

NAPA COUNTY EIR MEETING

PROCEEDINGS REPORTED FROM
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DRAFT EIR MEETING

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2 P R O C E E D I N G S

3 MR. BARRELLA: -- to discuss merits and
4 look at the permits.

5 With that I will take comments. If you could
6 state your name and if you spell your last please, that
7 would be preferable.

8 MS. CALVIN: I'm Debby Calvin, I live on
9 the corner of Patton and Imola. I'm a third generation
10 of Napa, well actually fourth generation. My parents
11 own the house. They bought it in 1930 and we've had
12 six foot cut off the side of our yard on Patton Avenue
13 for improvements and 12 foot off of the front of Imola
14 Avenue.

15 One of my concerns is the traffic. The roads
16 are very narrow, it's noisy. Another one of my
17 concerns is the natural habitat, and I've already been
18 through all of this, but the animals are now coming
19 into my yard. I have deer, I have all of them coming
20 into my yard because there's nowhere for them to go.
21 They've built a school across the street and now they
22 want to start blasting more. The geese are not going
23 to have a place to live because it's going to scare
24 them and the deer.

25 The other thing is these gasses. I am really

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1 worried. We have a school across the street that's
2 right underneath of where these proposed blastings are
3 going to be. They are special needs kids along with
4 typical peer children, some of them are mentally
5 fragile, and I myself have asthma and I cannot handle
6 the smell of tar, it puts me into asthma attacks. And
7 now they're talking about making asphalt, which I
8 wasn't apprised of, that they were only cracking
9 gravel.

10 I have seismometer in front of my home as I
11 know you people have. Don Perry made sure that was
12 there. It seems like I am in the fault line for what
13 they were blasting.

14 My parents sued Basalite Block, who owns where
15 they're blasting now, years ago and years ago because
16 they cracked the ceilings and the wall and the
17 fireplace, and they won the lawsuit.

18 I have had the blasting shake my windows, it
19 scares the kids at the school, they're blasting
20 particles into the air, and like you said, it's not
21 really meeting the new green whatever the stuff is that
22 you guys are working with.

23 I'm also concerned about our waterways. All of
24 us have wells and what's going to do to change that.
25 I'm also concerned about there is a very large water

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1 tank up there and how secure is it when these blastings
2 occur. If it comes down it's going to wipe out all of
3 us in the neighborhood plus all the kids at the
4 schooling. So I would really like to once again have
5 that looked at.

6 I was told that those big trucks weren't going
7 to come up Imola Avenue and now I'm hearing that it's
8 going to be just a little here and there, but that's
9 not okay.

10 Napa Sanitation District wiped out part of my
11 front yard to put in a waterway that went -- reclaimed
12 water that went nowhere, and this is just one more
13 step. We bought these home, country homes. There were
14 farms. I was country, county, they put me into the
15 city and now they just keep going more, more, more,
16 more, more. And I think it's time to stop. Okay?
17 Thank you.

18 MS. FELCH: Do you want the next
19 speaker?

20 MR. BARRELLA: Yes.

21 MS. FELCH: I know that it's being
22 recorded and I'd like to make a request for a copy of
23 the recording.

24 My name is Kathy Felch and I live at 2196 Penny
25 Lane, which is on the corner of Penny Lane and Imola.

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1 We may be in fact the closest residents to the project,
2 so we're highly concerned about it. I realize that
3 tonight is not the night to give you all the problems
4 that we identify with the project overall but rather to
5 address the problems that I've seen thus far in the
6 Draft EIR. So let me do that.

7 To begin with I want to note so that we all
8 don't lose sight of this, that the Draft EIR and
9 actually the Final EIR, this being just the draft of
10 it, its purpose is to educate and inform our governing
11 body and the public about the impact that this project
12 would have. With that in mind I find that a Draft EIR
13 that has taken over five years to put together and
14 consists of over 2500 pages of pretty dense technical
15 material is presented to the public and the public is
16 given 45 calendar days to digest that and respond.

