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## I. INTRODUCTION

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In accordance with Sections 15088, 15089, and 15132 of the California Environmental Quality Act (CEQA) Guidelines, the County of Sonoma (the “County”) has prepared this Final Environmental Impact Report (FEIR) for the Dutra Haystack Landing Asphalt and Recycling Facility project. This FEIR includes the following chapters: 1) Introduction; 2) Responses to Comments; 3) Corrections and Additions to the Draft EIR; and 4) Mitigation Monitoring Program. Comment letters on the Draft Environmental Impact Report (DEIR) are provided in Appendix A.

### A. LOCATION

The Dutra Haystack Landing Asphalt and Recycling Facility project site is located in southwestern unincorporated Sonoma County, directly south of Petaluma, along the Petaluma River (River). Regional access is provided by California State Highway 101 and by Petaluma Boulevard South, both adjacent to the project site.

### B. SUMMARY OF THE PROPOSED PROJECT

The 38-acre project site is undeveloped and is characterized by relatively flat topography, except for a hill at the north end of the site. The proposed project consists of the construction and operation of a counterflow drum mix asphalt plant and recycling facility. In addition to the asphalt plant, the project would construct new dock facilities on the Petaluma River; an overhead conveyor system; stockpiles of aggregates, sand and recycled asphalt and concrete materials; an asphalt mixing and loading facility; and associated offices, truck scales and support facilities. Additional improvements would include new parking areas, landscaping along Highway 101, stormwater swales, security gates, and new driveway access. The applicant proposes an on-site septic system for wastewater, and the provision of potable water from North Marin Water District. Additionally, the applicant proposes pumping water from the Petaluma River for dust suppression. The project also includes construction and operation of a fire station facility for vehicle storage and training for the San Antonio Volunteer Fire Department. Refer to the Project Description of the Draft Environmental Impact Report (DEIR), Section III.E. (Discretionary Actions and Other Agency Approvals), for all discretionary approvals and applications required for the proposed project.

### C. ENVIRONMENTAL REVIEW PROCESS

Pursuant to CEQA Guidelines Section 15063, the County prepared an Initial Study that concluded that the proposed project could result in potentially significant environmental impacts and an EIR would be required. The County circulated a Notice of Preparation (NOP) of a DEIR for the proposed project to the State Clearinghouse and interested agencies and persons on February 17, 2006 for a 30-day review period and conducted a scoping meeting on February 27, 2006. Comments received on the NOP and comments received at the public scoping meeting were both considered in the preparation of the DEIR.

The DEIR was made available to various public agencies, citizen groups, and interested individuals for a 45-day public review period from January 14, 2008 through February 27, 2008. The County of Sonoma

Permit and Resource Management Department (PRMD) conducted a public Planning Commission hearing to accept written and verbal comments on the DEIR on February 7, 2008. At the February 7, 2008 public hearing the Planning Commission extended the DEIR public review period to March 4, 2008 and also continued the public hearing to March 6, 2008.

The DEIR was circulated to state agencies for review through the State Clearinghouse of the Governor's Office of Planning and Research. Copies of a Notice of Completion (NOC) of the DEIR were also sent to citizens surrounding the project site, interested groups and agencies. In addition, on January 13, 2008 the *Press Democrat* included a notice regarding the availability of the DEIR. Copies of the DEIR were available for review at the Sonoma County Permit and Resource Management Department (PRMD) public counter, at the Petaluma Regional Library, and online at the PRMD website, <http://www.sonoma-county.org/prmd/docs/eir/index.htm>.

The purpose of the review period is to provide interested public agencies, groups and individuals the opportunity to comment on the adequacy of the DEIR and to submit testimony on the possible environmental effects of the proposed project.

This document, together with the DEIR, makes up the FEIR as defined in the CEQA Guidelines Section 15132 as follows:

*The Final EIR shall consist of:*

- (a) The Draft EIR or a revision of the draft.*
- (b) Comments and recommendations received on the Draft EIR either verbatim or in summary.*
- (c) A list of persons, organizations, and public agencies commenting on the Draft EIR.*
- (d) The responses of the Lead Agency to significant environmental points raised in the review and consultation process.*
- (e) Any other information added by the Lead Agency.*

As Lead Agency under CEQA, the County must provide each public agency that commented on the DEIR with a copy of its responses to comments at least 10 days before certifying the FEIR. In addition, the Lead Agency may also provide an opportunity for members of the public to review the FEIR before certification, although this is not a requirement of CEQA.

## **D. USE OF THIS DOCUMENT**

The FEIR allows the public and Lead Agency to review revisions to the DEIR, comments, and responses to comments before consideration of project approval. This FEIR (which includes the DEIR, incorporated by reference) will serve as the environmental document used by the County when considering approval of the project. After completing the FEIR and before approving the project, the Lead Agency must make the following three certifications (CEQA Guidelines Section 15090).

- The FEIR has been completed in compliance with CEQA.
- The FEIR was presented to the decision-making body of the Lead Agency, and the decision-making body reviewed and considered the information in the FEIR prior to approving the project.
- The FEIR reflects the Lead Agency's independent judgment and analysis.

In addition, if an EIR that has been certified for a project identifies one or more significant environmental impacts, the Lead Agency must adopt findings of fact (CEQA Guidelines Section 15091[a]). For each significant impact, the Lead Agency must make one of the following findings.

- Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the EIR.
- Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency.
- Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the FEIR.

Each finding must be accompanied by a brief explanation of the rationale for the finding. In addition, the Lead Agency must adopt, in conjunction with the findings, a program for reporting or monitoring the changes that it has either required in the project or made a condition of approval to avoid or substantially lessen impacts (CEQA Guidelines Section 15091[d]). These measures must be fully enforceable through permit conditions, agreements, or other measures. This program is referred to as the Mitigation Monitoring Program (MMP) and is provided in Section IV of this FEIR.

In addition, when a Lead Agency approves a project that would result in significant and unavoidable impacts that are disclosed in the FEIR, the agency must state in writing its reasons for supporting the approved action (CEQA Guidelines Section 15093[b]). This statement of overriding considerations must be supported by substantial information in the record, including the FEIR. Because the proposed project would result in significant and unavoidable impacts related to aesthetics, air quality, land use, traffic and noise, the County would be required to adopt a statement of overriding considerations if it approves the project. The statement of overriding considerations is not a substitute for the findings of fact described above.

These certifications, the findings of fact, and the statement of overriding considerations are included in a separate findings document prepared by the County. The DEIR (incorporated by reference) and FEIR are submitted to the Lead Agency for consideration of the proposed project.

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