- Harris Quarry Expansion Project

I am Norton Heath,a longtimeWeather Spotter for the National Weather Service, and local resident of the Golden Rule Senior Residential Park. I have spent years monitoring and recording weather patterns, wind direction and other meteorological data at this location. 63-1
It has come to my attention that the recently revised Draft Environmental Impact Report for the Harris Quarry Expansion Project makes certain claims about local wind patterns which have no basis in fact.

Pages 244 and 245, Section 4.6 of this DEIR state, in part, the following: " The prevailing winds in the area are from the West through Northwest, with local variations due to topography. Average wind speeds in the **Project** vicinity are about 5 miles per hour. During daylight hours, **up-canyon winds predominate.**"

Quite the opposite is true. During daylight hours, **down-canyon (North through Nw) winds predominate.** The correct wind velocities are closer to 10 to 15 MPH North to South, with gusts to 20- 25 MPH instead of 5 MPH. These errors are especially troubling since the report's findings seem to suggest the pollutants and emissions which would be generated by the expanded facilities would be **blown away** in the **opposite direction** from the Ranch Residential Center and Mobile Home Residential Park. In truth- The entire narrow canyon would serve as North to South conduit for chronic public exposure to airborne pollutants generated at project site. Over 500 people, including seniors and children would be affected in & around the Ridgewood Ranch location.

Since the meteorological monitoring facility used (for this project) to predict wind direction and pollutant dispersant modeling is 4.7 miles away North of Walker Canyon/Valley then it is not surprising such a significant error of wind direction occurred, thus the air quality monitoring would seem to require a supplemental analysis after on site wind, precipitation and temperature data are gathered.

Yours very truly,

Norton Heath

Norton Heath
8-31-11

Response to Letter from Norton Heath

63-1. The comment refers to the discussion of wind patterns in the area (RDEIR, pages 244 – 245) and states that during daylight hours, down-canyon (north through northwest) winds predominate. In addition, the comment further states that the correct wind velocities are closer to 10 to 15 mph north to south, with gusts to 20 – 25 mph instead of 5 mph. In addition to the response below, please see Response 12-7 regarding this issue.

The discussion of wind patterns in the RDEIR was in the section of Climate and Meteorology and was a general discussion of wind patterns in the area, not a specific wind pattern analysis of areas south of the project site, which includes the Golden Rule Residential Park. Specifically, this discussion was based on a description of wind patterns in the County contained on page 8B-2 of the *Mendocino County General Plan Update, Background Report*, January 2003. In describing the wind patterns in the County, the background report stated:

"The prevailing winds are from the northwest, with local variations due to topography. During daylight hours, up-canyon local winds predominate. In the evening hours down-canyon "drainage" flows along watercourses predominate. Coastal hills are drained by numerous small creeks. In the central interior of the County, two major river valleys run in a north-south direction. The Eel River drains northward into Humboldt County along a relatively narrow river canyon. The Russian River drains southwards in a relatively wide canyon into Sonoma County."

As stated above, the discussion in the RDEIR was not specific to the area just south of the project site. Due to large scale and local terrain features, down-canyon winds will occur in the area south of the project site. Down-canyon winds would occur from the north where the quarry is situated, as well as from the two northwest-southeast trending ravines that are just to the northwest of the Golden Rule area. Winds from each of these areas would contribute to the northerly winds observed in the area, in addition to the northerly winds caused by large scale weather patterns.

With respect to wind speeds, the 5 mph wind speed referenced in the RDEIR was an overall average wind speed for all directions at the Willits site, averaged over all hours of the year, not a wind speed specifically associated with the daytime or nighttime up-canyon or down-canyon winds in the vicinity of the Golden Rule Residential Park. As would be expected, wind speeds in the project area for any given hour of the day will at times be greater than the average wind speed and lower than the average at other times, and will vary with direction, time of day, and season. Thus, observations by the commenter that daytime down-canyon winds are higher than the average wind speed (closer to 10 to 15 MPH) are entirely reasonable. Also, as the commenter suggests, there may be times when the winds gust to 20 - 25 mph. However, since wind gusts are of short duration, and not representative of normal or average conditions, it is not expected that an overall annual average wind speed would be of the same

magnitude as the wind gusts. The annual average wind speed is expected to be much lower than a wind gust speed.

The Willits meteorological data used for pollutant dispersion modeling included winds from the north and northwest (winds towards the Golden Rule Residential Park) with wind speeds ranging from 1 meter per second (m/s) to 3.5 m/s (2.2 mph to 10.1 mph). As discussed in response to Comment 12-7, wind speeds at the Harris Quarry site are likely to be higher than those measured at the Willits site. Thus, it is likely that the RDEIR dispersion modeling used wind speeds lower than may actually occur. Since a pollutant concentration at a downwind location from an emission source is inversely proportional to the wind speed[16,17], as the wind speed decreases the concentration increases. Or conversely, for a given level of emissions from a source, the downwind concentration at a specific location will decease as the wind speed increases. Therefore, when considering that the wind speeds used in the dispersion modeling based on the Willits data are likely lower than may occur at the project site, and as noted by the commenter, the predicted concentrations from the dispersion modeling are likely to overestimate the pollutant concentrations due to use of lower than actual wind speeds.

Potential health risks at Golden Rule Residential Park and Church of the Golden Rule were evaluated using MCAQMD-recommended methods, which included dispersion modeling to estimate toxic air contaminant concentrations. Meteorological data from a meteorological monitoring station in Willits was used with the dispersion models to predict pollutant concentrations in the project area, including areas in the Walker Valley south of the project site.

As discussed in the RDEIR, the Willits meteorological monitoring station is the closest location where meteorological data were available. Historically, there has been no long term meteorological monitoring of parameters needed for dispersion modeling in the vicinity of the project site, and only limited monitoring in the project region. The Willits meteorological data were obtained from a location near South Main Street between Franklin Avenue and Walnut Street at an elevation of about 1,400 feet. This monitoring station is about 4.7 miles northwest of the project site. Elevations at the project site range from about 1,850 feet at the quarry site to about 2,200 feet at the location of the proposed asphalt plant.

Based on the Willits monitoring site location and its surrounding area, meteorological data from this station was considered generally representative of conditions in the region. Since site-specific meteorological data were not available these data were used in the RDEIR dispersion modeling to estimate pollutant concentrations in the project area. While there would be variation in meteorological conditions between the Willits site and the project site due to differences in elevation and local topography, the Willits data was considered to be a reasonably representative of the range of meteorological conditions

[16] D. Bruce Turner. *Workbook of Atmospheric Dispersion*, U. S. EPA, 1970.
[17] U.S. EPA. *User's Guide for the Industrial Source Complex (ISC3) Dispersion Models, Volume II – Description of Model Algorithms*. September 1995.

encountered at the project site. Due to the higher elevation of the project site compared to Willits, wind speeds at the project site are expected to be greater than winds in Willits.

As discussed in response to Comment 12-7, a meteorological data set for the same year as the Willits meteorological data (2004) used in the dispersion modeling, derived from mesoscale meteorological modeling data, was obtained for the Harris Quarry location in order to assist in evaluating the representativeness of the Willits meteorological data presented in the RDEIR. As Comment 12-7 describes, the use of this more detailed meteorological data shows that the area south of the site could experience annual pollutants increase of 30-50% higher than described in the RDEIR. However, as explained in that response, with operation of the proposed project for 70 years, the increased cancer risks would be 0.14 per million for the Church of the Golden Rule and 0.17 per million for the Golden Rule Mobile Village. The MCAQMD threshold of significance for increased cancer risk from a project is 10 cases per million.

In order for the increased cancer risks from the proposed project to be considered significant in the area south of the quarry, they would have to be 60 to 250 time higher (6,000% to 25,000% higher) than those estimated by the RDEIR. The possible underestimation of annual pollutant concentrations at the Golden Rule Mobile Village due to use of the Willits meteorological data for the dispersion modeling in the RDEIR would not change the RDEIR conclusion that potential health risks effects at the Church of the Golden Rule or the Golden Rule Mobile Village would be considerably lower than the MCAQMD health risk significance thresholds.

To conclude, the commenter is correct that additional meteorological data indicates that the area south of the project site would be exposed to higher annual concentrations of pollutants than described in the RDEIR. However, the principal factor affecting the dispersion modeling and pollutant concentration is the distance from the proposed asphalt plant. The pollutant concentrations would be substantially below the significance threshold as reported in the RDEIR. The additional meteorological information would not result in a new impact, substantially increase an impact, require additional mitigations, or alter the conclusions of impact significance. The text of the RDEIR has been revised to reflect the information presented above.

RECEIVED
SEP 06 2011
BY PLANNING & BUILDING SERVICES
Ukiah, CA 95482

Cody Bartholomew

9/4/2011

Public Comment- Opposition of Harris Quarry Asphalt Plant

My name is Cody Bartholomew and I am a Managing Member of Christ's Church of the Golden Rule at Ridgewood Ranch. We as a community have committed ourselves to proper stewardship of our land, preservation of the historic value of the property, and provided a model of sustainability for the greater community and the world. All of which are contrary to the rezoning of adjacent property and the building of an industrial asphalt plant. 64-1

On the ranch is a 50 acre/ft. reservoir, within a ½ mile and downhill from the proposed plant. This reservoir gravity feeds water to agricultural programs throughout the ranch. It feeds the Golden Rule Garden, which is a sister garden to Ecology Action's garden in Willits. It is a teaching garden that hosts interns from all around the world to use the Biointensive gardening method to sustainably grow produce. People working in the garden now represent country's like; Nepal, Ecuador, France, Congo, etc. There are dozens of people around the world that have used our garden as a classroom and had great success bringing the gardening method back to their country and educating others and sustainably growing an incredible amount of food, everywhere from Afghanistan to Kenya. This method involves purity in soil and a working asphalt plant uphill from its water source can not only negatively affect the local food source, but also the educational experience. You can learn more about Ecology action program at growbiointensive.org. The lake also feeds the Butler Cherry orchard which is a community U-pick orchard with apples, cherries, and more. For more info on the Butler Cherry orchard please visit butlercommunityorchard.org. Finally our grazing pastures where we practice Holistic Rangeland Management are also irrigated from the reservoir. This method uses cattle grazing to not only sustainably produce "grass-finished" beef, but also improve the soil and grasslands. Two months ago we hosted a workshop that taught this method. People came from all over the California and the Western U.S. to learn this method of cattle production using different parts of our property as an example.

We also host the T.R.A.I.L program which provides horseback therapy to clients with mental and physical disabilities. This program has received incredible support from the community and has been funded by generous donations and contributions locally. Currently in T.R.A.I.L.'s clientele is a young girl with serious respiratory problems and sensitivity to toxins and particulates. She and many others come to the ranch for rehabilitation because it is a place with a clean fresh environment and being in the shadow of an asphalt plant would be detrimental to this community resource. You can find more info on the TRAIL program at ridgewoodtrail.org.

Ridgewood Ranch is "The Home of Seabiscuit" and the county of Mendocino and the city of Willits have recognized that as a huge addition to our community ever since the popularity of the book and movie. Willits attempted to rename Commercial St. to Seabiscuit Pkwy, you see Seabiscuit on buses and signs all over town. It is a huge part of the tourism brought to the area. I and another Managing

Member of CCGR just attended an agritourism workshop and have just begun truly exploring the potential for tourism that this ranch has to offer. The Seabiscuit Heritage Foundation was formed to preserve the historic value of the ranch property and the legacy of Seabiscuit, there website is seabiscuitheritage.org and provides information on the work that they are doing. A historic structures report was funded by a government grant; $20,000 was spent to evaluate historic structures throughout the ranch. Many of these structures are in direct view and earshot of the proposed asphalt plant. One of the arguments for the plant is the production of local jobs. I have lived on Ridgewood Ranch my whole life except for the last five years where I recently received a Bachelor's Degree in Construction Management. As a Project Manager, looking at the buildings and resources on the ranch I know that there is an incredible amount of potential for growth in development and use of these buildings. The labor needed to develop these buildings and run the businesses that they create is vast. At one point the Ranch was named one of the "Top 11 Most Endangered Historic Places", it has been found by many groups to be a place with much potential, but needs help to remain viable. A big part of that viability is going to be tourism and support and having an industrial plant so close will seriously affect that resource.

We have been good stewards of the land Pursuing conservation easement of the whole property, to prevent subdivision and development of property. Why would we go to all this trouble just to have the property adjacent rezoned industrial? We completed a creek restoration project on a Russian river tributary working with fish and game to stock the creek with trout every year. We've realized the importance of preserving this property and have been incredibly proactive in improving it.

Ridgewood ranch has been an example of sustainability and environmental preservation, the effectiveness of this can be measured and is substantial. The potential has been found by many groups to be immeasurable and I believe we are just beginning to tap into the true ability that this ranch provides Christ's Church of the Golden Rule to better the world we live in. Its unique beauty, seclusion, history, and clean environment are the aspects that allow us to be so effective in those goals. The rezoning of the Harris Quarry would take so much of the power of this resource and the harm it could do would be felt locally and around the world.

Response to Letter from Cody Bartholomew

64-1. The information presented on Ridgewood Ranch and its programs is noted for the record as well as the commenter's opinion about the project. The project's impact on the ranch's water quality was addressed on pages 132 and 335 of the RDEIR.

Dennis M. Slota
P.O. Box 822
Willits, Ca 95482

John Speka
Mendocino County Planning Department
501 Low Gap Road
Ukiah, Ca
95482

09/4/11

RECEIVED
SEP 0 6 2011
BY
PLANNING & BUILDING SERVICES
Ukiah, CA 95482

Subject: Harris Quarry Draft EIR

Dear Mr. Speka:

I am submitting these comments on the Draft EIR for the proposed Harris Quarry expansion on my own behalf.

1. Water use estimates for this project are supplied entirely by the applicant with no attempt at verification by the EIR preparer. In the previous EIR for this project, consultants for Granite Construction estimated that the water use figures in that EIR were underestimated by 600% (2/6/08 letter from Mark Harrison). What assurance is there that the figures supplied by the applicant for use in this DEIR are not similarly underestimated? Why are water use estimates supplied by the applicant not verified in the EIR? Why is there no requirement for monitoring actual water use for comparison to water use estimates? 65-1

2. On page 127, the DEIR identifies a 3-foot head-cut migrating up the main tributary to Forsythe Creek. On page 128 this incision is identified as 4-6 feet of incision. Which is correct? Page 128 identifies the 4-6 feet of incision as "minor". As the channel is only 3-6 feet wide, what is the geomorphic basis for determining that 4-6 feet of incision is minor? This head-cut has the potential to migrate sufficiently to drain the vernal pool located below the southern portion of the quarry. Loss of this vernal pool would be a significant and unmitigated effect. Why would this DEIR not be revised to require stabilization and monitoring of this head-cut during the life of the project? 65-2

3. The DEIR does not discuss the consequences of slope failure of the building pad for the asphalt plant consisting of up to 75' fills, on steep slopes consisting of highly erodible soils, in a seismically active area. This fill pad will be permanently perched above Forsythe Creek, containing listed salmonid species, and where over $2.5 million dollars of public money has been spent on stream restoration, must of it in sediment reduction actions. Who will be responsible for environmental damages and cleanup resulting from catastrophic failure of the fill slope during the life of the quarry? Who would be responsible for environmental clean-up following a catastrophic fill failure after the quarry is closed? What environmental damages would be expected following a catastrophic failure of this fill slope and how would clean-up occur? 65-3

4. The DEIR (Page 119) states that construction observation and testing will be done during construction to ensure conformance with design requirements and pyrotechnical recommendations. Who will perform these inspections and testing? How often will testing and inspections occur? Who will receive inspection and test results? 65-4

5. Page 156 of the DEIR states the sampling location for the SWPPP will be the outfall of the 48" pipe entering the existing sump pond. This results in sampling stormwater entering the site, rather than stormwater exiting the site. The existing 36" CMP that exits the site from the sump pond can be easily modified to allow sampling in a safe and efficient manner. Why does this DEIR require sampling stormwater entering the site, rather than from stormwater exiting the site? 65-5

Thank you for the opportunity to comment on this DEIR.