17 In this case we're talking about a project that
18 will impact our community, if it's granted, for an
19 additional 35 years plus time for supposed remediation.
20 Is that the right word? It might be mitigation.

21 MR. BARRELLA: Reclamation.

22 MS. GITELMAN: Reclamation.

23 MS. FELCH: Reclamation. Thank you.

24 I've been working all day. I'm tired.

25 In addition to the short comment period, I

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1 think that the way that county has made the documents
2 available to the public is problematic. I appreciate
3 that anyone in the world can get on the county's
4 website and find the documents. Not everyone in our
5 public is computer literate, not everyone has a
6 computer, but even I, who work on a computer all day
7 long, and do a lot of research -- I'm sorry, I forgot
8 to mention I'm a lawyer. I don't tell you that to do
9 anything other than comply with professional
10 organizations that say that it's ethical to let you
11 know that.

12 That said I do a lot of research on computers.
13 I find it difficult to find the EIR online. It's
14 buried in the department and over on a little side bar
15 and I can tell you I've talked to many people in the
16 community who have said, "What? Where? I looked, I
17 couldn't find it."

18 Okay. So it could be given that we're talking
19 about a project that's going to affect our community
20 for decades to come that it might be on the home page
21 of the county in big enough print that everybody can
22 kind of find it. Additionally once you find it, again,
23 I'm used to doing research and dense research. The
24 documents are put forth to the public in a way that is
25 unworkable and extremely burdensome to try to digest

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1 and understand. In particular the appendices are not
2 broken up by section of the EIR and they are not
3 bookmarked, for those of you who are computer literate,
4 you understand that. So that to find the material that
5 you're looking for that relates to a particular section
6 of the EIR requires scrolling through over a thousand
7 pages. Unworkable. I think it needs to be put up on
8 the internet on the county's home page in a format
9 that's understandable and digestible by the public.

10 Additionally I think that the public needs more
11 time to consider the impact that this project will have
12 on our community probably for a time that I won't be
13 here to see the end of. But many of the children in
14 our community will grow up with this project operating,
15 and I think that the county and the levels of county
16 government that are concerned with this owe it to the
17 citizens of this community to give us more time to
18 digest this material.

19 I would propose that we have an additional 60
20 days so that there would be a total of 105 calendar
21 days for the public to comment. I think that's a drop
22 in the bucket compared to how long this project has
23 been in the works and the consultants have worked on
24 it, Syar has worked on it, and county government has
25 worked on it. We're the people who support the county

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1 government and we'd like to really have our oar in the
2 water on this project.

3 That's as to form and I'd like to move on to
4 substance a bit. The permit period is unclear to me.
5 I confess that I haven't been able to read all 2500
6 pages, but I don't find from what I'm able to piece
7 together from a number of different records what
8 exactly is the permit period of the current permit?
9 From what I can see it appears to me, and this is a
10 preliminary observation, that there may not be a permit
11 in place that's effective at the present time. So it's
12 unclear to me what the time period proposed for this
13 Draft EIR, for the proposed permit is. When will it
14 begin and when will it end?

15 The initial permit that was granted to Basalt
16 Mining Company in 1973 was by its terms to end in the
17 year 2000 or 2002. We're at 2013. The intervening
18 period doesn't appear to me to be covered by any
19 permit. If there is one I'm making a request that it
20 be sent.

21 In addition the initial permit that was granted
22 to Basalt Mining Company that Syar succeeded to
23 represented that at the end of its permit period the
24 terrain would be reclaimed and used for housing in part
25 and light manufacturing or light industrial and office.

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1 That to me seems like a soft-shoe promise made decades
2 ago. Here we are and what do we get? A deeper mine, a
3 bigger mine, more impact on our community, and the
4 community encroaching even closer to the operation than
5 it was in 1973.

