

BOS HEARING, CERTIFICATION of FEIR CONCERNING "ARP04", SAN RAFAEL ROCK QUARRY, OCTOBER 27, 2009

ORAL COMMENTS OF NONA DENNIS, REPRESENTING MARIN CONSERVATION LEAGUE

1. The San Pedro Road Coalition has raised the right questions and insisted that they be addressed in the FEIR . They are to be congratulated for their persistence and discipline and should be very much involved in reaching acceptable solutions for the community during hearings on the merits.
2. Scientists will continue to disagree on the extent of health risks of continued operation (I should have said more here, but didn't feel qualified)
3. No one can disagree, however, with the most important conclusion in the FEIR -- that land use incompatibility (between quarry operation and the residential neighborhood) is an unavoidable significant cumulative impact that cannot be fully mitigated (noise, dust, vibration, truck traffic, etc.). While this impact cannot be fully mitigated, it is essential that the impacts be reduced to the extent feasible -- that will be the responsibility of the County during hearings on the merits and in making findings of overriding considerations.
4. One obvious way to reduce impacts is through mitigations, i.e., placing conditions on the permit itself (AQP) -- restricting hours of operation, limiting blasting and number of trucks (replacing with barges wherever possible), covering operations, etc, etc.
5. The subject of today's hearing, however, is the adequacy of the FEIR as it concerns the Reclamation Plan (ARP04). Altering that plan provides an opportunity to further reduce impacts because the cumulative impact is a consequence of the quarry operation combined with concurrent reclamation activities -- moving material around continuously over the next 15 or so years while the quarry is in operation. The phased reclamation plan exacerbates the dust problem in particular.
6. The Reclamation Plan should be a concept only at this time and treated as such -- it is not "set in stone." It should remain a concept until three years before cessation of quarrying, then developed into a real plan, consistent with conditions (e.g. traffic) at that time. In the meantime:
  - the NE quadrant should not be used as a mixing bowl (overburden mixed with pond fines, e.g.);
  - if this is observed, there is no need to build a 70-foot berm to screen mixing activities;
  - the NW quadrant should not be surcharged for land uses that may never happen;
  - the South Hill should not be quarried until the main pit is exhausted, and then overburden from South Hill can be put into the main pit;
  - in short, material (dirt) should not be moved, and then moved again around the site throughout the remaining life of the quarry.

7. These recommendations generally add up to a "Reduced Alternative" with many details to be worked out during merit hearings. The question for the BOS at this hearing is: Does the FEIR contain sufficient information and analysis to support a "Reduced Alternative" such that it can be certified?