Sincerely,

Dennis Slota

Response to Letter from Dennis Slota

65-1. The report prepared on groundwater that was submitted by the applicant was peer reviewed by the hydrologists who helped prepare the RDEIR. The peer review concluded that the report was professionally prepared and met typical standards for such analyses. Also see Response 8-35 regarding water availability. Please see Response 8-36 regarding water use at other quarries. Water use monitoring is not required because no significant impact regarding water use was identified. In addition, the quarry would need to reduce operations if there was insufficient water available for dust control.

65-2. The headcut at the downstream end of the channel is about 3 feet high as accurately reported on page 127 of the RDEIR. On page 128, the RDEIR reports that the stream bed (of the channel upstream of the quarry) has been incised 4-6 feet. The RDEIR accurately describes the drainage upstream and downstream of the quarry. The incision of the channel has been from historical changes to area drainage. The quarry's component of this runoff is minor - most of the incision is due to highway runoff; in fact, the quarry by detaining flows on site has probably decreased the downcutting that would have occurred if the quarry were not in operation; quarry-generated runoff is not expected to substantially increase. As a consequence, no mitigation is warranted or required for the project.

65-3. Please see responses to Comment Letter 13 about pad fill stability. The RDEIR does discuss the impacts of pad failure (see page 118 of the RDEIR). If the fill pad is properly constructed as required in the RDEIR, it should not fail. It is expected that the applicant or property owner would be responsible for a failure that affected Forsythe Creek. It would be speculative to describe what those impacts might be or what remediation might be needed, particularly as this failure is not predicted.

65-4. The MMRP describes who is responsible for monitoring and reporting the implementation of mitigation measures.

65-5. The RDEIR identifies a suitable monitoring site, remembering that runoff from the quarry itself does not flow off the site. This sump area is surrounded by a berm and will only accept additional water from the quarry floor during a catastrophic event (greater than 100-year storm event). It is likely that no one will be performing sampling during a catastrophic event. The intent of sampling at this location is to confirm that there are no contaminants entering the site along the access road, upslope of this area. Additional baseline sampling will occur at the first drain inlet entering the site from Highway 101. The recommended location of the sampling as noted in the RDEIR is appropriate. No reason has been presented to revise the recommended mitigation measure, and no change is necessary.

Dori Kramer
P.O. Box 598
Ukiah, CA 95482

John Speka
Mendocino County Planning Department
501 Low Gap Road
Ukiah, CA 95482

September 6, 2011

Subject: Harris Quarry Expansion Draft EIR (DEIR)

Dear Mr. Speka:

There is a statement on page 211 of the DEIR that there is no public transit available to the site. This is incorrect, as the traffic analysis does not take into account the Mendocino Transit Authority (MTA) bus stop immediately north of the intersection of Highway 101 and Black Bart Road. The traffic analysis needs to be modified to include the presence of a public transit stop with accelerating and decelerating buses in the immediate area of the quarry. This bus stop is within about 200' of the quarry entrance. 66-1

Thank you for adding this comment to the public input regarding the DEIR.

Sincerely,

Dori Kramer

Dori Kramer

RECEIVED
SEP 06 2011
BY
PLANNING & BUILDING SERVICES
Ukiah, CA 95482

Response to Letter from Dori Kramer

66-1. The RDEIR is correct that there is no mass transit available to the site (or its driveway). According to the MTA office, there is a southbound bus stop but not a northbound one on Highway 101 near Black Bart Drive. There would be minimal conflict with decelerating or accelerating southbound buses conflicting with southbound decelerating trucks. The buses would be subject to the same safety hazards as other vehicles as discussed in the RDEIR. The presence of buses on the highway stopping at a bus stop near Black Bart Drive does not affect the RDEIR traffic analysis, and no revision of the RDEIR text is required.

John Speka - Fwd: KTC Comment- ALTERNATIVE LOCATION- HARRIS QUARRY EXPANSION PROJECT

From: "Jack Magne'" <jackatocha@aol.com>
To: <spekaj@co.mendocino.ca.us>
Date: 9/6/2011 3:58 PM
Subject: Fwd: KTC Comment- ALTERNATIVE LOCATION- HARRIS QUARRY EXPANSION PROJECT

John- Please enter into the record.

Thanks,
Jack Magne'- Keep The Code

KEEP THE CODE

September 6, 2011

Planning Commission, and
Board of Supervisors

Mr John Speka
Planner I
Mendocino County Planning & Building Services
501 Low Gap Road
Ukiah, Ca 95482

Comments on Revised Draft Environmental Impact Report (RDEIR) for Harris Quarry Expansion Project:
Inadequate, inaccurate and Incomplete Alternatives Analysis

Keep The Code has maintained from its inception, that the Harris Quarry Expansion Project, which includes construction and 30 year operation of an asphalt plant is an unacceptable proposal. KTC has also rejected the idea of the so-called Mineral Processing Combining District which opens the door to a number of questionable, possibly unpleasant, and certainly unforeseeable industrial zoning consequences. Through legal representation, expert analysis and strong opposing comment by the general public- The message is clear: NO ZONING CHANGE. KEEP THE CODE. 67-1

We fervently hope the County will take seriously all our concerns, and profound reservations expressed repeatedly over the years.

We are in favor of carefully located industry, in line with existing zoning ordinances, and in agreement with the General Plan. This Harris Quarry project conforms to none of these criteria.

From the RDEIR:

" The State CEQA guidelines require that an evaluation of reasonable alternatives to the project that would feasibly attain most of the project objectives, while avoiding, or substantially reducing any of the significant impacts of the project " (Section 2.7, pages 21-22)

KTC believes there are certain project alternatives which would be superior to the project as outlined in this RDEIR. Below we will examine what this RDEIR has to say about these **Project Alternatives**, and why we believe this to be an **inadequate inaccurate and incomplete Alternatives Analysis.**

(1) Portable, Temporary Asphalt Plant Facility:

67-2

This alternative of a **Portable, Temporary Asphalt Facility** is already sanctioned by the **Zoning Code** and presents a real opportunity to accommodate projects over a limited period- thereby avoiding all of the long-term hazards and significant adverse environmental impacts associated with the proposed permanent industrial zoning change for the asphalt plant adjacent to the Harris Quarry.

This RDEIR, on page 27, refers briefly, perhaps dismissively, in its description of Alternate 7 by stating only: " The discussion includes possible temporary siting of an asphalt plant in the Hwy 101 right-of-way to be used for constructing the Willits Bypass. " In the *Conclusion* Summary of Alternate Locations, (also page 27), the paragraph begins: **" There is no feasible alternative site for the project as a whole "** There was no further mention of this important potential alternative in the entire **Conclusion** statement.

With diligence, we located, (Section 5.2, page 360), which further stated: " One of the commenters on the original DEIR requested analysis of an alternative that did not include an asphalt plant on the project site. It would include a temporary asphalt facility within the Hwy 101 right-of-way to serve the asphalt requirements of constructing the Willits Bypass." The RDEIR continued: " It is speculative what impacts such a temporary facility would cause, since the location of the facility is unknown .....However, the impacts of developing such a site remains speculative"

This cursory treatment of a valid, legal option truly missed the mark. The alternative was not analyzed in principle; but disregarded "out of hand" with a confusing entanglement with the "Willits Bypass". Further- It is regrettable that this RDEIR used the word "speculative" in this context, considering the RDEIR independently refers to the "Willits Bypass", throughout the document, numerous times. **We feel the document's analysis of this option of a portable plant was inadequate, incomplete, inaccurate and also failed to address many favorable aspects of this option, including, but not limited to, the benefit to the County's economy related to reduced cost of asphalt brought on by more local competition. Even though the proposed project is not considered growth inducing, the positive economic impact of another asphalt plant in the County is of significant economic concern - to keep the price of asphalt competitive; therefore utilizing the existing zoning code to encourage Portable, Temporary Asphalt Plant operations should be encouraged.**

The alternative analysis of a Portable, Temporary Facility should compare the air emissions of truck traffic to and from the Willits Bypass for this alternative to the project. For example, a comparison of air emissions from trucks hauling rock to and from the Willits Bypass for a temporary asphalt plant located within the 101 construction corridor should be made with the air emissions of trucks hauling asphalt, including fugitive hydrocarbon emissions from the transported asphalt to and from the Willits Bypass from the proposed asphalt plant site. KTC and its expert analysts contend that hauling asphalt from a permanent asphalt plant creates greater air pollution than hauling rock to a temporary asphalt facility for the same construction project.

The alternative analysis of a **Portable, Temporary Facility** should also evaluate the reduced significant environmental impacts on temporary sites compared to permanent industrial zoning of the project site. **Clearly, the significant adverse environmental impacts of the proposed project site are cumulative and permanent, whereas any significant adverse environmental impacts on a temporary project site are temporary.**

(2) Alternative Location

The RDEIR states in **Conclusions (page 387), and we quote:** " There is no feasible alternative site for the project as a whole. If the County decided to approve an alternative that did not include the asphalt facility, then there are alternative sites the applicant could seek to purchase and get approval for operation of an asphalt facility. However, all these sites are more urbanized (despite having Industrial Land Use designations)" The document also states: (page 387) " It is entirely possible that there are other available sites that are not listed on the *Multiple listing Service*. However most land designated Industrial is within or near Ukiah, Calpella and Willits. In almost all cases these lands are near existing residential development." 67-3

The following may help illustrate how inaccurate and possibly misleading some of these assertions are:

(A) The statement " All these sites are more urbanized (despite having Industrial Land Use designations)" is simply untrue. **The Grist Creek Longvale property, on Hwy 162 is less urbanized compared with the Harris Quarry location.**

(B) The statement " However most land designated Industrial is within or near Ukiah, Calpella or Willits", is also false.

The Grist Creek Property is designated Industrial and is farther away from Willits, Calpella and Ukiah than Harris Quarry.

(C) The document also states (also page 387), " The County could not approve an asphalt plant at any of these sites as part of this EIR. A separate application would need to be submitted, and it would need to undergo its own detailed environmental review." The document fails to disclose**: If a property is already zoned Industrial, the Environmental Review process (called Environmental Review Permit) can be handled much more expeditiously than, for example, the Harris Quarry attempt which includes zone changing- which has already taken over 5 years. According to the County- the environmental review permit for the Grist Creek Longvale property can be handled in as little as three months.** The aforementioned Grist Creek Longvale property has applied for the Environmental Review Permit.

We did find a statement with which we agree: **(page 388)** and we quote: **" If the County determines that the alternative location (Alternative 7) is superior, then it would select one of the other alternatives that eliminates the asphalt plant on the proposed site. That would be alternative 1, 2, 3 or 6."**

Thank you,

Jack Magne'
For- Keep The Code

COUNTY OF MENDOCINO
DEPT OF PLANNING AND BUILDING SERVICES
501 LOW GAP ROAD, ROOM 1440
UKIAH, CA 95482
Telephone: 707-463-4281
FAX: 707-463-5709
pbs@co.mendocino.ca.us
www.co.mendocino.ca.us/planning

Case No(s).
CDF No(s).
Date Filed
Fee
Receipt No.
Received by
Office Use Only

APPLICATION FORM

APPLICANT

Name: GRIST CREEK AGGREGATES, LLC
Mailing Address: PO BOX 575
City: COVELO State: CA Zip Code: 95428 Phone: 707 983-8135

PROPERTY OWNER

Name: ~~[illegible]~~ Granite Construction Company
Mailing Address: PO BOX 50085 ATTN: GRANITE LAND COMPANY
City: Watsonville State: CA Zip Code: 95077-5085 Phone: (831) 724-1011

AGENT

Name: MEL GOODWIN
Mailing Address: PO BOX 575
City: COVELO State: CA Zip Code: 95428 Phone: 707 983-8135

PARCEL SIZE

15 ☐ Square feet ☒ Acres

STREET ADDRESS OF PROJECT

35510 COVELO ROAD

ASSESSOR'S PARCEL NUMBER(S)

036-190-26

TYPE OF APPLICATION

(Check Appropriate Boxes)

☐ Rezoning	☐ Use Permit
☐ Land Division: Minor	☐ Variance
☐ Land Division: Major	☐ General Plan Amendment
☐ Land Division: Parcel	☐ Agricultural Preserve
☐ Land Division: Resubdivision	☐ Reversion to Acreage
☐ Exception	☐ Certificate of Compliance
☐ Modification of Conditions	☒ Other: DEVELOPMENT REVIEW

I certify that the information submitted with this application is true and accurate

Mel Goodwin for GCA. 3/21/2011
Signature of Applicant/Agent Date

Signature of Owner Date 4-14-11

Response to Letter from Jack Magne, (Keep the Code)

67-1. The commenter's opinions are noted for the record. As no question is asked regarding the RDEIR, no additional response is required.

67-2. See Response 16-11 to this same comment by this same commenter. Please see page 387 of the RDEIR where this temporary facility is discussed. As stated there, such an alternative might be pursued if the County approves one of the project alternatives that does not include an asphalt facility on the site. Also as stated there, the impacts of such a plant and comparisons with the impacts of the proposed project are speculative since where or if such a facility would be approved is unknown.

67-3. See Response 16-7 regarding this alternate site. In addition, see Comment 15-33 submitted by the applicant for additional information regarding this site and surrounding land uses. The commenter is incorrect that the CEQA review for a project on this site would be completed within a few months.

Public Comment

68-1

on

Harris Quarry

application

9/6/2011

from/by Randi Dalton

P.O. Box 256,

Laytonville

CA. 95454

Questions Sept. 6, 2017

Public Comments -

Harris Quarry - Concerns

(1) NO PROJECT - option - GOAL

(2) ? 40 year - too long - monitoring

(3) weight rock displacement 400 - trees - loss of canopy - unsustainable - ns

(4) Keeping record open

(5) Safety - Health

(6) floodings - Sherwood Valley. Rangeria

(7) Biology - Botony (monitoring)

(8) Application of CEQA NEPA all

$ significant cumulative

Salmon - estuary endangered species environmental impacts

costs - flooding earthquake

whose responsible?

costs - Damages

Life-Support System
EARTH

climate change

(9) Alternatives — public transportation i.e. trains

(10) existing by-pass Keyhole Highway tap - Central Valley Rds - around Willits

(11) loss-of-agricultural lands

(12) EROSION / DRAINAGE

(13) Zoning

(14) White deer

(15) Native-indigenous uses loss-of-paleontology, cultural archeology, anth

(16) Fish + Game - NOAA - Salmon habitat - Eel River, Russian River

(17) Watershed
JOBS - other than concrete/asphalt

Submitted by -

RANDI DALTON
PO Box 216
Laytonville, CA
95454

MEC -
Dalton Creek
10-mile River
Friends -

707-984-8485

RECEIVED
SEP 06 2011
BY
PLANNING & BUILDING SERVICES
Ukiah, CA 95482

P.O. Box 216
Laytonville, CA.
95454
Friends of Cahto + 10-Mile Creeks
April 13, 2010

TO: USGS
Jim Gibbons
Hydrologic Technician
2550 N. State St.
Ukiah, CA
95482

Re: file # 1991-19940740
Willits, S. Fork Eel River CA.