6 The mitigation measures don't seem to match up
7 with the severity of the impact that's described in the
8 draft. In other words, the punishment doesn't seem to
9 fit the crime if I can use an analogy.

10 I don't want to be too lighthearted about this
11 because it's a very serious project, but just to give
12 you an example, in the evaluation of noise and
13 vibration, I think it's section 4 of the Draft EIR, it
14 says that it would have a significant impact on the
15 increase in sound caused by mining equipment. We
16 already hear that. We hear it at all hours of the day,
17 all days of the week.

18 The mitigation that's proposed that would take
19 than significant impact on the environment to less than
20 significant is that it would not -- the applicant would
21 not carry out mining activities between the hours of 10
22 p.m. and 7 a.m. in the expansion areas to the north
23 where the residents are and east where the park is,
24 where the residences are not shielded by intervening
25 terrain. I'm sorry, but I don't understand that. Is

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1 this for the entire period of the proposed permit which
2 is 35 years or are we talking about the present time?
3 What happens when there is no intervening terrain?

4 And then it goes on with a condition that says
5 that with the exception of blasting and the removal of
6 overburden it wouldn't conduct daytime mining
7 operations between 7 a.m. and 10 p.m. in unshielded
8 areas to the north and east that would exceed certain
9 noise levels. Okay, how do we make sure this is going
10 to happen?

11 Here's where I really have a problem with the
12 draft. Here are the things that are going to ensure
13 that we don't have noise and vibration assuming that we
14 don't have it now, which we do. One is we're going to
15 maintain an acoustical shielding. Is that the hill
16 between the residences and the pit? Aren't we going to
17 be eating away at that hill during the mining period?
18 And what happens once we've eaten that away?

19 Two, use the quietest available equipment when
20 removing topsoil and overburden. This is a lawyer's
21 dream of loopholes. Quietest available equipment: Is
22 that the quietest available equipment that's on the
23 market at the time; is it the quietest available
24 equipment in the fleet owned by Syar; and when do you
25 measure that? Is it at that time of proposed

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1 enforcement; is it at the time of the granting of the
2 permit? It's incredibly vague, it needs to be more
3 specific.

4 And here's another fun one. We're going to --
5 the applicant will be required to conduct noise
6 monitoring and maintain noise monitoring reports to
7 ensure that daytime noise levels - we're not talking
8 about nighttime now remember, just daytime - from
9 aggregate mining within the expansion areas to the
10 north and east of the State Blue Pit, again close to
11 the residents close to the park, and then submit noise
12 monitoring reports to the county environment, health
13 and engineering and conservation divisions upon
14 request.

15 That means the county must request the report
16 before anybody in the public has access to the reports.
17 What does the public do if the county doesn't get
18 around to asking for the reports that or refuses to
19 request the reports? The reports remain proprietary
20 with the applicant. The public is excluded from
21 getting that information, so what purpose does
22 preparation of the reports serve?

23 That's needs really -- ten trucks could go
24 through this loophole. That needs to be tightened up.
25 And I think there are other mitigation measures that

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1 should take place. In other words -- well, I'm not
2 going to get into what I think about the project, but
3 that's one example of how the serious removal of
4 overburden and blasting, the serious noise levels and
5 vibration additional that's going to be caused by the
6 project is not mitigated in any meaningful manner
7 whatsoever that would cause anyone to think that the
8 significant burden or significant impact caused by that
9 can be lessened to in any way, lessened to a less than
10 significant impact. That's just for lack of a better
11 word, silly.

12 The other problem that I see just through an
13 initial review of the draft and the supporting data is
14 that the draft has been in process for so long that the
15 reports submitted to support it are old, they're
16 outdated. They're not only outdated but they're based
17 on data that's even older than the reports themselves.

18 Let me give you a couple of examples, and these
19 are not exhaustive. The live oak report, and I don't
20 mean this to slam any of these consultants, I know
21 they're well meaning and I respect them, but their work
22 is too old to support this kind of a report, the EIR.
23 The report is dated September 2009. This is October of
24 2013. The data that the report is based on is on a few
25 samples taken in April of 2008, five years,

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1 five-and-a-half years ago, and March through May of
2 2009.

