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CALAVERAS COUNTY
BOARD OF SUPERVISORS

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12/28/2015

Cliff Edson, Board of Supervisors Chair

Calaveras County Board of Supervisors

891 Mountain Ranch Road

San Andreas, Ca. 95249

(Delivered by hand)

RE: Appeal of the Decision of the Planning Commissioners dated December 17, 2015. The Planning Commission resolution finding that the use of hazardous substances at the asphalt plant proposed to be operated at the Hogan quarry will not have a significant effect on the environment, and because of that determination a conditional use permit is not required pursuant to Calaveras County Code Section 17.42.035.

I challenge that decision based on my letter dated August 10, 2015 to the Board of Supervisors Meeting, a portion of it being read by Lora Most. Stated in my letter, my name is Dr. Benedicto M. Estoesta, Fellow Academy of Family Practice, Diplomat of Holistic and Integrative Medicine, I was a previous medical director of Mark Twain St. Joseph Hospital and Clinics from 1999-2003 and now a full time primary care physician serving Valley Springs and neighboring sites for the past 15 years. I am writing to you about the medical concerns of having an Asphalt Plant by our community. I am also enclosing Dr. Dean Kelaita (Calaveras County Health Officers) concerns about the installation of an asphalt plant in our community.

Enclosed is the copy of my letter dated August 10, 2015 and a check in the amount of \$100.00

Dr. Benedicto M. Estoesta

Dr. Benedicto M. Estoesta MD, FAAP, DABHM

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Benedicto M. Estoesta, M.D., F.A.A.F.P., D.A.B.H.J.M.

August 10, 2015

Calaveras County Board of Supervisors
891 Mountain Ranch Road
San Andreas, CA 95249-9709

Re: Asphalt Plant

Dear Board of Supervisors,

This letter is in reference to the proposed Asphalt Plant by the Calaveras River. My name is Dr. Benedicto M. Estoesta, Fellow Academy of Family Practice, Diplomate of Holistic and Integrative Medicine, I was a previous medical director of Mark Twain St. Joseph Hospital and Clinics from 1999-2003 and now a full time primary care physician serving Valley Springs and neighboring sites for the past 15 years. I am writing to you about the medical concerns of having an Asphalt Plant by our community.

Asphalt Plant's release millions of chemicals into the air during their yearly production, many of which can cause Chronic Illness and Cancers. In particular ARSENIC and CADMIUM are known respiratory carcinogens causing lung cancer, mesothelioma, cancers of the Bronchial Tree, mouth, esophagus and pharynx. These toxic chemicals when inhaled together with nicotine from cigarette smokers double the chance of early production of cancer to the above symptoms mentioned.

BENZENE is another toxic byproduct that can cause cancer of the urinary bladder, prostate, uterus and kidney and has been shown in numerous medical journals of cumulative effects in the genital urinary system to cause cancer, and in reproductive organs, this toxic agent can cause birth defects in babies and children.

FORMALDEHYDE and POLYCYCLIC AROMATIC HYDROCARBONS are fine particulate toxic substances emitted into the air as Asphalt is loaded into trucks and hauled from the plant site. Together with fine condensed particulate matter and fine organic compounds, these air toxins could cause shortness of breath, difficulty of breathing, wheezing, coughing to all age groups but in particular could damage the lungs of our young children doing their outdoor sporting events and physical education classes outside their classroom. For our known patients with Chronic Obstructive Lung Disease, Bronchial Asthma, Congestive Heart Failure and Primary Lung Diseases, these toxic

pollutants will quadruple their frequency of wheezing, shortness of breath and their emergent need to use their hand held nebulizing therapies frequently. This will aggravate established lung and heart patients for more frequent intensive hospitalization and will double the rate of intubation and premature deaths.

Common to these air toxins include varying degree of nausea, vomiting, dizziness, and loss of cognitive function as we inhale these matters in and out of our lungs. Since they are not as easily excreted by the urine they tend to accumulate toxic residues in the liver, kidney and the skin. Skin irritations are common in the form of redness, swelling, excoriations and eczema like reactions that are hard to treat with a standard steroid treatment.

All these known medical diseases, aggravated by toxic pollutants have been substantiated in various medical and occupational textbooks and journals. The US Department of Human Services has a full display of medical literature concerning Asphalt Plant Pollution.

Yours Truly,

Benedicto M. Estoesta M.D.

Benedicto M. Estoesta, M.D., F.A.A.F.P., D.A.B.H.I.M.

Date: Dec. 7, 2015

The installation and operation of a hot mix asphalt plant at Hogan Quarry in Valley Springs will involve the use of a variety of hazardous materials that may have a significant effect on the environment and public health. After review of the plan for the plant in the M2 zone, Environmental Management Agency staff analysis and briefings and the subsequent follow up materials submitted by the asphalt plant applicants, the potential for significant impacts and risks to the public have not been addressed to my satisfaction.

In summary, after reviewing the plan and the additional information submitted, my determination is that the proposed asphalt plan poses a risk to the public health due to the insufficient description of the safeguards to be used to prevent unintended environmental effects from the types and quantities of substances used in this type of facility.

As Calaveras County health officer, it is my determination at this time that the proposed asphalt plant to be operated at the Hogan Quarry involves hazardous materials that have the potential for significant environmental and public health effects. I recommend the application to be subject to a conditional use permit before being allowed to move forward.

Dean Kelaita, M.D.

Calaveras County health officer, Public Health Services

http://www.calaverasenterprise.com/opinion/article_82c78bba-a524-11e5-bad9-3b2a70e13407.html

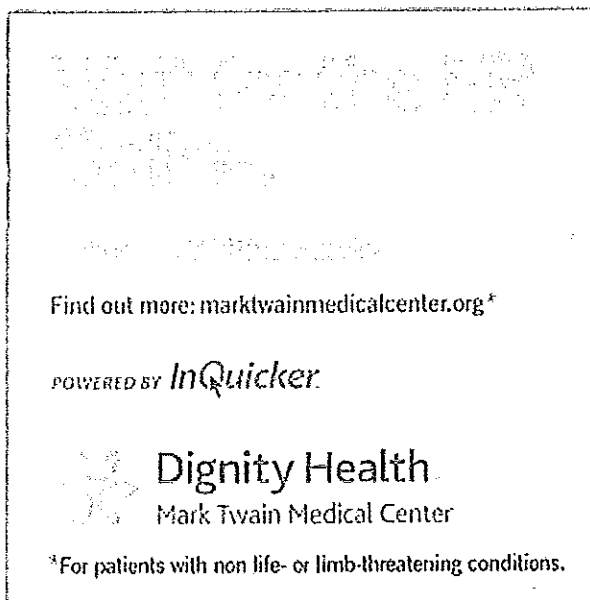
New: Letter to the Editor

Dec 17, 2015

Editor's note: Dr. Dean Kelaita, the Calaveras County health officer, sent this letter to the Calaveras County Planning Commission before the commission was scheduled to consider whether to require proponents of an asphalt plant near Valley Springs to obtain a conditional use permit for the plant. Kelaita concluded that a conditional use permit is needed to address risks to public health. A majority of commissioners disagreed with Kelaita. The commission voted 4-1 on Dec. 10 that it intends to allow the plant to operate without a conditional use permit. The commission was expected to formalize this decision on Thursday.

To: Calaveras County Planning Commission

From: Dean Kelaita, M.D., health officer



RE: Recommendation that the proposed asphalt plant at the Hogan Quarry be subject to a conditional use permit