Dear USGS,

I'm concerned about the objective analysis, not CAL-TRANS sponsored, of the watershed, salmon habitat, earthquake potential, flooding, endangered species - plants, (limnanthus bakeri, meadowfoam, semifor grass, sweet-bear-grass, basket-making by Pomo - others, chicory, queen-annes lace, dandilion, what is there? we need biological + flora, fauna, bird, insects, mammals - deer inventory + protection) and animals to be studied and documented.

I full + impartial EIR, public hearings, hydrology, soils, earthquake faults, geology, flooding (history + potential), cumulative, sensative habitat, archeology, fisheries (salmon micro-biology, soils, impacts, are significant + NO Project at this time is Recommended. Sincerely,

Randi Cahto
A Voice in time - mine - Salmon
Keep the file open. (1947-2010) Woman

Keep the file open.
Public hearings are needed
+ input. Archeology, Native
American - Willits (Eleanor
Willard Willits, Willits
decendents, Nora Layton Willits,
input + history is to be
recognized + respected.
One earth, no spare.
Not Hollywood fiction but
Real/Reality demands our
full comprehension + und
standing of geography o
place, geology, seismic sa
dangers, soil + water i
strengths + limitations
Traditional gathering pl
Salmon, steelhead, basket
making grasses, food-plants,
medicine-plants, beauty. We
Scenic corridor now - let's
our north county beautiful a

Sincerely
Ronda Dalton
+ Significa
BOOKS

LAWS

to Be followed Enforced

CEQA - Calif. Environmental Quality Act

NEPA - National Environmental Protection Act

MARINE PROTECTIONS ACT

WILD + SCENIC RIVER PROTECTION

PALENTOLOGY PROTECTION ACT

NATIVE AMERICAN CULTURAL PRESERVATION

BASKET-WEAVERS ASSN (530)668-1332

CLEAN-WATER ACT

Democracy - Local Voice

FAIRNESS

Dear Agencies, People, Community

I don't want to lose

OUR

little Lakes, figs

foxes, frogs, wild flowers

the earth.

Love

(twins) Oceana + Sierra Sipla

7yrs. 7

file #: 1991-194740

PS "We LOVE OUR COUNTRY ROADS- 2. LANES is ENOUGH!"

1998 - Native American site preservation - Flooding
CEQA/NEPA - Law Enforcement - Insurance

MENDOCINO COUNTY BOARD OF SUPERVISORS - SPEAKER FORM

Costs Flooding - Fisheries - Salmon

Please submit completed form to the Clerk of the Board prior to the commencement of discussion of the item.

Rural - Urban - communities - Projects - Public Hearings - EIR -

☐ I would like to speak on the following Agenda Item: _____

☒ I would like to speak during Public Expression concerning: Cal-Trans - Willits By-Pass

NAME: RANDI DALTON

Disclosure: This information may be retained in the Public Record of the Board proceedings, and as such, may be shared with others upon request. Please do not provide any information you do not wish to be disclosed to others. one earth - earthquake/geology

Address: 1450 - Branscomb Rd/P.O. Box 216

Phone No.: (707) 485-4527

Email Address: n/a

Representing: self - Salmon; environmental concerns

Position on Item: alternatives - Use existing Rds. - Eel Valley

COSTS - trains activate Reynolds Hgwy/central

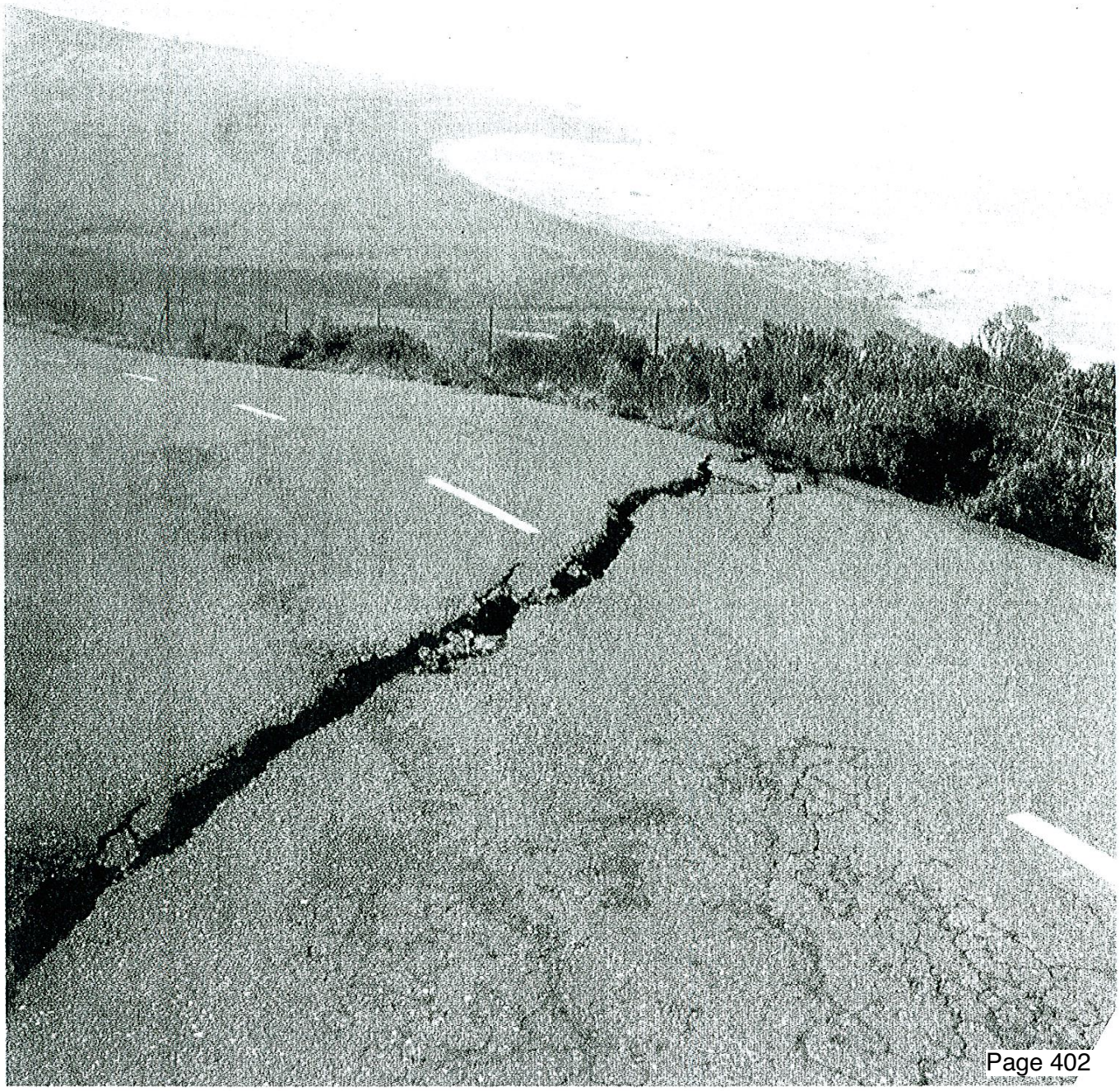
Completion of this form is not required for attendance at the meeting or for speaking on an item, however, the information is intended to assist in meeting facilitation and accurate meeting transcription.

4/13/2010

Living on SHAKY GROUND

HOW TO SURVIVE EARTHQUAKES AND TSUNAMIS IN NORTHERN CALIFORNIA

Part of the *Putting Down Roots in Earthquake Country* Series



ow Was the Policy Developed?

The Traditional Gathering Policy was developed in consultation with tribal governments and in coordination with the California Indian Basketweavers Association, California Indian Forest and Fire Management Council, and agency staff.

Input from "Listening Sessions" held with tribal members throughout the state also helped develop a policy that addresses local needs, while encouraging local implementation and issue resolution.

Tribal governments, tribal organizations, individuals, and agency personnel from various regions of California provided valuable contributions to the Policy.

For more information, contact:

California Indian Basketweavers Association
(530) 668-1332
http://www.ciba.org

California Indian Forest and Fire Management Council
P.O. Box 1449
Hoopa, CA 95546
CIFFMC@hotmail.com

U.S. Forest Service, Region 5
Tribal Relations Program Manager
(707) 562-8737
TTY: (707) 562-8919
http://www.fs.fed.us/r5/

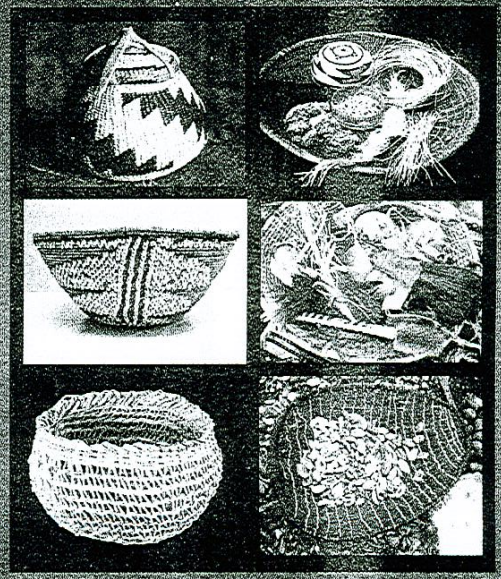
Bureau of Land Management
California Tribal Liaison
(916) 978-4648
TDD (916) 978-4419
http://www.blm.gov/ca/

It is the policy of the Bureau of Land Management and the Forest Service not to discriminate in employment or delivery of program services on the basis of race, color, sex, age, religion, national origin, marital status, or disabling condition. Any person who believes he or she has been discriminated against should contact:

Secretary of Agriculture, USDA
Washington, D.C. 20250
1-800-245- 6340

Traditional Gathering Policy

on Public Lands Managed by the U.S. Forest Service and Bureau of Land Management in California



A Joint Project of the
USFS and BLM
in coordination with the
California Indian Basketweavers Association
and the
California Indian Forest and Fire Management Council

Curation of Paleontological Resources

OPLA-PRP requires that paleontological resources collected under a permit remain United States property and must be preserved for the public in an approved repository, to be made available for scientific research and public education.

Confidentiality of Locality Data

In order to protect the resource from theft and vandalism, OPLA-PRP requires that the nature and location of paleontological resources on public lands be kept confidential.

Prohibited Acts and Penalties

Theft and vandalism to publicly owned paleontological resources results in a loss to all of the people of the United States.
Civil penalties include fines based on value of the paleontological resource, and damage to the fossil as well as to the land. Criminal penalties include imprisonment up to 5 years or fines, or both.

Regulations

BLM is currently developing regulations to implement the OPLA-PRP.

P.L. 111-11, Title VI, Subtitle D
Sections 6301-6312, 123 Stat. 1172
16 U.S.C. 470aaa

U.S. DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
Managing Fossils on Public Lands

The full text of the OPLA-PRP is available at:

www.blm.gov/ut/st/en/prog/more/cultural/Paleontology.html

For more information visit:
www.blm.gov

A New Paleontology Law

Paleontological Resources Preservation under the Omnibus Public Lands Act of 2009

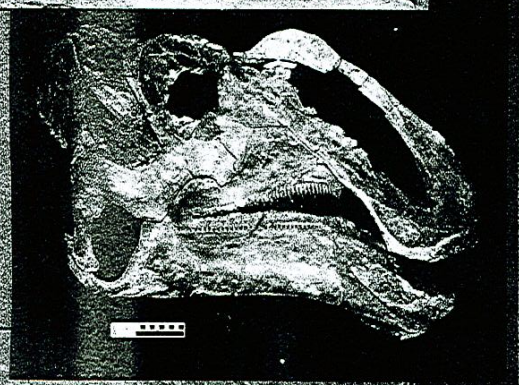
Paleontology

Bureau of Land Management

Paleontological Resources Preservation

By passing the Omnibus Public Lands Act, Paleontological Resources Preservation subtitle (OPLA-PRP), Congress has recognized the value of paleontological resources on public lands as a natural and irreplaceable part of America's heritage.







What is a Paleontological Resource?

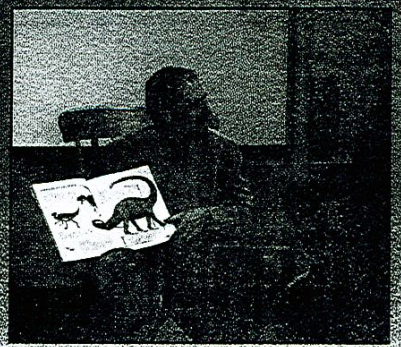
[illegible] defines a paleontological resource [illegible] any scientific interest [illegible] remains, traces or [illegible] organisms [illegible] on [illegible] must [illegible] that paleontological [illegible] provide [illegible] about the [illegible] Earth.

Public Awareness and Education

[illegible] increase [illegible] resource [illegible] public [illegible] on the [illegible] and [illegible]

Management of Paleontological Resources

Under OPLA-PRP, paleontological resources must be managed and preserved on public land using scientific principles and expertise. Appropriate plans must be developed for inventory, monitoring, and the scientific and educational use of paleontological resources. In the BLM, management of these resources will emphasize interagency coordination and collaborative efforts with partners, the scientific community, and the general public.



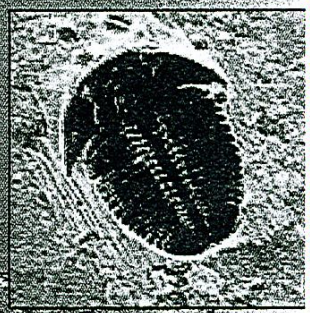
Do I need a Permit to Collect Paleontological Resources?

A paleontological resource use permit is required to collect paleontological resources of scientific interest. Collections made under a paleontological resource use permit remain the property of the United States and will be preserved for the public in an approved repository, to be made available for scientific research and public education.



What about Hobby Collecting?

Casual collecting of common invertebrate and plant fossils will continue to be allowed without a permit for noncommercial personal use. Check with local BLM offices for specific areas that are identified for hobby collecting.



Sept 21 2011

CalTrans seeks final agreement on bypass relinquishment

By Linda Williams
TWN Staff Writer

For years CalTrans representatives and the city have been meeting to determine how Main Street will be returned to the city after construction of the Highway 101 bypass around Willits.