3 A second report that's really important to a
4 lot of us, I'm elderly, my husband is elderly, there
5 are a lot of elderly people close to this project, who
6 live close to the project, and we're concerned about
7 air quality. The report is dated August 13, 2013.
8 Looks pretty current but it's based on data that is
9 collected for the period of 2007 to 2011, so at a
10 minimum the youngest data is two years old. At worst
11 case the oldest data is seven years old. And I can
12 tell you that the conditions in our area in the last
13 seven years, even in the last two or three years have
14 changed significantly with the increase of the approval
15 of winery permits in the Coombsville area increasing
16 the truck traffic and the commuter traffic past our
17 homes on Imola.

18 In addition, the baseline emissions that are
19 relied on in the air quality report are gathered with
20 assumptions drawn from sales data by Syar of the period
21 2005 to 2009. That's all data and it also assumes that
22 the data will give you air quality information. So
23 those are just a couple of examples. I'm not going to
24 go on and on about it. I will at some point submit
25 written comments, but I need more time to really

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1 analyze this report, and so I ask for additional time.

2 There are a couple of issues that I think that
3 are really important that have not been addressed at
4 all in the draft EIR I think have significant impact on
5 our community and potentially on our environment. One
6 is that in August 2011 I submitted a written request to
7 the planning - let me see if I can get this right -
8 Conservation Planning and Development Department, but
9 you know what I'm talking about. The division of the
10 county that's overseeing the preparation of this
11 report.

12 I requested in writing that the EIR evaluate
13 the impact of vibrations from the blasting and the
14 other activity in the mining on the underground
15 utilities and in particular the gas lines in our
16 neighborhood. Our house was built in the 19th Century.
17 It had its gas line installed a long time ago, not in
18 the 19th Century but not in this century either.

19 So I'm concerned about how these vibrations are
20 going to affect those underground utilities and the gas
21 lines and I do not see any consideration at all of the
22 impact of vibrations on any underground utilities at
23 all. All the consideration from the vibrations deal
24 with above ground structures, rock walls and buildings.
25 Nothing addresses subterranean issues. That needs to

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1 be done.

2 Secondly, there is currently and has been since
3 1987, the EIR is incorrect in saying that it's been
4 since 1961, that is just fantasy, I don't know where
5 that came from, but since 1987 the County Sheriff's
6 Department has operated a firing range, also referred
7 to a shooting range, on Syar property in the Blue
8 Quarry, Blue Pit Quarry that's closet to our residence
9 and where this permit would allow additional mining.
10 There is no reference at all in the draft EIR to the
11 disposition of that firing range if the permit is
12 granted and the mining begins. There has been to my
13 knowledge no provision and I follow this because I
14 think it's an important issue from a public safety
15 standpoint. Our officers need to be able to access an
16 adequate facility so they can stay current with their
17 weapons. And it's my understanding that additional
18 public safety agencies use that firing range as well,
19 particularly the CHP, Solano Sheriff's Department and
20 others.

21 There needs to be a good firing range where
22 they can stay current on all the kinds of weapons that
23 they use. There's no provision at all for where this
24 shooting range would be located if Syar were to tell
25 the county, "It's time for you to move. We're going to

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1 mine that area now." They are now on a 30-day lease,
2 not a lease, I'm sorry. It's a 30-day, month-to-month
3 tenancy. They only have to have 30 days notice from
4 Syar to relocate. That is not enough for this county
5 to make provisions for our officers and other public
6 safety officers who need to have access to a firing
7 range to stay current on their weapons. So my request
8 would be that there be a study on the impact on the
9 public safety for a community of the relocation of that
10 firing range or short notice.

