

Asphalt plant wins first round

By Nick Baptista/ The Valley Springs News/ Friday June 26, 2015

An asphalt plant proposed to operate out of the Hogan Quarry near Valley Springs jumped its first of what is expected to be at least several hurdles at Thursday's meeting of the Calaveras County Planning Commission.

The planning panel voted unanimously in favor of county Planning Director Peter Maurer's April 30 decision the asphalt plant is a permitted use at the Foothill Materials Inc. quarry located at 3650 Hogan Dam Road.

The Calaveras County Water District, MyValleySprings.com, MVS.com President Joyce Techel and neighbor John Walker initially opposed Maurer's decision, which did not require an environmental review of the asphalt plant. However, CCWD earlier this week dropped its appeal of the decision.

Of the nearly 30 people who addressed the planning commission at Thursday's public hearing, testimony was approximately 10-1 against Maurer's earlier decision. Most of the opposition was voiced by people who live near the quarry, while those in favor locating the asphalt plant near the subdivisions of Rancho Calaveras and La Contenta were from outside of the area.

Mark Gallagher, an attorney for MyValleySprings.com, said Maurer erred in his decision by inferring an asphalt plant is the same as a concrete plant, which is specified as OK for a heavy industrial zone in county code. Gallagher used the analogy that the two were as different as apples and oranges.

Quarry neighbors complained the proposed asphalt plant would depress home values and their quality of life due to smell, dust, air pollution, noise, increased heavy truck traffic and the possibility of contaminating their drinking water.

One of those neighbors, Richard Enderlein, said his career has been in environmental analysis, and since use of the quarry was being changed and the public had expressed concerns about the change, an environmental review of the asphalt plant proposal was required by law.

Diane Kindermann, an attorney representing Ford Construction Co., owners of the quarry, said many of the concerns such runoff and air quality will be addressed at the state and federal levels. In addition, she said the asphalt binding agent added to aggregate from the quarry would not be stored at the site, but trucked in on an as-needed basis.

Tom Infusino, an attorney for the Calaveras Planning Coalition, said local government should lead the way in addressing those concerns. He cited county residents, experience with the state solving SR12/26 traffic woes and the federal government's long overdue solutions to flooding along Cosgrove Creek as reasons for concern.

Former District 5 Supervisor Darren Spellman, a Realtor, complemented District 5 Planning Commissioner David Tunno for making substantial improvements to his property in Rancho Calaveras, but said the fact an asphalt plant is located within five miles of his home must be disclosed if he were to sell his house and that would depress his home value and make it difficult, if not impossible, to sell.

Tunno said he did some research on the internet and found asphalt plants in northern California near residential neighborhoods in Tracy, Santa Rosa and Lake Tahoe.

Tunno said he did not find any evidence asphalt plants were so bad that they drove people out of the area and made it difficult to sell homes. In Tahoe, he could not find any homes for sale near the plant and the one closest to the plant that he could find on the market was listed for \$1 Million.

It was Tunno who made the motion in support of the planning director. The planning panel's votes on Thursday will be presented for consideration in final form at a July 9 meeting.

That meeting will also include appeals by Ford Construction on decisions made by Environmental Management Agency Director Brian Moss.

He has determined from the standpoint of the county Air Pollution Control District, state law requires an environmental review before the county can issue an authorization to build the asphalt plant.

In addition, any of the actions taken at the July 9 planning panel meeting can be appealed to the Board of Supervisors.