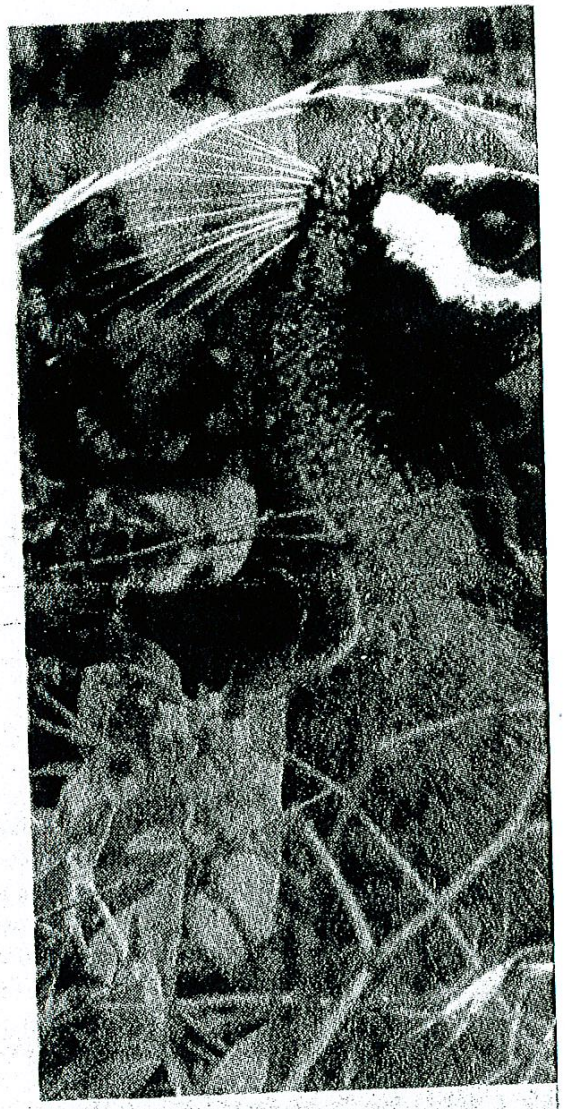
CalTrans representatives have now made it clear they wish to have a complete signed agreement with the city by February 2012, according to Mayor Bruce Burton. This is but one of many relinquishment deadlines CalTrans has set for the city over the past three years.

Burton and Vice Mayor Victor Hanson represent the council on the relinquishment ad hoc committee formed about two years ago to work through key issues with CalTrans District 1 leadership.

An August 9 draft proposal from CalTrans was shared with the city council at its August 10 meeting. Burton told the council the agreement still had several glaring errors in its wording that CalTrans had previously agreed to change. Other than these technicalities, Burton told the council he did not expect CalTrans to budge much further on the agreement.

The council agreed to add a review of the modi-

See MAIN STREET, Page 5



STRUTTIN' ITS STUFF

Summertime is the perfect time to dress in your most colorful, flan no different. The beautiful bird was seen strutting its stuff by phot around Little Lake Valley.

Bockmann named new

Special for The Willits News

Frank R. Howard Memorial Hospital announced Thursday that Rick Bockmann will be the new CEO for the Willits hospital.

Bockmann is currently vice president for physician services at St. Helena Hospital in Napa Valley and also CEO of the Adventist Health/California Medical Group, dual roles he's held since 2007.

Terry Hansen, who's been serving a

Howard
"Based
based c
Rick Bo
dition t
Rick's c
style, th
ative, p
think hi
will be
daughte

MAIN STREET From Page 1

fied agreement to a future agenda as soon as CalTrans had fixed the errors and returned it to the city. From comments made by different members of the council, no consensus has yet been reached on whether the city will be willing to sign any relinquishment agreement.

During the past years of discussion, CalTrans has yielded on several main sticking points: it has agreed to address the Sherwood Road interchange, limit bypass construction traffic on city roads, fix the drainage and access problems in front of Willits High School and provide $4.48 million to upgrade all sidewalks on Highway 101 from the Highway 20 interchange north to the city limits to meet current American's with Disabilities Act requirements.

On May 20, Deputy District Director Mark Suchanek reminded the city in a letter these concessions were contingent upon the city signing the relinquishment agreement in a timely manner. Suchanek suggested if the city failed to sign the full agreement by the currently envisioned time frame none of the "discretionary" items would be included.

By relinquishment law, CalTrans must certify to the California Transportation Commission and to the California Legislature any roadway being relinquished is in a "state of good repair."

The actual definition of "state of good repair" has been the meat of much of the relinquishment discussion. The vague standard, codified by the Legislature in the relinquishment statute, has been interpreted differently by city residents and CalTrans officials. A literature search suggests the intent

On May 20, Deputy District Director Mark Suchanek reminded the city in a letter these concessions were contingent upon the city signing the relinquishment agreement in a timely manner....

of the "state of good repair" standard means the highway should not require significant maintenance for a period of 20 years.

In addition to the "discretionary" items, the city engineer is also concerned about the poor documentation of the CalTrans right of way, unclear documentation about bridge conditions, and a series of issues with the surface and subsurface drainage along the right of way. The bridges in question are nearly 100 years old.

Legal searches demonstrate once the highway is relinquished, the city will be responsible for correcting any known or unknown deficiencies. When Cloverdale attempted to recover costs of rectifying a drainage problem created by CalTrans during its bypass construction, the court ruled because the area involved was relinquished, CalTrans had no responsibility to fix the problem it had created.

A pedestrian was seriously injured on Brea Avenue and sued the city of Fullerton and CalTrans for unsafe roadway design three years after it was relinquished to Fullerton. The court ruled CalTrans had no liability following the relinquishment. The court assigned full responsibility to Fullerton for any original CalTrans design errors, even though the city had made no changes to the roadway.

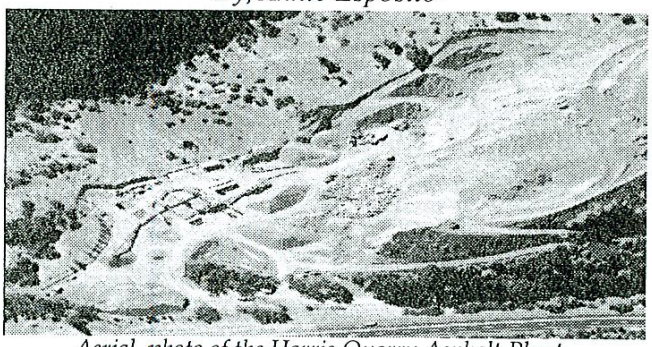
CalTrans list of 'Special Provisions'

1. CalTrans to restrict bypass contractor from using city streets to haul construction materials.
2. CalTrans engineers will "assess and evaluate" all surface and subsurface drainage facilities in the relinquishment zone and issue a report.
3. CalTrans will consider performing the repairs and/or replacements needed to bring the facilities up to a state of good repair.
4. CalTrans engineers will evaluate the Willits Creek and Broaddus Creek bridges and will repair or compensate the city for any repairs identified as needed.
5. CalTrans agrees to study the "feasibility of developing and constructing a Sherwood Road and US 101 intersection improvement project. If a redesign is not deemed feasible, CalTrans reserves the right to provide a cash contribution to the city instead.
6. While CalTrans considers the Sherwood Road and Commercial Street traffic signals to be in good repair, it agrees to upgrade them in the future if traffic signal standards are updated before the bypass construction completes.

THE MENDOCINO COUNTRY
Independent
July 2011

Neighbors Challenge Harris Quarry Asphalt Plant Proposal

By, Annie Esposito



Aerial photo of the Harris Quarry Asphalt Plant

People may think they already made their comments on the Harris Quarry proposal for an asphalt plant a long time ago. But Northern Aggregates Inc.'s has a new Environmental Impact Report (EIR) open for comments, and the deadline is July 21. The new EIR requires all new public comment.

At least six years ago, Northern Aggregates decided they wanted to expand into processing stone and concrete at the quarry site, on the Ridgewood Grade south of Willits. But the County's zoning doesn't allow industrial facilities at quarries. The company proposed a zoning change - which would affect not only Harris Quarry but a number of different quarries in the county. That's when neighbors of the Harris Quarry formed the group "Keep the Code," to work to stave off the rezoning that would enable an asphalt plant on the grade.

Keep the Code's Dori Kramer says, "We aren't against rock extraction. But asphalt is not in the code, and it is not compatible with resource lands." Kramer says they are looking for the compelling reason that an asphalt plant should be located at the quarry, and they don't find it. She notes that if and when the Willits bypass is built, CalTrans could end up just mixing asphalt at the work site.

Keep the Code prevailed in a 3-2 vote at the Board of Supervisors meeting in June 2005. Then Supervisors Hal Wagonet, David Colfax, and Kendall Smith voted against the project with Michael Delbar and Jim Wattenberger supporting the asphalt plant. Last year Leonard Charles and Associates worked with Northern Aggregates to come up with a new EIR, eliminating concrete processing from the plan and shortening the use permit time from 90 years to 30.

The County Planning Commission heard public input on the new EIR last month. About 15 people spoke and just two supported the asphalt plant. Mark Oswald, with Operating Engineers Local 3, testified that he worked around asphalt plants for years and they are harmless. Oswald said an inland batch plant was needed and would take all the trucks

-Contd. on p. 3

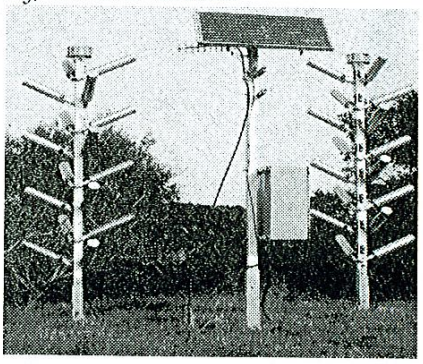
Weather Inc.

Commodifying & Controlling a Natural Resource

-By, Christina Aanestad

The Russian River watershed could benefit from weather modification, according to California's latest Water Plan; so could the Trinity River.

The plan calls for the use of weather modification to increase the state's water supply.



Weather modification machine Photo by LAD

"Cloud seeding has advantages over many other strategies for providing water. A project can be developed and implemented relatively quickly," reads the 2009 Water Plan, which is scheduled for completion in 2013, when it then becomes state policy.

'Cloud seeding' is a common form of weather modification. It's a process that disperses the chemical, silver iodide, into the air, which is thought to enhance snow fall during cold winter months. The silver iodide attaches to ice particles until snow forms, thus increasing snow fall, according to scientific advocates. The silver iodide is released into the air on a mountain top or aerially via an airplane.

In California, energy companies and municipal utilities use the practice in about 12 different locations, mostly in the Sierra Nevada mountain range. Northern California could be next.

"Opportunities tend to be greater in Northern California than in the south because of more frequent storms and cooler temperatures," reads the plan.

change, as countries and st grapple with drought, from rica to China to California.

The state of Wyoming has inv ed an estimated 7 million dol in a state of the art cloud seed project. China spent $100 lion and employed an estim 50,000 workers in weather m fication activities in 2008 w the Olympic games were in country, according to the Ass ated Press.

In the U.S. 7 federal agen from the Environmental Pro tion agency to the Departm of Defense finance the Univer Corporation of Atmospheric search in Colorado, where le ing research into weather m fication and other atmosph sciences occur. UCAR has an nual operating budget of 210 lion dollars this year and overs N-CAR, the National Center Atmospheric Research

Scientists at N-CAR aren't e sure how well it works. been a tough nut to crack," s Brant Foote, head of the Resea

Harris Quarry Asphalt Plant

Contd. from p. 1

off the highway that now go to Sonoma to get asphalt. Jim Houle, a chemical engineer, also said the batch plant was needed. "But," he said, "it is unlikely we can overcome the mindless fear and claims of health hazards."

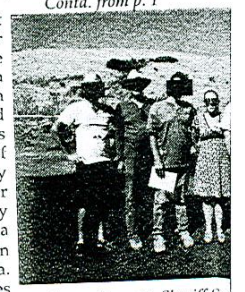
In opposition to the proposed plant, Kramer noted that Harris Quarry is on a steep slope and plans call for 75 vertical feet of fill in an earthquake zone. Sometime in the course of the 30 year lifetime of the project, fill could end up in Forsythe Creek. Eleven-year-old Rose Jevons attends La Vida Charter School which is 2 miles from the quarry. She expressed concern about air-borne pollution harming the children as well as wildlife in the area. Ruth Van Antwerp was concerned about water usage and who would monitor it. Chemical biologist Patricia Teslow pointed to 39 toxic emission from the plant such as xylene, formaldehyde, nickel, and lead. Teslow said, "The cumulative and synergistic effects of 39 combinations of compounds are astronomical."

Commissioners discussed the project for a short time, with most of them saying they were still studying the issue. Commissioner Madelin Holtkamp was worried about northbound trucks coming out of the quarry into center lanes which she dubbed 'suicide lanes." Holtkamp said she needed to study the drawings more.

County Planning and Building reports some aspects of the project that cannot be mitigated. Haul trucks emission would exceed County Air Quality's standard for new projects. The asphalt processing plant would change views from Black Bart Drive and Ridgewood Ranch. Lights at the

SHERIFFS REGULATE MARI

Contd. from p. 1



Marijuana farmers, Sheriff Sea

program's first participant. After registering with the sheriff's office as a medical marijuana cultivator, local and federal authorities raided the home of then 69-year old Joy Greenfield, owner of Light the Way medical marijuana collective, based in San Diego, California. Greenfield uses marijuana to treat glaucoma. The move was a blow to the sheriff's office as it made the first attempt of its kind to bring marijuana growers into the mainstream, so to say.

"I'm concerned it will cause some people to say 'see I told you if you applied for a permit they will tell the feds and bust you.' I think it's a very unfortunate coincidence," said 2nd District Supervisor John McCowen at the time.

Since then, the sheriffs office has been in a tough spot, trying to enforce laws and offer a path towards greater legitimacy for marijuana growers, who are often cited as the back bone of the local economy. But the path is becoming more clear as the sands of time wash away the nitty gritty between local law enforcement, marijuana cultivators, and federal authorities.

The marijuana wars in the Emerald Triangle are nothing new. As lawmakers explore policy to legitimize medical marijuana, they're often caught between the crossfire of medical marijuana rights advocates and the federal authorities, in a battle over local control, state's rights and federal law. Local law enforcement still works closely with the DEA, hosting the agency's annual marijuana eradication training in early summer months.

drivers, we
operations fo
And there's st
marijuana op
are in the mid
we're workin

Mendocino C
program, th
allows m
growers to
plants per 1
pay a regist
tie fee to re
marijuana
pay for a
or a sheriff
Johnson, to
grow and e
are in comp
worth of reg

The regulat
to be burd
critics like
MMAB-the
Marijuana A

"They're br
bells and w
through all
majority of
time jumpi
I'm one of t

Trippet, a
patient and
advocate s
is too sma
county's 9.

The boa

Petition to all State and Federal elected officials. Demand for Return of Water that is Natural to the Eel River

We will not allow Eel River Water to be treated as a commodity. It belongs in its natural course. For 100 years the Eel River headwaters have been diverted into the Russian River via the PG&E Potter Valley Hydroelectric Project (PVP). The severe impacts to both river systems have been well documented and violate the Public Trust. More than 100 miles of prime Coho and Steelhead habitat have been lost behind the PVP dams. Billions of dollars have been lost from the economy of Humboldt and Mendocino counties by the impact of this diversion on its fisheries. Both dams and tunnel are old and in questionable condition, putting downstream homeowners at risk. It is imperative that PG&E's PVP diversion be removed so that water necessary for the health of the mainstem of the Eel River can be returned. We the undersigned insist on the return of the Eel River water to its natural system. A 90-year-old mistake must not be allowed to continue.