11 So that gives you an idea of a few things that
12 I've identified and quick review of the 2500 plus
13 pages. I really implore you to extend the public
14 comment period so that those of us who have an interest
15 and a concern and are able to devote the time can give
16 you meaningful comments.

17 I'm not going to slam the project. In my
18 written comments I want to make sure that there's an
19 EIR that adequately addresses the project impacts, but
20 I am deeply concerned about shoving this process
21 through and through the public without giving us
22 adequate time to comment on it.

23 Any questions?

24 MS. GITELMAN: I just want to say a
25 couple things. First, our intention is to transcribe

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1 the comments that are being recorded this evening and
2 put the transcription in Final EIR. So that's how
3 you'll see a copy of it.

4 Secondly, Don does have some hard copies of the
5 documents available for people who are not technical
6 savvy and do not want to wade through them on the
7 internet; and third, thank you for your very cogent
8 comments. They will be very helpful to us in preparing
9 the final.

10 We will take into consideration your request
11 for additional time and we're going to have internally
12 a meeting, I think it's even tomorrow, where we'll
13 consider that and disseminate a response.

14 MS. FELCH: Okay. And if the public
15 were to ask for a hard copy are they going to be
16 charged?

17 MS. GITELMAN: We can give away as many
18 as we have for free. If we run out and have to print
19 more then we may have to charge.

20 MS. FELCH: How many did you have?

21 MR. BARRELLA: I have at least a couple
22 left.

23 MS. FELCH: Two?

24 MR. BARRELLA: At least a couple.

25 MS. FELCH: Okay.

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1 MR. BARRELLA: It depends --

2 UNIDENTIFIED SPEAKER: I get one copy.

3 MS. FELCH: Okay.

4 Let me just suggest I really hope that you guys
5 can put it on the county home page and kind of
6 rearrange how it's posted so it really is accessible.
7 Not everybody is a planner or a consultant that works
8 in this field all the time but they are the public and
9 they are the community and they have every bit a right
10 to know what's going on, in fact more so. Thank you.

11 MR. BARRELLA: We've worked together
12 quite a bit --

13 MS. FELCH: Right.

14 MR. BARRELLA: -- and you know if you
15 need something you can call, so you can spread the
16 word.

17 MS. FELCH: I do.

18 MR. BARRELLA: If you guys need anything
19 just can call me and I'll set you up.

20 MS. FELCH: And Don is very helpful,
21 he's been very cooperative, and I really appreciate all
22 your effort on it Don, but I do think that the public
23 needs more time and more access.

24 MR. MOODY: Hello. I too would like to
25 request an additional 60 days.

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1 MR. BARRELLA: Can you state your name?

2 MR. MOODY: Tracy Moody.

3 As I said earlier, this is the first
4 opportunity that I've had to look at this, so I
5 definitely have not taken the look that Kathy has on
6 it.

7 Some of my concerns are definitely with the
8 underground utilities. As I stated earlier, in the
9 last two years we've had the water main break twice out
10 in front of our house. Our house is regularly rattled,
11 shook by these blasts. We have had Syar come out and
12 set up seismic readings in front of our house all the
13 time. We have cracks in the foundation, I have cracks
14 in my drywall. It is an issue where it is rattling the
15 area and it is having an impact on the underground
16 utilities, and evidently that has not been looked at
17 very well.

18 The blasting associated with where they're
19 going, they're looking at rock walls and stuff, that
20 whole neighborhood gets rattled. They need to do a
21 more extensive look at what the impacts are the
22 structures in the surrounding areas.

23 That's basically all I've got. Like I said, I
24 haven't got a chance to look at it. I would love an
25 opportunity to look at it longer than the few days that

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1 are remaining in this draft. So again I'm requesting
2 the 60 day extension.

3 MS. VON ROSENBERG: This is Suzanne
4 von Rosenberg, 2168 Penny Lane and we already chatted a
5 bit this morning. I have a few other things I want to
6 bring up now just to alert you guys to some of the
7 other concerns.

