

February 6, 2008

To: Planning Commission, Sonoma County

Subject: Dutra Haystack Landing Asphalt and Recycling Facility, Draft EIR

Dear Commissioners:

I appreciate the opportunity to provide comments for the public record.

My comments focus on Alternatives, and Environmental Impacts to Biological Resources, Noise, Air Quality, Aesthetics, and Cumulative.

B2-1

VII Alternatives:

A review of Alternatives A-D led me to want to see evaluation of an additional Alternative, which I believe would actually have been "D", making the current "D" an Alternative "E." The omitted Alternative is included below:

A--No Project, B-Reduced Site Plan Alternative, C-Modified Site Plan Alternative, *D-Reduced and Modified Site Plan Alternative*, and "E"-Alternative Project Site (the report's current "D").

It would appear to be beneficial to conduct an analysis of a site plan alternative that included:

1. Omission of the asphalt recycling facility.
2. Reduction of the asphalt production plant to 70% from the current proposal.
3. Omission of night-time operations and night-time lighting.
4. Revision of the site plan to include significantly larger buffer zones between the conveyor, the facility, the planned fire station and the heron/egret colony.
5. Inclusion of the modifications described in Alternative C.

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A discussion regarding further exploration of Alternative D with regard to current property owners' willingness for a long-term lease or potential purchase of that site would also seem reasonable.

Exploration of other potential sites south of the existing location(s) on Petaluma Boulevard South would also appear beneficial.

V Environmental Impact Analysis

VB Air Quality

Impact AQ-5 Odors: Although the report indicates BACT is to be implemented, the Blue Smoke control mechanisms remain of concern, especially with regard to potentially significant environmental impacts on biological resources in the immediate area. I hope to hear a discussion of the relationship between odors and emissions and the heron/egret colony sensitivity as well as the close proximity to Shollenberger Park.

B2-3

VC Biological Resources

This comment focuses on the heron/egret colony currently thriving on the Dutra land. The colony and nesting site will not survive with the currently recommended mitigation measures. The colony will not survive and the nesting site lost if the proposed project is approved under Alternative C. Alternative D with further modifications could prove otherwise.

Appendices: Appendix E – LSA Heron/Egret Colony Report

The report bases recommendations on a single project that was a residential condo/townhome development with destruction of two existing residences. This hardly compares to the construction of and then daily operation of a large-scale heavy industrial asphalt production facility. The LSA report does not provide sufficient data to produce realistic recommendations for both protecting the colony during nesting season or for providing any chance at all of survival. The recommended artificial platform construction as a potential mitigation measure still places the colony in the vicinity of the asphalt production plant, a heavy industrial facility with noise, air quality issues and human encroachment. In addition, the planned fire station location would need to be located as far away from the colony site as possible. Obtaining current research data and reliance upon expert observers and biologists familiar with the heron/egret colony on the Dutra land is essential for any attempt to preserve and protect this important natural resource. Many consider the heron/egret colony an extension of the ecosystem encompassed by Shollenberger Park, Alman Marsh and the Ellis Creek area. Of note is the availability for food sources and quiet environment, contributing to the longevity and growth of this colony. This points to the current Alternative D as the superior alternative, as noted in the DEIR report.

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VI Noise

I remained unclear as to significant noise impacts and mitigation of those, based upon the reporting mechanism. During construction time, posting the name and telephone number of a responsible person on site is not a sufficient mitigation measure for the daily and sustained noise levels that would occur.

In comparison to "Typical Sound Levels Measured in the Environment and Industry" (Table V.I-2 on p. 2 of the section, Illingworth & Rodkin, January 2004), I located a different measuring system provided by the American Speech-Language Hearing Association, as follows:

Painful

150 dB = rock music peak

140 dB = firearms, air raid siren, jet engine

130 dB = jackhammer

120 dB = jet plane take-off, amplified rock music at 4-6 ft., car stereo, band practice

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Extremely Loud

110 dB = rock music, model airplane

106 dB = timpani and bass drum rolls

100 dB = snowmobile, chain saw, pneumatic drill

90 dB = lawnmower, shop tools, truck traffic, subway

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Very Loud

80 dB = alarm clock, busy street

70 dB = busy traffic, vacuum cleaner

60 dB = conversation, dishwasher

Moderate

50 dB = moderate rainfall

40 dB = quiet room

Faint

30 dB = whisper, quiet library

According to the American Speech-Language Hearing Association, "Hazardous Noise: Sounds louder than 80 decibels are considered potentially dangerous. Both the amount of noise and the length of time of exposure determine the amount of damage. Hair cells of the inner ear and the hearing nerve can be damaged by an intense brief impulse, like an explosion, or by continuous and/or repeated exposure to noise. Examples of noise levels considered dangerous by experts are a lawnmower, a rock concert, firearms, firecrackers, headset listening systems, motorcycles, tractors, household appliances (garbage disposals, blenders, food processors/choppers, etc.) and noisy toys. All can deliver sound over 90 decibels and some up to 140 decibels."

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(cont'd)

Proposed construction activity noise production approaches 80 and exceeds 90 dB. Ambient daily noise during hours of operation of the asphalt facility range from the low 60s up to 84 dB. The consideration for noise impacts appeared to also focus on impact to the closest residences. I was unable to find a consideration related to the heron/egret colony or to the adults and children at Shollenberger Park, on trails, visiting each day, nor the consideration for impact to wildlife and noise impacts on the Shollenberger Park side of the river.

During the hearing process, I would appreciate an expanded discussion of noise impacts.

VA – Aesthetics and Lighting

Lighting: If the project proceeds, the provision of no night-time lighting is requested. The addition of night-time lighting in a sensitive, rural, nocturnal area could significantly negatively impact biological resources in the area.

Aesthetics: I cannot think of a worse project for the chosen location. I am in favor of Dutra being able to conduct business and contribute to river-related industry in Petaluma. At the same time, the location and alternatives discussed to date, with exception of Alternative D with additional modifications, are of grave concern. Shollenberger Park, Alman Marsh, Ellis Creek and the natural resources assets stand to be negatively impacted in a significant way and in ways that cannot yet be anticipated within the context of an Environmental Impact Report. The heron/egret colony under the current plan is, quite frankly, a goner. The educational program offered by the Docents of the Petaluma Wetlands Alliance is a valuable asset to the community. The sanctuary the area just across the river from the Dutra land (and the heron/egret colony location) provides for wildlife is threatened by this proposal, moreso by noise, air impacts, proposed lighting, and industrial location in a commercial setting across the river. At the same time, the

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impact to aesthetics and the scenic vista appear without ability to be mitigated and would negatively interrupt and change the landscape forever.

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Cumulative Impacts: The significant impacts discussed in this comment (noise, biological resources, lighting/aesthetics, and air quality) produce a cumulative impact on habitat, habitat health and sustainability, for the heron/egret colony and for the wildlife species in the immediate area. These impacts are also relevant for the hundreds of adults and children who visit the area for the purpose of learning about and enhancing personal health in the context of the park setting, marshes and wetlands.

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In the discussion that evolves from the DEIR, it is my hope that additional alternatives for Dutra's asphalt facility location can be explored so as to support Dutra to operate a river-reliant industry but facilitate location of the facility in a more appropriate setting for such heavy industry.

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Thank you for accepting my comment.

Sincerely,

Susan Kirks

(Note: My comment is provided in the context of having the privilege to be a Docent at Shollenberger Park, leading school children on educational nature walks, and of being the Chair of a community nonprofit (Paula Lane Action Network, P.L.A.N.) whose mission is research and education, leading to preservation of open space, rural land, wildlife habitat and historic resources.)

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