Name: JAYSEN GREEN	Signature: Jaysen Green
Address: 1154 Helen Avenue Ukiah CA 95482	
Name: Lauras Colby	Signature: Lauras Colby
Address: Box 1241 Willits, CA 95490	
Name: Randi Dalton	Signature: Randi Dalton
Address: 1450 Branscomb Rd. Laytonville, CA. 95454	
Name:	Signature:
Address:	
Name:	Signature:
Address:	
Name:	Signature:
Address:	
Name:	Signature:
Address:	
Name:	Signature:
Address:	
Name:	Signature:
Address:	
Name:	Signature:
Address:	

Please return to:

Friends of the Eel River
2346 Marinship Way, Suite 102
Sausalito, CA 94965

PO Box 2039
Sausalito, CA 94966 ml

Response to Letter from Randi Dalton

68-1. The information and opinions provided are noted for the record. As no questions are specifically asked about the RDEIR, no additional response is possible.

8/30/11

County Planning Commission

RE: Harris Quarry Asphalt Plant / Rezone

I am a 25 year resident of Redwood Valley, and I Do Not think it is possible to be down prevailing wind from an asphalt plant and not have air quality adversly affected. If allowed, this will impact Ukiah, Redwood, & Potter Valleys. There are other impacts that cannot be denied or even mitigated well, such as water, noise, & light pollution. 69-1

On the highway traffic interface: What will happen when the first death occures as a result of this bad combination?

C. Toren Tveit
Redwood Valley

RECEIVED
SEP 01 2011
BY
PLANNING & BUILDING SERVICES
Ukiah, CA 95482

Response to Letter from Toren Tvelt

69-1. Please see responses to Comment Letters 12 and 63 regarding air quality questions and concerns. If a death were to occur on Highway 101, it would be investigated like all other traffic-related deaths by the Highway Patrol.

Certificate of appreciation 7-1-95 City Willits Citizens
FOR DAVE ORTIZ FROM - - - - Reconstruction, Feb 4 election

STATE OF CALIFORNIA DIRECTORS
ACHIEVEMENT AWARD
DEPT - FISH + GAME - 2-11-2001
PRESENTED TO CATHY ORTIZ

RECEIVED
AUG 24 2011
BY PLANNING & BUILDING SERVICES
Ukiah, CA 95482

SIRS,

A man that can get the respect of a 2000 plus Union and Shady Crane, is NOT full of BS.

70-1

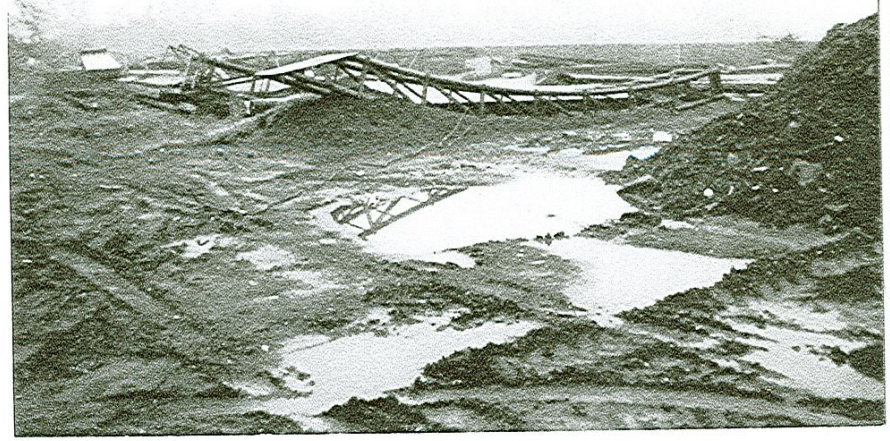
I VOTED and said NO for the Hallwood Paving plant.

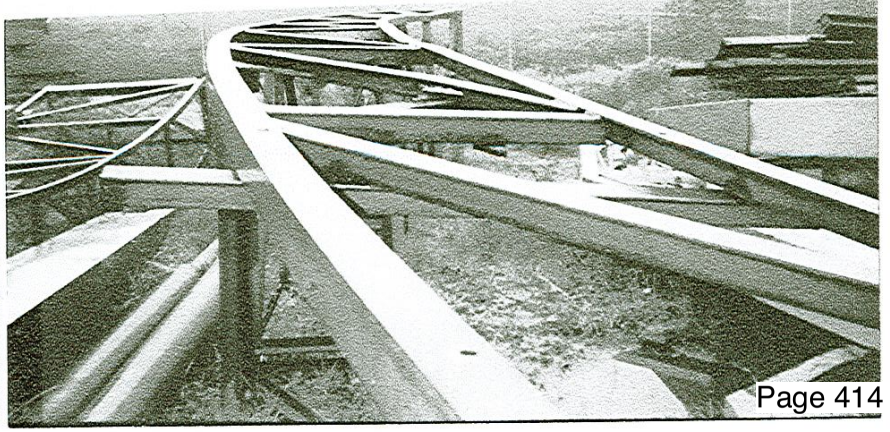
I have built asphalt plants, I know them.

I say NO for this project. The spirit of good people that care is in that AREA — JOIN US!

Dave & Cathy Ortiz

Willits 5 yr project at 4½ YRS





Response to Letter from Dave and Cathy Ortiz

70-1. The opinion about the project is noted for the record. As no question is asked regarding the EIR, no additional response is required.

submitted @ hearing

1)Existing traffic volume data is NOT based on peak traffic but rather on off peak volume. The traffic data SHOULD have included July and October- the peak times. 71-1

2)The county let them get away with this which is WRONG.

3)The results are thereby skewed but you can extrapolate that if the Level of Service ratings are only a "C" now (with the bad data) they would move towards a "D" by using the correct data. This would advance more quickly to an "F" when the volume of traffic increases as Cal Trans predicts.

Response to Letter from Anonymous

71-1 Existing volumes were shown for July and October – see Table 4.4-3 on page 210 of the RDEIR. Peak commute hours were not assessed because there is no or very little project-generated traffic during those hours. The project would have less impact than identified in the EIR if peak a.m. and p.m. peak hours were used as the basis for the analysis.

California Regional Water Quality Control Board
North Coast Region
Geoffrey M. Hales, Chairman

www.waterboards.ca.gov/northcoast
5550 Skylane Boulevard, Suite A, Santa Rosa, California 95403
Phone: (877) 721-9203 (toll free) • Office: (707) 576-2220 • FAX: (707) 523-0135

Linda S. Adams
Acting Secretary for Environmental Protection

Edmund G. Brown Jr.
Governor

July 5, 2011

Mr. John Speka
Mendocino County Planning
501 Low Gap Road, Room 1440
Ukiah, CA 95482

Subject: Comments on the Draft Environmental Impact Report for the Proposed Northern Aggregates Harris Quarry Expansion and Asphalt Batch Plant, Black Bart Drive and Highway 101, Willets, Mendocino County, SCH # 2006112087 72-1

Thank you for the opportunity to comment on the Draft Environmental Impact Report for the Proposed Northern Aggregates Harris Quarry Expansion and Asphalt Batch Plant, located in Willets, Mendocino County. The North Coast Regional Water Quality Control Board (Regional Water Board) is a responsible agency for this project, with jurisdiction over the quality of ground and surface waters (including wetlands) and the protection of the beneficial uses of such waters.

The project proponent, Northern Aggregates, Inc., request a Use Permit Renewal and Reclamation Plan to allow an expansion of their existing quarry, extraction of up to 200,000 cubic yards of material per year, and production of up to 150,000 tons of asphalt per year from a newly constructed asphalt batch plant. The site drains to a tributary to Forsythe Creek, a major headwater tributary to the Russian River.

Regional Water Board staff inspections of the Harris Quarry over the past 10 years have shown that onsite stormwater pollution controls have done an excellent job of containing and treating stormwater runoff. An onsite retention pond and site grading have resulted in the vast majority of stormwater runoff being contained onsite, either in the retention pond or within the pit floor as it meets up against the highwall. With the addition of an asphalt batch plant and access roads, there will now be direct stormwater runoff discharges to Forsythe Creek from the batch plant and access roads. Additionally, the addition of rock washing activities can greatly increase the volume of sediment laden water that would need to be detained and treated prior to discharge to state waters. This volume of rock washing wastewater can end up impacting the volume of stormwater runoff that can safely be retained in the existing onsite retention pond.

<u>Bioretention Swale</u>

The Regional Water Board acknowledges the effectiveness of bio-retention swales to treat stormwater runoff for a myriad of typical pollutants of concern, including 72-2

hydrocarbons from asphalt batch plant operations. Keys to their success hinge on the bioswale's overall size, shape, and soil depth. This translates into overall detention time required for pollutant removal prior to discharging to Forsythe Creek. The pre-bioswale sediment cleanout basin and bioswale shown has been designed per volume based BMP and sized to treat the 85th percentile average annual runoff volume. Worst case scenario calls for the bio-retention swale to be able to handle the 100-year storm event with 6 inches of freeboard. Sizing of the swale to handle a continuous rain event that spans numerous days is critical in preventing swale overloads which can diminish treatment effectiveness of the bioretention swale soils.

In addition to your Industrial Stormwater permit, the following permit may be required by our agency:

Water Quality Certification (401 Certification): Permit issued for activities resulting in dredge or fill within waters of the United States (including wetlands). All projects must be evaluated for the presence of jurisdictional wetlands and other waters of the State. Destruction of or impacts to these waters should be avoided. Under the Clean Water Act Sections 401 and 404, disturbing wetlands requires a permit from the United States Army Corps of Engineers (ACOE) and a State 401 water quality certification. To determine whether wetlands may be present on any proposed construction site, please contact Jane Hicks of ACOE at (415) 503-6771. If wetlands or other waters of the State are present, please contact Mark Neely at (707) 576-2689. Alterations or work within or adjacent to streambeds or lakes may also require a 1602 Lake and Streambed Alteration Agreement from the California Department of Fish and Game (CDFG). Removal of riparian vegetation also requires this permit. We recommend that all project applicants contact CDFG for additional information on these requirements. 72-3

If you have any questions or comments, please contact me at (707) 570-3761 or mdougherty@waterboards.ca.gov .

Sincerely,

Mona Dougherty
Senior Water Resources Engineer

cc: Scott Morgan, State Clearinghouse, P.O. Box, 3044, Sacramento, CA 95812
Re: SCH No. 2006112087

Response to Letter from Mona Dougherty, North Coast RWQCB

Note – this letter was placed last because it was not provided until the Final EIR had been formatted.

72-1. These observations are noted for the record. The issues of storm drainage and water quality were assessed in the RDEIR. As no specific questions are asked, no additional response is required.

72-2. The RWQCB requirement that the bioswale be designed to handle the 100-year storm event with 6 inches of freeboard will be added to Mitigation Measure 4.2-A.6. The RDEIR already states that the project will need to meet all RWQCB permit requirements. This mitigation codifies one of those requirements. See Chapter 3 for the revised language.

72-3. This comment describes the State's Water Quality Certification process that the project will be required to comply with when filling wetlands and waters of the U.S. As no question is asked about the EIR, no additional response is required.

6. Matters from Staff.

There were no matters from staff.

7. Matters from Commission.

Commissioner Warner noted she would be absent for the July meeting.

8. Approval of Minutes.

Commissioner Warner noted that "not" had been omitted from Mr. Knapp's statement on Page 10 of the Minutes.

Commissioner Calvert submitted several typographical errors.

Upon motion by Commissioner Calvert, second by Commissioner Holtkamp and carried by a voice vote of (5-0), the May 19, 2011 Planning Commission Minutes are Approved as corrected.

[Break 9:16 AM – 9:28 AM]

5c. DISCUSSION AND PUBLIC COMMENT ON THE REVISED DRAFT EIR FOR: CASE#: UR 19-83/2005/ OA 1-2007

DATE FILED: 1/14/2005
OWNER: FRANK DUTRA AND ERICA PETERS AND JORGE LUNA
APPLICANT: NORTHERN AGGREGATES, INC
REQUEST: Use permit renewal/modification and reclamation plan and an ordinance amendment to the existing County code to allow for: 1) the extraction of up to 200,000 in-place cubic yards (cy) of rock from a hillside quarry (approximately 258,000 cy processed); production of up to 150,000 tons of asphalt per year from the processed material; and nighttime operations that could occur up to 100 nights per year; 2) an amendment to the County Zoning Ordinance creating a new Mineral Processing (MP) Combining District to allow for asphalt processing to occur onsite with a concurrent rezone adding the combining district to an 18-acre portion of the project site to accommodate the proposed asphalt facility; and 3) a revised Reclamation Plan for the site.
LOCATION: Approximately 7 miles south of Willits, the quarry and aggregate processing site lies on the west side of Highway 101 just south of its intersection with Black Bart Drive (CR# 370); the asphalt and concrete plants are located on Black Bart Drive, approximately 1 mile west of its intersection with Highway 101, located at Mile Marker 40.77 Black Bart Drive; AP# 147-180-07, 147-180-08, and 147-140-07.
PROJECT COORDINATOR: JOHN SPEKA

Mr. Mobley commented that staff would have a short presentation followed by Leonard Charles, EIR consultant, and clarified that comments should be directed at the Draft EIR, not the proposed project.

John Speka, Project Coordinator, reviewed the staff report and discussed a power point presentation he had prepared. He discussed the purpose of the hearing, to take comments on the Draft EIR, and noted the end of the comment period had been extended to July 20, 2011. He stated that no decisions would be made at this hearing and continued with a brief discussion of the proposed project. He noted that an Ordinance Amendment would be necessary to allow for the construction of the asphalt plant, followed by the rezoning of the property into the newly created Mineral Processing Combing District. Mr. Speka continued with his presentation and discussed the history of the project from 2005 to date, noting that an EIR had been prepared in 2007, but substantial revisions to the project had resulted in the current revised draft EIR. He discussed the surrounding land uses and described the location of the processing plant and haul road from maps on the projector. Mr. Speka concluded his presentation noting the order of hearings required since the Board of Supervisors had authority over the Ordinance Amendment and Rezoning after certification of the Final EIR and the Planning Commission had authority over the Use Permit and Reclamation Plan.

Leonard Charles, EIR Consultant, provided a refresher on the CEQA process, noting an EIR was an informational document not intended to promote or deny any proposed development; its simple objective to provide third party analysis of the facts. He noted that since the previous EIR, a significant number of laws had changed and those had been addressed in the revised EIR. He also noted that any comments that were submitted previously for the 2007 EIR would no longer apply and

new comments would have to be written. He stated that of the 36 potentially significant impacts, 30 were cumulative and 6 were unavoidable; specifically health risks, air contaminants, traffic safety, visual impacts, adverse affects to biological resources, and potential land use conflicts with residential neighbors. Mr. Charles noted the nighttime simulation still needed to be redone since the scope of the project had changed and the applicant had put forth the funding to have an additional simulation for the current layout presented in the final EIR. He stated that a new finding associated to NOx emissions from nitric oxide had been added and discussed the 8 project alternatives: 1. the project as proposed, 2. no project, 3. no project- 2 new residences, 4. quarry expansion only, 5. quarry and temporary asphalt plant, 6. project redesign, 7. reduced production, 8. alternate location. He stated the environmentally superior alternative was no project and the second superior project was #7 with reduced production and no asphalt plant.

The public hearing was declared open.