8 Let me build a little bit on what Kathy said
9 about noise and the firing range. Right now there is
10 nominally intervening terrain between the mining
11 operations and the neighborhood and you still hear the
12 equipment. The proposed noise thresholds for daytime
13 and nighttime noise are the maximum recommended in
14 rural areas or maximum allowable in rural areas versus
15 the typical in rural areas and that -- there is a big
16 difference between 50 decibels and 25 decibels, and I'd
17 much other rather be closer to 25.

18 We hear the firing range now. That's at an
19 elevation that mining is going to occur. We always
20 know when it's in use. All you have to do is step out
21 in your backyard. When I think about what this project
22 would mean for me in my neighborhood, it's like living
23 next to an active construction site for the next 40
24 years 7 days a week all daytime hours and that means 7
25 a.m. to 10 p.m. There would never be a time that it

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1 would feel comfortable being outside. If 24/7
2 operation is allowed it would also be painful to be
3 inside at night. And the project just the way it's
4 constructed right now it really doesn't take into
5 consideration the neighbors.

6 I wanted to touch on reclamation. The project
7 description reiterates multiple times that there's no
8 time table in the existing permit for reclamation. I
9 have not looked at what the existing permit is or
10 isn't. But the proposed project speaks to reclamation
11 and proposes to do 25 percent of the final reclamation
12 prior to cessation of operations but the bulk of it
13 after. The 25 percent is really seeding grasses. It's
14 it's not real reclamation. I call it stabilization. I
15 could not justifiably call it reclamation, but the big
16 issue with reclamation as proposed as it's proposed in
17 the document is that it's limited to slopes above 2 to
18 1, vertical slopes so horizontal to vertical. There
19 are very few areas in the project that would have final
20 slopes that are that shallow. Most of the slopes are
21 going to be between .25 to 1 and 1 to 1. All the cut
22 rock faces will be 1 to 1 or steeper slopes, so there
23 will be no reclamation period of any the cut rock
24 faces. That's completely unacceptable. And trees are
25 proposed to be planted on the benches, but there's only

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1 going to be 12 feet of soil or something like that
2 placed on the benches. You can't grow a decent size
3 tree in shallow soil.

4 The way the maintenance is proposed for the
5 reclamation now, there's a mention that maintenance
6 would occur in September and October. Well, I garden
7 and I'm sure some of you do too. You don't check your
8 irrigation system when the rainy season starts. There
9 are basic errors like that in the document. But the
10 reclamation plan right now just basically would leave a
11 stark rock face with a few rows of greenery every 50
12 feet. That is completely unacceptable.

13 I have no idea how - going back to noise - you
14 would even conceivably shield the neighborhood. As far
15 as I can tell, I said that this morning that from
16 document, and the figures really are not sufficient to
17 understand the extent of the impacts. Excavation,
18 mining will occur up to areas above 600 feet elevation.
19 As of right now the intervening top of the hillside is
20 about 300. How are you going to shield the top 300
21 feet? Nevermind that the current shielding is
22 completely inadequate.

23 The noise also doesn't address the particularly
24 egregious types of noise that occur. It's one thing to
25 have traffic noise which is relatively consistent and a

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1 background hum, it's a whole different experience to be
2 hearing backup alarms, to be hearing grinding, to be
3 hearing rattling and banging, it's construction, active
4 construction noise. It's not just regular noise.

5 And then one final point, I haven't read the
6 entire document but I have read the project
7 description, the introduction, and all of that. I
8 don't see anywhere an adequate justification for the
9 need of this project, certainly not at the capacity
10 that it's proposed. The data that I've presented in
11 the document suggests that approximately 600 thousand
12 tons were quarried in the time period that's used as
13 the basis for describing some of the existing
14 conditions, 600 thousand tons per year. That includes
15 the high years like 2004, top of the housing boom. So
16 I don't know where the idea is coming from that we need
17 to go to 2 million tons a year. I see no justification
18 for that whatsoever. The current existing haul volume
19 is about 800 thousand tons. Why do we need to go to
20 2 million? I don't get that. A lot of the extra time,
21 the deeper depths, the higher depths, are all based on
22 this premise that so much more material has to be
23 hauled out of the quarry.

