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Board of Supervisors meeting 5/26/15, Public Comments (hard copy to supervisors)

### **Comments about the planned asphalt plant at Hogan Quarry**

2-1/2 weeks ago, MVS.com was dismayed to learn that the County had fast-tracked and OK'd an asphalt "hot plant" to be located at the Hogan Quarry in Valley Springs. The quarry is next to the Calaveras River, near the residential subdivisions of Rancho Calaveras and La Contenta, where thousands of people live. But this decision was made without any public notice or environmental review. And even though "asphalt plant" is not found in current county code, they decided that no Planning permit was needed, based on an opinion that asphalt is the same as concrete. They concluded that since a concrete batch plant is permitted in the M2 zone, an asphalt plant would also be okay.

We disagree with that opinion. We believe use permits and permit amendments are required, and are very concerned with the lack of public notice and review. An asphalt plant may have significant environmental impacts. Permitting is a discretionary action that requires CEQA compliance. The existing 90-15 Mining Use Permit and Reclamation Plan must be amended if there is "any change in the nature" of the quarry's gravel operation. We filed an Appeal of the administrative decision. CCWD has also filed an Appeal, based on concerns about contamination of District drinking water, as the intake is across from the quarry. A date is yet to be set for an Appeals hearing at the planning commission.

We have been researching the issues and trying to find out everything we can about the asphalt plant to inform people in the area, because nothing was made public. Folks don't appreciate the way the asphalt plant was pushed forward so quickly, and they don't like the lack of information available. This looks to them like an attempt to sneak the project through by avoiding public scrutiny.

To learn more, we recently examined Hogan Quarry project files at Planning Dept. and found info which confirmed our concerns about toxins and health risks: "liquid asphalt" "will be used at the hot plant" and is deemed a "hazardous material" (these are quotes from the Abbott and Kindermann letter of April 29, attorneys for the owners and on-site operators).

But there remain too many unanswered questions.

Supervisor Kearney, you advocated to Planning in favor of this asphalt plant and pushed it forward. Chair Edson has commented in support of it, citing more jobs and business in the county. But do you know exactly what you're dealing with and what the impacts of an asphalt plant could be to people and property values in the area? Have you been adequately informed on the complexity of the issues, the scale of the project, and the risks of an asphalt plant? You heard only one side—the project proponents. Don't you need to know the complete picture before putting your constituents' health and safety at risk?

Here are Questions that need answers:

- How many new truck trips a day will be generated?
- What hours will the asphalt plant and trucks be allowed to operate—day or night?
- How much will the asphalt plant produce? Are there limits to production?
- What is the projected volume of export off-site, and will this exceed the existing annual permit limit of 10 trucks a day for export of materials?
- What are current daily trip averages for offsite hauling, and what could averages and maximums be with expected use?
- What hazardous and toxic materials will be on-site & how will we be protected?
- How will air pollution and emissions be prevented?
- What Conditions will protect the adjacent Calaveras River water from runoff and air born particulates? This is the drinking water for La Contenta, Gold Creek, and Rancho Calaveras, and the spawning grounds for federally listed steelhead salmon.
- What about fire protection measures for the hot asphalt plant and surrounding dry vegetation? Will there be fire hydrants?
- What are the size, type, manufacturer, and model number of the asphalt plant?
- What will be the new noise levels generated?
- Is this asphalt plant from out of state, and does it meet Calif. State requirements?

Do you have answers to all these? If not, you shouldn't be allowing the project to move forward, because you are risking the health and safety of your constituents and the environment. Don't just dismiss fears as ungrounded—give them a full review.

Oh, and I almost forgot to tell you—asphalt plant equipment is already on-site. Despite the fact that two Appeals were filed, a large asphalt drum was trucked in and discovered parked inside the quarry gates last Friday

Your constituents deserve better than this. They deserve and require public notice and environmental review of the asphalt plant before it begins operation at the Hogan Quarry.