Jack Magne, Keep the Code, was opposed to the expansion of the project to include an asphalt plant. He did not think there was a compelling reason to change the zoning of the property and read sections from the DEIR for reference. He was concerned with truck traffic entering and exiting the quarry and the emission that would be produced. He felt alternative 6 or 7 would be appropriate to allow the continued extraction of rock without an asphalt plant. He suggested the asphalt plant be built at the Grist Creek facility. 73-1

Dori Kramer, Keep the Code, agreed that she was not opposed to the rock extraction, but was deeply concerned with the possible asphalt plant and rezoning the property to an industrial use. She discussed the property characteristics as very steep, within a severe shake zone and was concerned that fill construction could slide into Forsythe Creek. She was also unclear on the nighttime simulations. 73-2

Sheila Jenkins was concerned with traffic impacts due to large trucks navigating a treacherous stretch of highway. She felt the operation would be better located in an industrial zoning with infrastructure to accommodate large vehicles. She also noted that the EIR lacked any mention of the severity of an accident on the Willits grade and felt the mitigation was unenforceable. 73-3

Ike Heinz was opposed to the ordinance amendment and rezoning and was concerned with emissions from an asphalt plant that would destroy the views and ruin the environment. 73-4

Rose Raiser Jeavons was opposed to the asphalt plant near her school and the Golden Rule community and was concerned with health risks and damage to wildlife and habitat. 73-5

Cynthia Raiser Jeavons, board member of La Vita Charter School, was concerned with the health affects that the toxins would have cumulatively to the school children and residents. She felt the EIR was lengthy and confusing and thought air quality was a detriment to the public. 73-6

Mark Oswell noted he was a retired Operating Engineer from the Local 3 Union and stated his support of the project. He discussed 2 types of asphalt plants and noted that the proposed batch plant would reduce pollution by removing trucks from the road. He stated that currently, asphalt was delivered from Sonoma County or farther for jobs and if the plant was closer, truck emissions could be reduced. 73-7

Ruth Van Antwerp discussed the photo of lighting in the DEIR and felt there was a lack of oversight in water usage with the project. She asked that the applicant be limited to the amount of water stated in the EIR. 73-8

Kathryn Greene commented that she could already hear noise from the site and freeway traffic and was concerned that the asphalt plant would ruin the water, destroy the environment and kill the wildlife. 73-9

DRAFT

Jim Houle approved of the EIR overall, but felt it was unlikely that the applicant could overcome the fear against the facility. He noted that the County did need a supply of asphalt and suggested the Grist Creek facility or Masonite as an industrial location for the asphalt plant. 73-10

Patricia Tetzlaff stated she was a microbiologist with experience in chemicals and toxicology and referenced section 4.6 from the DEIR, noting the project could jeopardize the health of workers and residents in area due to the cumulative and synergistic affects the pollutants from the asphalt plant could have when mixed. 73-11

Bob Whitney, Keep the Code, stated he was concerned with traffic in such a busy intersection and noted he was opposed to the asphalt plant, ordinance amendment and rezoning, but was in favor of the current quarry operation. 73-12

Susan Knopf was concerned that the diesel trucks fumes and particulate matter would travel down the valley into Ukiah and contaminate the area. She was concerned with water contamination and the welfare of the creek, habitat and wildlife from the asphalt plant and felt the mitigation measures were not effective. 73-13

Arjuna stated he could not fathom such a project in the proposed location. 73-14

Jan Stevens encouraged the Commission to take a site view of the project and discuss cement versus asphalt. 73-15

The public hearing was declared closed, noting the comment period was open on the Draft EIR until July 20, 2011.

[Break 10:53 AM – 11:07 AM]

Chairman Little asked staff about future proceedings.

Mr. Mobley commented that the next step was to have the proposed Ordinance Amendment and Rezone come before the Commission for consideration and send to the Board of Supervisors for discussion. He noted that the end of the comment period did not mean that written or oral comments could not be presented to the Commission; however the formal response from the consultant would end on July 20th.

Chairman Little encouraged the public to put their comments and concerns in writing for ease of response and send them to the department to move the process forward.

Commissioner Calvert commented that the table opposite page 236, figure 4.5-2, -3 was not clear and asked for further explanation. She also was not clear regarding the studies, what impact the wash plant might have to noise and asked if table 4.5-5, page 239 included the wash plant or not. 73-16

Commissioner Warner was concerned with the traffic issues and the safety of the intersection at Black Bart Drive and Highway 101, but was pleased to see further studies in Appendix C, including the background traffic data tables. She thought she would need more time with the traffic study to be comfortable with the analysis. She also asked if the new mineral combining district would apply in the coastal zone and if coastal sites had been considered for the project alternative. She discussed the ordinance in Appendix A and noted a redlined version would be greatly appreciated to see what language was new, specifically; she was concerned with the prohibition of offshore oil drilling. Last, she asked for details regarding the notation in Appendix B, Biological Resources, of D NL and LS. 73-17

Mr. Mobley noted the ordinance amendment would only apply to the Inland Zoning Code and would not affect the Coastal Zone.

Mr. Charles commented that the alternative sites had encompassed all currently permitted mines, but he would follow up on the Grist Creek operation.

DRAFT

Commissioner Holtkamp noted she had toured the site and was concerned with traffic, especially northbound trucks exiting the quarry. She also felt that she would need more time to be comfortable with the traffic study.

Commissioner Hall agreed with previous comments and felt that traffic safety was problematic as it currently exists. He was not convinced the revised plan was an improvement and was also concerned with vehicle emissions.

Chairman Little discussed the mitigations to potential impacts as outlined in the EIR and asked which agency would have precedence if a mitigation was modified by a permitting authority.

Mr. Charles commented that if it was a regulatory mitigation, the agency of authority would have precedence and noted Mr. Gonzalez might be able to provide further details.

Mr. Gonzalez commented that if through the process of construction or reclamation a portion of the project changed, it was possible that a modified reclamation plan might be needed to address mitigation measures. He also commented that the changes would be reviewed through CEQA and the scope of work could require a modification, change, or supplemental EIR.

Chairman Little discussed the location of the batch plant from the cross section in the staff report and asked if the pad could be lowered further to provide additional shielding of the batch plant.

Catherine McKeon, engineer for the applicant, stated that lowering the pad could impact development on the east side of the project due to the steep terrain and did not think it was a viable option.

DRAFT

Chairman Little discussed the proposed mitigation for traffic exiting the quarry and noted that truck trailers tend to "cheat" the turn coming across the lanes. He hoped Caltrans could provide a design for the intersection that was both feasible and safe. He also commented on the creation of a visual significance threshold. 73-18

Mr. Charles stated that Caltrans would have to sign off on the design and discussed the various way to quantify the view threshold. He stated it was confusing and subjective to a degree.

Commissioner Hall was unclear on the necessity to create a new zoning district and was concerned at the potential implications. He felt there should be a compelling reason to change the zoning; otherwise it would be unwise to rezone the quarry site.

Chairman Little asked staff if the discussion would be continued to the July 21, 2011 Planning Commission meeting.

Mr. Speka noted the end of the comment period was July 20th and that the project would have to be noticed for the continuance.

Chairman Little did not think that extending the comment period and continuing the discussion to the next meeting would pose a problem if the remainder of the Commission concurred.

The Commission agreed to continue the discussion to the July 21, 2011 Planning Commission hearing, noting the EIR comment period would also be extended to that day at 5:00 PM.

9. Matters from Public.

No one was present from the public who indicated a desire to address the Commission.

10. Adjournment.

Upon motion by Commissioner Hall, seconded by Commissioner Holtkamp, and unanimously carried (5-0), IT IS ORDERED that the Planning Commission hearing adjourn at 11:45 a.m.

Responses to Comments Made at the June 16, 2011 Planning Commission Public Hearing

Jack Magne

73-1. The commenter's opinions about the merits of the project and the RDEIR alternatives are noted for the record. See Response 16-7 regarding the Grist Creek site.

Dori Kramer

73-2. The commenter's opinions about the merits of the project are noted for the record. Please see responses to Comment Letter 13 and Response 64-3 about pad fill stability.

Sheila Jenkins

73-3. See Response 21-1 to this same commenter regarding traffic safety. The RDEIR recognizes the hazard of loaded fuel trucks crossing the highway and requires Mitigation Measure 4.9-B.1 to address this potentially significant impact. The commenter's opinion that the mitigation is unenforceable is noted for the record. We would note that in addition to the required mitigation that drivers of these trucks are trained and quite familiar with the hazard their trucks pose to both themselves and the public. It would not be expected that they would make turning movements across the highway that put themselves or the public at risk.

Ike Heinz

73-4. The commenter's concerns about the project are noted for the record. As no questions are asked regarding the RDEIR, no additional response is required.

Rose Raiser Jeavons

73-5. The commenter's concerns about the project and its impacts are noted for the record. As no questions are asked regarding the RDEIR, no additional response is required.

Cynthia Raiser Jeavons

73-6. The commenter's concerns about the project and its impacts are noted for the record. We concur that the RDEIR was lengthy and likely confusing. The length and complexity is an unfortunate byproduct of the legal requirements that EIRs currently need to comply with in order to be considered "adequate." As no questions are asked regarding the RDEIR, no additional response is required.

Mark Oswell

73-7. The commenter's opinions about the merits of the project are noted for the record.

Ruth Van Antwerp

73-8. Please see Response 26-1 regarding the nighttime photosimulation and Response 63-1 regarding monitoring water usage.

Kathryn Greene

73-9. The commenter's concerns about the project and its impacts are noted for the record. As no questions are asked regarding the RDEIR, no additional response is required.

Jim Houle

73-10. The commenter's opinions about the merits of the project are noted for the record. As no questions are asked regarding the RDEIR, no additional response is required.

Patricia Tetzlaff

73-11. See the previous responses to the commenter's letter where she raises the same point (Comment Letter 19).

Bob Whitney

73-12. The commenter's concerns about the project and its impacts are noted for the record. As no questions are asked regarding the RDEIR, no additional response is required.

Susan Knopf

73-13. The commenter's concerns about the project and its impacts are noted for the record. As no questions are asked regarding the RDEIR, no additional response is required.

Arjuna

73-14. The commenter's opinions about the merits of the project are noted for the record. As no questions are asked regarding the RDEIR, no additional response is required.

Jan Stevens

73-15. The suggestion is noted for the record. As no questions are asked regarding the RDEIR, no additional response is required.

Commissioner Calvert

73-16. These figures show the measured maximum noise (Lmax), average noise (Leq), and noise exceeding various levels over a 1-hour period at two measurement locations. The wash plant is not an especially noisy operation and would not be audible from off site locations above other noise generated onsite. Table 4.5-5 does include the wash plant operation.

Commissioner Warner

73-17. Please see responses to Comment Letters 8 and 11 regarding traffic issues. All of Appendix A is new zoning language to address the new combining district. The letters in the cited table refer to the potential for the species to occur on the project site: N - not expected to occur; N-L = not expected to low potential to occur; L = low potential to occur; L-M = low to moderate potential to occur; M = moderate potential to occur; M-H = moderate to high potential to occur; and H = high potential to occur.

Commissioner Little

73-18. Caltrans would need to approve all changes to Highway 101. The RDEIR assesses visual impacts on a qualitative basis.

MENDOCINO COUNTY PLANNING COMMISSION

MINUTES FOR THE MEETING HELD ON:	**July 21, 2011**
LOCATION:	Mendocino County Board of Supervisors Chambers 501 Low Gap Road, Room 1070 Ukiah, California
COMMISSIONERS PRESENT:	Little, Calvert, Nelson, Holtkamp, Hall, Ogle
COMMISSIONERS ABSENT:	Warner
PLANNING & BLDG SVC STAFF PRESENT:	Roger Mobley, Chief Planner John Speka, Planner II Mary Lynn Hunt, Planner II Dusty Duley, Planner II Adrienne Thompson, Commission Services Supervisor
OTHER COUNTY DEPARTMENTS PRESENT:	Tom Peters, Department of Transportation Jeanine Nadel, County Counsel Dave Jensen, Division of Environmental Health

1. Roll Call.

The meeting was called to order at 9:03 a.m. Commissioner Warner was absent by prearrangement.

2. Determination of Legal Notice.

The Clerk advised the Commission that all items had been properly noticed.

3. Director's Report and Miscellaneous.

Mr. Mobley presented a verbal Director's Report in Mr. Gonzalez' absence. He noted the Ukiah Valley Area Plan would be presented to the Board of Supervisors for approval on August 2, 2011 and then the department could begin work on the Mendocino Town Plan. Mr. Mobley also commented that the Fort Bragg Planning and Building office had moved to 120 West Fir Street.

4. Regular Calendar.

4a. DISCUSSION AND PUBLIC COMMENT ON THE REVISED DRAFT EIR FOR: CASE#: UR 19-83/2005/ OA 1-2007 (Continued from 6-16-11)

DATE FILED: 1/14/2005
OWNER: FRANK DUTRA AND ERICA PETERS AND JORGE LUNA
APPLICANT: NORTHERN AGGREGATES, INC
REQUEST: Use permit renewal/modification and reclamation plan and an ordinance amendment to the existing County code to allow for: 1) the extraction of up to 200,000 in-place cubic yards (cy) of rock from a hillside quarry (approximately 258,000 cy processed); production of up to 150,000 tons of asphalt per year from the processed material; and nighttime operations that could occur up to 100 nights per year; 2) an amendment to the County Zoning Ordinance creating a new Mineral Processing (MP) Combining District to allow for asphalt processing to occur onsite with a concurrent rezone adding the combining district to an 18-acre portion of the project site to accommodate the proposed asphalt facility; and 3) a revised Reclamation Plan for the site.
LOCATION: Approximately 7 miles south of Willits, the quarry and aggregate processing site lies on the west side of Highway 101 just south of its intersection with Black Bart Drive (CR# 370); the asphalt and concrete plants are located on Black Bart Drive, approximately 1 mile west of its intersection with Highway 101, located at Mile Marker 40.77 Black Bart Drive; AP# 147-180-07,

147-180-08, and 147-140-07.
PROJECT COORDINATOR: JOHN SPEKA

Ms. Cathy McKeon introduced Allan Tilton, who had prepared the traffic study.

Mr. Allan Tilton discussed a power point presentation he had prepared and an illustration that was displayed in the Board Chambers and discussed the lengths of the deceleration lane into the project site and the northbound acceleration lane. He discussed how vehicle miles traveled (VMT) were measured and noted the importance of population to aggregate production. He compared the Harris Quarry site and Grist Creek site, stating that VMT's would be reduced by approving an operation on Harris Quarry. He also was confident in the safety measures proposed on the Freeway and discussed the analysis of the traffic volume, which was overestimating the level of service on the roadway.

Ms. McKeon provided a comparison of three asphalt sites including Grist Creek, Harris Quarry and Granite's operation in Ukiah and stated in a one mile radius; Harris quarry was surrounded by 65 parcels; the Ukiah plant was surrounded by 900 parcels and Grist Creek was surrounded by 68 parcels. She commented that Harris Quarry posed the least impacts, noting that Grist Creek offered a similar road on Hwy 162, was directly adjacent to the creek and within a Floodplain. She distributed a handout to the Commission of the power point and other information prepared by Calcima.

Commissioner Holtkamp asked for a more specific description of the flashing warning signs.

Mr. Tilton described the signs as saying "slow trucks entering" and having yellow flashing balls and lights.

Commissioner Hall asked if Mr. Tilton had considered having the lights operational only when trucks were moving to draw more attention to the safety notice.

Mr. Tilton noted that traffic signals were regulated by Caltrans, but warning signs appeared sufficient with the site distance.

Commissioner Little noted the conflict between Black Bart Drive and the intersection and asked if it had been proposed to realign Black Bart Drive with the quarry site.