24 So I think before any size project is
25 authorized or any permit is granted for additional

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1 mining operations the true need for the project has to
2 be established and it has not been established.

3 There's something else I wanted to say and I've
4 just forgotten, so I'll leave it at that. I want to
5 reiterate the request for more time.

6 MS. MOODY: I'll make this short and
7 sweet. My name is Lisa, last name Moody. I live at
8 2143 Penny Lane and I've had the pleasure of meeting
9 Mr. Perry and he set up his equipment or whoever's
10 equipment that was in my front yard and I've met
11 another gal I think Jennifer.

12 I work out of my home. I am home during the
13 day. I'm one of the very few actually who are home
14 during the day on Penny Lane. Most people go to work
15 during the day. There have been numerous times where
16 I've been really affected by it and I've told them, I
17 don't know if they ever kept notes or anything, but
18 I've told them, I've had contact over time with them.

19 We went into construction on our house in 2008.
20 We had scaffolding set up on the side of the home. My
21 daughter was home on college break during the summer
22 and my husband and I went away for our anniversary. My
23 daughter called us in a panic because one of the
24 blastings took place and the scaffolding, a bunch of it
25 fell down. That's how much it shook at our house.

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1 Another time the gal Jennifer there and a couple other
2 people and it went off again, knowing it was going off
3 obviously, and my whole chandelier above my kitchen
4 table was shaking and different things like that. So I
5 have a lot of concern about more so you know, activity
6 and just what my house can handle over the next 40
7 years of blasting.

8 So with that being said, no two blasts are the
9 same and going deeper I don't know what to expect.
10 When you get a reading from something it doesn't change
11 the fact of what I'm feeling is happening in my current
12 location. So basically I would like more time also to
13 request an additional 60 days or whatnot to go over
14 more of this. I did want that on the record. Thank
15 you.

16 MS. FELCH: Please give me a second bite
17 of the apple because I neglected to mention something
18 that I think is important for you to consider.

19 The report finds -- this is Kathy Felch again
20 by the way. The report, the EIR indicates that there
21 is likely damage to be caused by the vibrations by
22 blasting to the water storage tank that the city built
23 above, well it's on the hill above the school, above
24 the hospital and if it bursts it flows down on us.

25 So the EIR draft says it would likely be

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1 damaged, there is likely damage to that tank. I don't
2 see any mitigation for that to be addressed and I don't
3 also see what kind of damage is likely to be made. So
4 I believe that needs to be addressed.

5 Also, in following up to the request for
6 additional time, I'd also like to ask for another
7 public hearing, public comment hearing in addition to
8 the extension of time for us to submit written
9 comments. Thank you.

10 MR. MOODY: What Kathy said brought up
11 another thought. This is Tracy Moody. The water tank
12 that is likely to be damaged is recent build, recent
13 construction. Most of the neighborhood down below is
14 not recent build, recent construction. So if it's
15 damaging something that was built to current codes,
16 current seismic levels, current everything in
17 construction, what do you think the impacts to a
18 neighborhood that was built in the 40s, 50s, 60s and
19 70s, which is most of the housing down below that
20 wasn't built to that same standard, same level of
21 construction. I think that really needs to be looked
22 at inside this report and it currently isn't. You're
23 potentially going to have a lot of damage to the
24 housing track that's below from the shaking. The
25 shaking is quite a lot at times. Like my wife said

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1 some of the blasts are light, some of them rattle the
2 house quite well. And we're at the bottom of Penny
3 Lane, so if it's rattling us that bad, houses that are
4 even closer are getting it worse. I'd just like to add
5 that.