Ms. McKeon noted the owners along Black Bart had requested early in the process that truck traffic not use any portion of Black Bart Drive, so a realignment had not been pursued.

The public hearing was declared open.

William Smith noted he was in support of the project to help the local economy, provide infrastructure and building materials within the County, and provide more competition in the area. He did not feel an alternate location was practical.

Mr. Mobley noted the purpose of the hearing was to take public comment on the EIR document.

Stacey Rohrbaugh was opposed to the project and concerned with traffic.

Linda Martin, resident of Golden Rule Mobile Home Park, was opposed to the project and concerned with the amount of toxins released by an asphalt plant, increased traffic, and felt the land should not be rezoned.

James Garza read a letter he had written to Vice President Walter Mondale about his opposition to the project.

Patricia Tetzlaff stated she was a licensed micro biologist and concerned with the health effects of an asphalt plant. She stated there would be 72 tons of toxic emissions released from the site and did not trust Northern Aggregates to keep their word, since they had been operating in violation for years. 74-1

Ann Kelly, Executive Director of La Vida Charter School, noted she appreciated the work and information provided in the EIR, but was concerned with air quality, traffic safety and noise and was opposed the project.

Jack Magne, Keep the Code, felt the rezoning was a stealthy way to approve a mineral processing district in the County and was opposed to the project and proposed rezoning.

Walter Williams, resident at Golden Rule, agreed with the previous comments opposed to the project and felt the City of Ukiah would be affected by toxic fumes.

Joy Wood was opposed to the project and felt it was the next "Remco" stating the water and air would be polluted; agriculture would be affected and the lights would affect the dark sky.

Scott Bryant, recently moved to Golden Rule, stated he was unaware of the project when he purchased his home and would not have bought the property if he had heard of the proposed asphalt plant. He noted the sediment ponds would run into Forsythe Creek, a tributary to the Russian River, which services 570,000 people, plus irrigation for vineyards and was concerned with water quality. 74-2

Ike Heinz was opposed to the project and read a letter to the Commission.

Sheila Jenkins was opposed to the project and felt that it was against the General Plan to site an asphalt plant near residential uses. She was concerned with pollution in the creek, potential slope failure from the fill and felt the traffic plan was a disaster with serious safety issues.

Ruth Van Antwerp asked if the night simulation was a working night, or just how the plant would look during the night and was opposed to the project due to the potential rezoning.

Jerry Wells, resident Golden Rule, was opposed to the project due to health concerns and felt it was unfair to allow Northern Aggregates to rezone the land for their development.

Tracey Wells, resident of Golden Rule, gave an example of a dangerous traffic situation and was opposed to the project due to its proximity to residences, schools, gardens, and felt there was insufficient to approve the project.

Tom Powell, resident of White Deer Lodge, read a letter opposed to the project due to site conditions.

Rob McAsey, nearby property owner, was in support project and felt the traffic mitigation was appropriate for the highway.

Tom Peters was in support of the project and noted the potential for jobs, a plant to make hot mix, and the convenient location was important to the residents of Mendocino County. He commented that currently, residents had to purchase mix from Sonoma County, which increased vehicle trips in and out of the County.

Dori Kramer was opposed to the project and concerned with stability of the fill on a steep slope. She submitted information prepared by Matt O'Conner, certified engineer, that Keep the Code had complied. 74-3

Mark Oswell was in support of the project and noted he had worked for several asphalt companies including Parnum and Syre. He did not think traffic would be a problem and stated the plant proposed would be more efficient than Granite's in Ukiah, eliminating the need to purchase from Sonoma County.

Sarah Livingston was opposed to project and rezoning of the parcel. She was concerned with potential health effects to her children and asked what mitigations would be in place.

Larry Jensen was absent but left a letter with Dori Kramer, who read into the record.

Quinn Schumaker was opposed to the project and concerned with pollution in the drinking water.

Dorotheya Dorman was opposed to project.

Chris Brown, Mendocino County Air Quality Management District was available for questions.

Stephen Butler, Land Use Attorney for Northern Aggregates, noted that after the closing comments, Northern Aggregates would like to request a continuance of the comment period for 45 days to allow for further written comments. 74-4

Cathy McKeon clarified that only 40 foot of fill would be placed in the deepest section and stated there was a geotechnical report on file.

Allan Tilton further discussed traffic mitigation and noted the statistical analysis on page 4.4-8.

Susan Knopf was opposed to the project and concerned with the list of 39 toxins in the EIR.

Lee Howard was in support of the project and thought the EIR was acceptable. He noted that Sonoma County had a similar plant in operation every day and with current technical advancement, the proposed project should be simple to approve.

Jerry Wells stated there was a lot of NIMBY (not in my back yard) in the room and agreed, he was one. He as opposed to the project due to health concerns.

James Garza added a second comment that he was concerned with the location on a hill and noted traffic issues with the foggy nights.

[Break 11:02 AM - 11:09 AM]

Chairman Nelson asked for a motion to close the public hearing and extend the comment period on the Draft EIR for 46 days, noting Labor Day would fall on the 45th day.

Upon motion by Commissioner Little, seconded by Commissioner Calvert and carried by a voice vote of (6-0), IT IS ORDERED to close the public hearing on the Draft EIR, extending the written comment period to September 6, 2011.

The public hearing was declared closed.

Chairman Nelson noted the Final EIR would come back before the Commission.

Mr. Mobley discussed the next step for the document stating that the consultant would first need to respond to comments after the close date of September 6, 2011, then prepare the Final EIR, which he expected would take a month or two to complete before the document could come back before the Commission for comment and recommendation to the Board of Supervisors for certification.

Commissioner Ogle asked when the Commission would discuss the alternatives in the package.

Mr. Mobley noted the alternatives would be discussed when the Commission made recommendation on the project, but the Board of Supervisors had the final decision.

4b. CASE#: U 10-2010

DATE FILED: 6/15/2010
OWNER: SCOTT & MELISSA ROSENTHAL
APPLICANT: T-MOBILE WEST CORP/TALLAC
AGENT: DAVID MILLER
REQUEST: Use Permit to authorize construction and operation of a wireless telecommunication facility to support a wireless provider (T-Mobile), consisting of a 160 foot tall lattice tower, 9 panel antennas and 2 microwave dishes.
LOCATION: 1+/- mile south of Leggett town center, lying on the west side of State Highway 271, 0.3+/- miles north of its intersection with State Highway 101, located at 66150 Drive Thru Tree Road; AP# 053-400-43.
PROJECT COORDINATOR: DUSTY DULEY

Responses to Comments Made at the July 21, 2011 Planning Commission Public Hearing

As the Minutes indicate, most commenters expressed their opinion on the merits of the project. Only the comments on the RDEIR are responded to below.

Patricia Tetzlaff

74-1. These comments are the same as the commenter presented in her comment letters; please see Comment Letters 19 and 20 and the responses to those letters.

Scott Bryant

74-2. There would be no runoff from sediment ponds to Forsythe Creek as no sediment ponds are part of the project. The Hydrology and Water Quality Section (Section 3.2) of the RDEIR discusses potential impacts to water quality, and how these impacts can be mitigated to a less than significant level.

Dori Kramer

74-3. The letter the commenter submitted is Comment Letter 13 that was presented earlier in this FEIR. Please see the responses to that letter.

Steve Butler

74-4. The County agreed and extended the public review period an additional 45 days.

CHAPTER 3
REVISIONS TO THE REVISED DRAFT EIR

The following chapter presents changes to the text of the Revised Draft EIR that are warranted given the comments presented in Chapter 2. There are also several changes needed to resolve errata in the DEIR. Changes are shown in the following manner:

- Additions to the text are shown as underlined text like this added text.
- Deletions from the text are shown as strike-out text, like this ~~strike-out~~.

1. Page 63. The text has been revised as follows: "The permit provides for an annual 75,000 cubic yard extraction rate, which the applicant has historically interpreted as meaning 75,000 cubic yards *in situ* (I.e. the volume of rock as measured in place in the quarry wall or floor~~) cubic yard extraction rate~~, which is the current annual production rate.

2. Page 81. The following text is added to the end of Section 2: "The applicant is limited to asphalt production of 300 tons/hour with a total maximum annual output of 150,000 tons/year. The plant scales shall be managed by a certified weigh master. Submittal of the annual asphalt concrete tonnage produced will be submitted to the County Planning Department annually, on July 1st of each year." This will become a condition of approval for the project."

3. Page 110. The following typographic error has been fixed: "Rau and Associates, Inc., of Ukiah, California submitted a reclamation plan for the Harris Quarry expansion, prepared January 2005, and amended in September 2006 (with a latest revision ~~January 2010~~ November 2011)."

4. Page 110. The following text change is made: "A Geotechnical Evaluation of the proposed Harris Quarry Processing Facilities by Blackburn Consulting, Inc., dated March 28, 2005, concluded that the project is feasible ~~provided that a design level geotechnical study is performed during final design~~."

5. Page 115. The following typographic error has been fixed: "The Final Grading Plan, with a final revision dated ~~January~~ November 2010, includes excavation of the quarry to the north and west, maintaining the current quarry floor elevation of 1,850 feet "

6. Page 116. The following mitigation text change is made: "4.1-A.1 Prior to the start of the second year of grading in the quarry expansion area, and biannually thereafter, a licensed Geotechnical Engineer and Certified Engineering Geologist shall inspect the slopes of the quarry excavation in accordance with then current Mine Safety and Health Administration (MSHA) requirements as the quarry progresses, and a final slope stability analysis will be performed prior to the quarry face progressing within 150 feet of the proposed final slope face." ~~would be appropriate. and perform a slope stability evaluation. The evaluation shall determine whether the excavated quarry face meets the slope stability~~

~~performance criteria, which are a minimum pseudo-static factor of safety of greater than or equal to 1.1, and a static factor of safety of greater than or equal to 1.3.[18] The evaluation shall include a determination that the factor of safety is consistent with the requirements of Section 3704(d) of the State Mining and Geology Board Reclamation Regulations. The evaluation of potential static and dynamic quarry slope conditions shall be consistent with the provisions of the California Division of Mines and Geology Guidelines for Evaluating and Mitigating Seismic Hazards (CGS Special Publication [SP] 117, 1997). In the event that the evaluation determines that the slopes do not meet the slope stability performance criteria, the evaluation shall include recommendations for revisions to the grading plan that will ensure compliance with the criteria."~~

7. Page 117. The following typographic error has been fixed: "The proposed slopes could also be unstable if not correctly designed and constructed, and settlement would be expected in the up to ~~75~~40-foot thick fill slopes. This could result in cracking or other damage to concrete foundations, pavement, and other improvements."

8. Page 118. The text of Mitigation Measure 4.1-B.2 is revised as follows: "The processing building pad will be designed and constructed to be stable for the maximum credible earthquake for the area. A ~~design-level Geotechnical Investigation~~ supplement to the previous design level study prepared by BCI shall be performed in the area of the proposed asphalt processing area that will ~~identify~~ verify design measures needed to ensure building pad stability, including for the design seismic event. The following will be included in the supplement ~~design-level Geotechnical Investigation~~.

   1) The investigation shall specifically address the feasibility and long-term stability of 1h:1v cut slopes and 1.5h:1v fill slopes. A slope stability analysis of proposed cut and fill slopes will be performed. Recommended maximum gradients for cut slopes and engineered fill slopes required to maintain a 1.3 static factor of safety will be determined.

   ~~2) The potential for generating landslides and other mass wasting in the underlying geologic materials from loading with fill soils on slopes and removal of toe support in cut slopes shall be evaluated.~~

   3) The potential for settlement shall also be addressed and the analysis shall include characterization of gross settlement, differential settlement, and dynamic (earthquake induced) settlement within and between adjacent materials. The study will include design recommendations for structural footings and foundations to minimize future settlement.

   ~~4) Specific design mitigation measures for long-term stability of the cut and fill slopes shall be developed. These mitigation measures are anticipated to include construction of bedrock keyways underlying all fill slopes, installation of subsurface drainage measures to drain the contact between underlying bedrock/soils and overlying engineered fill soils, the use of Geogrid~~

~~[18] The pseudo-static factor of safety was derived from the CGS SP117, while the static factor of safety of 1.3 is based upon an acceptable engineering standard for stability of temporary slopes.~~

~~stabilization fabrics in the engineered fill to allow for construction of stable slopes at slope steepness greater than 2h:1v, and other design measures as identified by the Certified Engineering Geologist and Geotechnical Engineer of record for the project.~~

5) Design Review and Approval of Plan Sheets will be done by the Mendocino County Public Works and Building Departments to ensure conformance with Grading and Drainage Ordinances and the recommendations of the final geotechnical report.

6) Construction observation and testing (special inspections) will be done during construction to ensure conformance with design requirements and geotechnical recommendations.

9. Page 122. The following text of Mitigation Measures under Impact 4.2-D are revised as follows: "~~4.1-D.2 A design level Geotechnical Investigation shall be performed in the area of the proposed road cuts at the quarry entrance road and on proposed cuts along the access road to the water tank that will identify design measures needed to ensure building pad stability, including for the design seismic event. The investigations shall specifically address the feasibility and long-term stability of 1.5h:1v cut slopes for the main access road and 1h:1v cut slopes for the water tank access road. The potential for generating landslides and other mass wasting in the underlying geologic materials from removal of toe support in cut slopes shall be evaluated. Specific design mitigation measures for long-term stability of the cut slopes shall be developed. These mitigation measures are anticipated to include construction of bedrock keyways underlying all fill slopes, installation of subsurface drainage measures to drain the contact between underlying bedrock/soils and overlying engineered fill soils, the use of Geogrid stabilization fabrics in the engineered fill to allow for construction of stable slopes at slope steepness greater than 2h:1v, and other design measures as identified by the Certified Engineering Geologist and Geotechnical Engineer of record for the project.~~

4.1-D.~~3~~2 ~~The Geotechnical Investigation~~ The supplement described in Mitigation Measure 4.1-B.2 shall include slope stability analysis for the proposed road cuts to confirm that the proposed slopes meet minimum standards of stability such as factor of safety calculations. This study shall be performed by a Certified Engineering Geologist or Geotechnical Engineer.

~~4.1-D.4 Anticipated recommendations from the geotechnical investigations and slope analyses will include maximum proposed cut slope steepness which may vary from the proposed design, slope stabilization measures such as retaining walls, and other methods that may be identified during the slope stability analysis. Recommendations may also include alternative designs such as biotechnical engineering techniques, gravity walls, buttress fills, reinforced fills, and other slope stabilization techniques.~~

4.1-D.~~5~~3 A Civil Engineer shall design any required retaining walls, gravity walls, buttress fills, or other slope stabilization technique in accordance with

recommendations of the geotechnical investigations and slope stability analysis and in accordance with County and State Guidelines.

~~4.1-D.6~~4 ~~An erosion control plan and planting plan shall be developed for stabilization of any soils excavated or exposed during construction activities~~."

10. Page 158. The text for Mitigation Measure 4.2-A.5 is revised to delete the following portion: "~~Benches shall drain into adequately sized pipes or rock-lined channels that convey the runoff to the quarry floor. Outlets of pipes shall have appropriate energy dissipaters to prevent erosion at the outfall.~~"

11. Page 158. The text for Mitigation Measure 4.2-A.6 is revised as follows: "Runoff from all access roads shall be collected and passed through a treatment swale or trap system prior to entering the existing or planned drainage features for the highway improvements that outfall to the secondary channel of the Forsythe Creek tributary. ~~Ditch flow shall not exceed 100 feet of concentrated flow.~~"

12. Page 160. The following text is added to the end of Mitigation Measure 4.2-A.6: "The bio-retention swale shall be designed to meet all RWQCB requirements, including being able to handle the 100-year storm event with 6 inches of freeboard."

13. Page 203. The typographic error has been fixed as shown: "The reports are included in Appendix ~~C~~ E of the original Draft EIR, which is on file for public review at the offices of the County Department of Planning and Building Services."

14. Page 256. The following sentence is added after the discussion of crystalline silica: "OEHHA has established an acceptable exposure level for crystalline silica's potential health effect, but since it is not a TAC, it is not specifically regulated by the MCAQMD. Crystalline silica has not been identified as a TAC by the California Air Resources Board and therefore it is not specifically regulated by the MCAQMD."

15. Page 219. The text for Mitigation Measure 4.4-B.1 is revised as follows: "Highway 101/Southbound Approach – Provide a right-turn deceleration lane on Highway 101 at least ~~400~~ 200 feet in length."

16. Page 220. The text for Mitigation Measure 4.4-B.2 is revised as follows: "If the County and Caltrans agree that such operational changes and/or highway improvements are warranted, then they shall be installed within two years of Caltrans' approval~~three years.~~ The applicant shall be responsible for paying its fair share (as determined by Caltrans and the County) of the improvements."

17. Page 221. The text for Mitigation Measure 4.4-B.2 is revised to delete some text as follows: "~~Sufficient right-of-way shall be maintained at the Highway 101/Harris Quarry Access intersection to provide a partial or full interchange, if ever required.~~"

18. Page 291. The following text is added after Table 4.6-18. "The discussion of wind patterns presented was a general discussion of wind patterns in the area, not a specific wind pattern analysis of areas south of the project site, which includes the Golden Rule Residential Park. Specifically, this discussion was based on a description of wind patterns in the County contained on page 8B-2 of the *Mendocino County General Plan Update, Background Report*, January 2003. In describing the wind patterns in the County, the background report stated:

"The prevailing winds are from the northwest, with local variations due to topography. During daylight hours, up-canyon local winds predominate. In the evening hours down-canyon "drainage" flows along watercourses predominate. Coastal hills are drained by numerous small creeks. In the central interior of the County, two major river valleys run in a north-south direction. The Eel River drains northward into Humboldt County along a relatively narrow river canyon. The Russian River drains southwards in a relatively wide canyon into Sonoma County."

Due to large scale and local terrain features, down-canyon winds will occur in the area south of the project site. Down-canyon winds would occur from the north where the quarry is situated, as well as from the two northwest-southeast trending ravines that are just to the northwest of the Golden Rule area. Winds from each of these areas would contribute to the northerly winds observed in the area, in addition to the northerly winds caused by large scale weather patterns.

With respect to wind speeds, the 5 mph wind speed referenced above is an overall average wind speed for all directions at the Willits site, averaged over all hours of the year, not a wind speed specifically associated with the daytime or nighttime up-canyon or down-canyon winds in the vicinity of the Golden Rule Residential Park. As would be expected, wind speeds in the project area for any given hour of the day will at times be greater than the average wind speed and lower than the average at other times, and will vary with direction, time of day, and season. Thus, observations that daytime down-canyon winds are higher than the average wind speed (closer to 10 to 15 mph) are entirely reasonable. Also, there may be times when the winds gust to 20 - 25 mph. However, since wind gusts are of short duration, and not representative of normal or average conditions, it is not expected that an overall annual average wind speed would be of the same magnitude as the wind gusts. The annual average wind speed is expected to be much lower than a wind gust speed.

The Willits meteorological data used for pollutant dispersion modeling included winds from the north and northwest (winds towards the Golden Rule Residential Park) with wind speeds ranging from 1 meter per second (m/s) to 3.5 m/s (2.2 mph to 10.1 mph). Wind speeds at the Harris Quarry site are likely to be higher than those measured at the Willits site. Thus, it is likely that the dispersion modeling described above used wind speeds lower than may actually occur. Since a pollutant concentration at a downwind location from an emission source is inversely proportional to the wind speed[19,20], as the wind speed decreases the

[19] D. Bruce Turner. *Workbook of Atmospheric Dispersion*, U. S. EPA, 1970.

concentration increases. Or conversely, for a given level of emissions from a source, the downwind concentration at a specific location will decease as the wind speed increases. Therefore, when considering that the wind speeds used in the dispersion modeling based on the Willits data are likely lower than may occur at the project site, and the predicted concentrations from the dispersion modeling are likely to overestimate the pollutant concentrations due to use of lower than actual wind speeds.

Potential health risks at Golden Rule Residential Park and Church of the Golden Rule were evaluated using MCAQMD-recommended methods, which included dispersion modeling to estimate toxic air contaminant concentrations. Meteorological data from a meteorological monitoring station in Willits was used with the dispersion models to predict pollutant concentrations in the project area, including areas in the Walker Valley south of the project site.

The Willits meteorological monitoring station is the closest location where meteorological data were available. Historically, there has been no long term meteorological monitoring of parameters needed for dispersion modeling in the vicinity of the project site, and only limited monitoring in the project region. The Willits meteorological data were obtained from a location near South Main Street between Franklin Avenue and Walnut Street at an elevation of about 1,400 feet. This monitoring station is about 4.7 miles northwest of the project site. Elevations at the project site range from about 1,850 feet at the quarry site to about 2,200 feet at the location of the proposed asphalt plant.

Based on the Willits monitoring site location and its surrounding area, meteorological data from this station was considered generally representative of conditions in the region. Since site-specific meteorological data were not available these data were used in the dispersion modeling to estimate pollutant concentrations in the project area. While there would be variation in meteorological conditions between the Willits site and the project site due to differences in elevation and local topography, the Willits data was considered to be a reasonably representative of the range of meteorological conditions encountered at the project site. Due to the higher elevation of the project site compared to Willits, wind speeds at the project site are expected to be greater than winds in Willits.

As part of preparing the responses to comments on the RDEIR, a meteorological data set for the same year as the Willits meteorological data (2004) used in the dispersion modeling, derived from mesoscale meteorological modeling data, was obtained for the Harris Quarry location in order to assist in evaluating the representativeness of the Willits meteorological data.

Additional meteorological data was developed for the Harris Quarry site by Lakes Environmental[21] based on a high resolution meteorological model designed to analyze the horizontal and vertical structure of the atmosphere. Lakes

[20] U.S. EPA. *User's Guide for the Industrial Source Complex (ISC3) Dispersion Models, Volume II – Description of Model Algorithms*. September 1995.
[21] http://www.weblakes.com/

Environmental used the wind fields and other data produced by the MM5 model (5th generation Mesoscale Model) to produce a set of surface based hourly meteorological data, including wind speed and wind direction, for the Harris Quarry site location for the same year as the Willits meteorological data (2004) used for the RDEIR dispersion modeling.

The MM5 model is a widely used three-dimensional numerical prognostic meteorology model developed by Pennsylvania State University and the U. S. National Center for Atmospheric Research (NCAR). The model is a limited-area, non-hydrostatic, terrain following sigma-coordinate model designed to simulate or predict mesoscale and regional-scale atmospheric circulation by solving for the full set of physical and thermodynamic equations which govern atmospheric motions[22]. The model uses objective analysis to process observed data at weather stations and output them to a regular grid. Using the gridded MM5 data and a specific site location, surface meteorological data are developed by creating a pseudo meteorological station and extracting the data from the grid cell that contains the site location.

Using MM5 data from 2004 and the location of the Harris Quarry, Lakes Environmental developed a set of hourly surface meteorological data for 2004 in the National Weather Service SAMSON format. This data included hourly wind speed and wind direction data. The wind speed and direction data were then used for comparison with the Willits meteorological data for 2004 to assess the reasonableness of the Willits data for use in dispersion modeling for the health risk assessment presented in the RDEIR.

As part of the comparison of the two meteorological data sets, the frequency of occurrence of winds, by time of day, along with the average wind speed, for each of the sixteen cardinal wind directions was calculated. Winds that would affect the area south of the quarry are those from the north through northwest during the daytime. For the daytime period when the quarry would be operating, from 6 a.m. through 6 p.m., the Willits meteorological data showed that winds from the north through northwest occurred about 1.4% of the time, with an average wind speed of 3.8 mph. The Harris Quarry meteorological data set showed that winds from north through northwest occurred about 3.1% of the time, with and average wind speed of 6.0 mph. Thus, based on this comparison, it appears that winds affecting the area south of the quarry would occur more frequently, but with higher wind speeds, than reflected in the modeling conducted for the RDEIR. These results would indicate that on an annual basis the area south of the quarry would be affected more frequently by emissions from the quarry (because of a larger percentage of winds directed towards the area to the south), but at lower hourly concentrations (due to the higher wind speed) than indicated by the RDEIR. Overall, it appears that use of site specific meteorological data for dispersion modeling of the Harris Quarry could result in an increase in annual pollutant concentrations that are used for assessing health risk by roughly 30 to 50%.

[22] Grell, G.; Dudhia, J.; Stauffer, D. *A Description of the Fifth-Generation Penn State/NCAR Mesoscale Model (MM5)*, National Center for Atmospheric Research, Boulder CO., 1994.

Based on modeling conducted for the health risk evaluation using the Willits meteorological data, the increased cancer risks to persons at the Church of the Golden Rule from the proposed project for 30 years of operation would be 0.02 cases per million people, and 0.04 cases per million people for the Golden Rule Mobile Village. For operation of the proposed project for 70 years, the increased cancer risks would be 0.14 per million for the Church of the Golden Rule and 0.17 per million for the Golden Rule Mobile Village. The MCAQMD threshold of significance for increased cancer risk from a project is 10 cases per million.

In order for the increased cancer risks from the proposed project to be considered significant in the area south of the quarry, they would have to be 60 to 250 times higher (6,000% to 25,000% higher) than those estimated using the Willits data. The possible underestimation of annual pollutant concentrations due to use of the Willits meteorological data for the dispersion modeling would not change the conclusion that potential health risks effects at the Church of the Golden Rule or the Golden Rule Mobile Village would be considerably lower than the MCAQMD health risk significance thresholds.

To conclude, the additional meteorological data indicates that the area south of the project site would be exposed to higher annual concentrations of pollutants than described using the Willits weather data. However, the principal factor affecting the dispersion modeling and pollutant concentration is the distance from the proposed asphalt plant. The pollutant concentrations would be substantially below the significance threshold as reported above."

19. Page 299. The following text is added after the third paragraph under Impact 4.6-I: "The total indirect GHG emissions from the proposed project are 2,007 short tons per year (tons/year), or 1,821 metric tons of CO2 equivalents per year (MT CO2e/year). As shown in Table 4.6-6 the total indirect CO2 baseline emissions associated with existing conditions are 706 tons/year. The net increase of indirect CO2e emissions from the proposed project is 1,301 tons/year, or 1,180 MT CO2e/year.

As shown in Table 4.6-8, the MCAQMD significance threshold for GHGs for projects other than stationary sources (i.e., indirect sources) is 1,100 MT CO2e/year, not 1,200 MT CO2e/year as referenced in the comment. Since indirect emissions associated with the proposed project would have a net increase of 1,180 MT CO2e/year, these emissions would be greater than the significance threshold for indirect sources. As described above, the project would have a potentially significant impact regarding conflict with plans and regulations that address GHG emissions.

When calculating GHG emissions for the proposed project several State and CARB regulatory requirements that have been recently adopted were not accounted for. For mobile sources these regulations include the CARB Low Carbon Fuel Standard (LCFS), which calls for a reduction of at least 10% in the carbon intensity of California's transportation fuels by 2020, and the "Pavley" regulations that reduce GHG emissions in new passenger vehicles from 2009 through 2016. The Pavley regulations will reduce GHG emissions from

passenger vehicles by about 22 percent in 2012 and about 30 percent in 2016. In addition to GHG requirements affecting mobile sources, Senate Bill 2 of the First Extraordinary Session (Simitian, SB 2 (1x)), which requires California energy providers to buy 33 percent of their energy from clean, renewable energy sources by 2020, was signed into law on April 12, 2011. In 2010, 15.9 percent of PG&E's energy load was provided by renewable energy sources[23.] GHG emissions from PG&E generated electricity with the increased renewal energy source requirements will further reduce GHG emissions from the proposed project. Incorporating the above regulatory requirements into the proposed project's estimated GHG emissions would reduce the emissions to levels below the significance levels for indirect sources.

As importantly, the project would result in a decrease in regional VMT (see pages 281 and 296 of the RDEIR). As such, it is expected that on a regionwide basis there would be no increase in indirect emissions. Finally, Mitigation Measure 4.6-I.1 would reduce indirect emissions by more than 80 MT CO2e/year."

20. Page 319. The text of the following sentence is revised: "The District includes two stations; the main station on East Commercial Street in Willits and a second station on Baechtel Road in Willits. The main station has two Incident Command System (ICS) Type 1 engines, ~~three~~ one Type 3 4-wheel drive engines, and one rescue vehicle. The Baechtel Road station has one Type 1 engine, one Type 3 4-wheel drive engine, one 4,000-gallon water tender, and one 75-foot ladder truck. Volunteers include 13 EMTs, and the rest are First Responders."

21. Page 373. Table 5.2-1 is revised as shown below:

[23] California Public Utilities Commission, 2011. *Renewables Portfolio Standard, Quarterly Report, 2nd Quarter 2011*.

Revised Table 5.2-1

Vehicle Miles Traveled Summary

Base Permit		Project		Project plus Near Term Cumulative		Change In VMT
Annual Trips	Annual VMT	Annual Trips	Annual VMT	Annual Trips	Annual VMT	
3,719	98,761	7,550	225,263	4,494	175,631	76,870
3,721	322,636	3,579	318,899	2,889	282,894	-39,742
4,959	415,506	4,747	401,631	3,847	366,318	-49,188
1,240	145,695	1,209	144,970	972	127,656	-18,039
992	133,202	973	129,297	774	98,123	-35,079
9,920	287,671	8,096	236,262	7,597	271,745	-15,926
2,480	75,480	2,018	58,816	1,459	38,935	-36,545
2,481	109,033	2,058	89,771	1,605	75,623	-33,410
2,480	69,650	2,088	47,997	1,761	29,530	-40,120
2,480	329,488	2,420	319,171	1,925	243,918	-85,570
744	25,178	591	19,419	422	12,982	12,196
1,241	108,060	1,199	104,864	954	80,090	-27,970
2,449	326,041	2,412	319,551	1,942	280,657	-45,384
0	0	0	0	8,341	149,109	149,109
38,936	***2,446,401***	***38,940***	***2,415,911***	***38,982***	***2,233,211***	***-213,190***
0	0	2,644	85,621	2,644	85,621	85,621
7,499	284,767	5,444	183,063	5,444	183,063	-101,704
1,718	71,146	1,815	61,089	1,815	61,089	-10,057
2,501	445,239	1,816	318,347	1,816	318,347	-126,892
11,718	***801,152***	***11,719***	***648,120***	***11,719***	***648,120***	***-153,032***
50,654	***3,247,553***	***50,659***	***3,064,031***	***50,701***	***2,136,113***	***-366,222***

Note: VMT = Vehicle miles traveled

"