6 MS. VON ROSENBERG: Susanne
7 Von Rosenberg again, I just remembered what I wanted to
8 say, and that is -- also pertains to the scope of the
9 project. We appreciate the fact that the acreage has
10 been reduced from what was originally proposed or
11 discussed at the scoping meeting and that the
12 excavation is not proposed to go as deep; however, even
13 at 124 acres of expanded area this project is still
14 three quarters of the size of the Napa Pipe project and
15 so it deserves a level of scrutiny that is commensurate
16 with that level of impact. Thanks.

17 MS. GITELMAN: I just want to go back to
18 the comment about potentially damaging the water tank.
19 I'm not sure that's a fair characterization of the
20 conclusions of the study. We'll take a look at it
21 obviously and respond on the record. I don't recall
22 that off the top of my head so we're going to have to
23 go back and review it. Certainly didn't jump out at me
24 as a conclusion of the analysis of the blasting.

25 MS. FELCH: This is Kathy Felch again.

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1 I wasn't suggesting that it was a conclusion of the
2 study. It's remarked in the study that it would be
3 caused. The fact that it isn't addressed as a
4 conclusion is an additional problem; okay? I do think
5 that that issue really needs some good study, thorough
6 study, and I haven't seen that.

7 MS. GITELMAN: We will certainly take a
8 look at it --

9 MS. FELCH: Thank you.

10 MS. GITELMAN: -- respond to the final
11 EIR, and I can assure you we're not to recommend going
12 forward with anything that would damage that facility.

13 MS. FELCH: Yeah and as an aside our
14 house was built in the 19th Century. Part of it is
15 single wall redwood construction and I -- all due
16 respect to the Syar people that are here, it's very
17 disturbing to us when you blast. I've been knocked out
18 of my chair in the back of our house when there is
19 certain blasting. It's just not compatible with being
20 that close, this kind of activity isn't compatible with
21 being that close to where you have humans living.
22 Thank you.

23 MR. BARRELLA: Just to recap, earlier
24 today we also had a hearing just like this in front of
25 the Planning Commission and some of the same issues

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1 were brought up. The Planning Commission did express
2 concern or at least task us with making sure we're
3 looking close enough at some impacts, notably noise
4 impacts for the residents to the north, groundwater
5 impacts traffic and safety related and air quality. So
6 the planning commission has also concerns along the
7 same lines in some areas.

8 And like I said, there will be future hearings
9 in front of the Planning Commission associated with the
10 permit where we can delve deeper into the merits and
11 pluses and minuses as well as environmental impacts.

12 MS. FELCH: When there is a Planning
13 Commission hearing it would be helpful if it were in
14 the evening as well. I mean, I work during the day, I
15 can't go to a daytime Planning Commission meeting. I
16 realize that they have their set way of doing things,
17 but they are public servants and this is a big public
18 issue.

19 MS. VON ROSENBERG: I would make the same
20 request.

21 MR. MOODY: I would make the same
22 request. I can't take off work.

23 MS. GITELMAN: Thank you. So are there
24 any additional comments that we want to get on the
25 record this evening? If not, I appreciate your

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1 tonight. We'll be responding in the final EIR and we
2 will be making a decision within the next few days
3 about potentially extending the comment period and
4 we'll disseminate that on our website and to those of
5 you whose addresses we have. So stay in touch with Don
6 about that and other questions as the comment period
7 wanes. Thank you everybody, terrific comments.

8 (Whereupon the proceeding was adjourned.)

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STATE OF CALIFORNIA)
COUNTY OF NAPA)

I, CHERIE LUBASH, do hereby certify that the foregoing audio proceedings were transcribed by me to the best of my ability and thereafter reduced to computer under my direction; that I am neither counsel for, related to, nor employed by any of the parties to the action in which this hearing was taken, and further that I am not a relative or employee of any attorney or counsel employed by the parties thereto, nor financially or otherwise interested in the outcome of this action.

CHERIE L. LUBASH