Appendix B:

Notice of Preparation Comments

JANUARY 26, 2012, 7:00 PM

SUBJECT: SCOPING MEETING NOTES MOODY FLATS QUARRY EIR

LOCATION:
John Beaudet Community Center, 1525 Median Avenue, Shasta Lake, CA

PRESENTATION:
Ben Ritchie from De Novo Planning Group provided a power point presentation that described the project, the requirements of the California Environmental Quality Act, the Initial Study/NOP, the address/website where the Initial Study/NOP can be reviewed, the issues that were determined to need further review in an EIR, issues determined to not need further review in an EIR, and opportunities for public input on topics to be addressed during the CEQA process. The power point presentation is attached (Exhibit A).

PUBLIC COMMENT:

- Carla Thompson from the City of Shasta Lake noted that the City provided a comment letter to the County in March 2011, and that the City had additional comments to provide at this meeting and in writing.
- Traffic on Shasta Park Drive- connects to Digger Bay Road. Provides access to 50 single family residences. Confirm trip types proposed for this roadway area. Regarding proposed north pit operations- discuss how roadway will be used. Address pavement width sufficiency. Address impacts and mitigation measures for this roadway. Include traffic counts and LOS impacts.
- Shasta Park Drive and Shasta Dam Blvd. Address public safety, noise, and hazardous materials transport.
- Verify emergency access route location. Black Canyon? Noted that single family residences are nearby. Identify improvements to roadway for safety access. Address roadway structure and weight capacity.
- Visual/Aesthetics: depict full-scale operational visual impacts. Determine if 100th year is final date of mining. Include visual sims depicting existing site conditions, visual conditions during the 100yrs of operations, and during revegetation and reclamation.
- Need to recalibrate perspective of visual sims under all scenarios.
- Noise for all aspects of all facilities should be addressed for receptors near Shasta Park Dr. and Black Canyon Road.
- Address odors, fire hazards, transport of hazardous materials.
- Identify permits needed from the City of Shasta Lake for road improvements (possibly: Grading, floodplain, tree removal, and encroachment.)
- The City of Shasta Lake will provide list of pending and approved projects for cumulative EIR impact analysis.

- Address blasting effects on surrounding structures- not limited to residential properties. Address possible cumulative blasting tremor effects- Foundations, cracks, etc. Include discussion of impacts to older structures and foundations.

- Regarding secondary access through Shasta Park- review slopes and routes. Identify timeline on route use for materials transport.

- Address possible use of treated wastewater effluent for dust control and the possible extension of reclaimed effluent conveyance infrastructure from the Shasta Lake Wastewater Treatment Plant.

- Identify rock size extracted from quarry. Can large riprap be loaded into railroad cars?

- Identify source of electricity for plant operations. It was noted that the City of Shasta Lake has the capability to provide electricity.

- Address fugitive particulate matter and dust impacts. EIR should include mitigation plan if water is not available for dust suppression. Noted that there is the potential for extreme dust if no water is available. Possible mitigation includes: emergency power, emergency water line, baghouse shutdown if no water available. It was asked if the baghouse and crusher will be contained or open? Noted that air quality and dust control are key issues to address in EIR. EIR should address prevailing wind direction regarding dust impacts.

- EIR should address noise and the ripple effect of sound and vibration from operations. Address levels of noise exposure by distance. EIR should address increased railroad noise: look at engines based on direction of travel, RR engine noise and frequency.

- It was asked how will emergency route function, what will be implications for adjacent landowners?

- EIR should include a map showing proximity to Shasta Lake.

- EIR should identify feasible air quality mitigation measures and enforcement requirements/responsibility. Identify enforcement capability of the Air Quality Management District.

- EIR should identify recreation impacts and proximity to National Recreation Area/Wildlife areas. EIR should look at federal standards for assessment of impacts to federal recreation and wildlife areas. Need to include Recreation impact analysis in EIR.

- EIR should include realistic visual sims that show: scarring, changes to topography, impacts to peaks and ridgelines under full operational conditions.

- EIR should address surface water impacts.

- EIR should look at Iron Mt Mine related to acid mine drainage.

- Cumulative impacts should address other major industrial projects already existing in the region.

- EIR should verify if any residences are located on the project site and address consistency with adjacent zoning and General Plan land use designations. It was noted that three residences may be present on site.

- It was noted that the enforcement of mitigation measures identified in the EIR is critical.
- The EIR should address and identify the distance between the City of Shasta Lake and the quarry edge. Address need for buffers or "green zones" separating the two.
- EIR should address potential for barren ground to generate dust. Exposed dirt can generate particulate matter impacts. Need effective mitigation during north winds for dust suppression.
- Regarding blasting: determine weekly tonnage of explosives and frequency of blasting. Address shaking impacts to old buildings and foundations- cumulative impacts over years of blasting. Address potential damage to underground utilities from blasting.
- EIR should address the feasibility of reclamation on the quarry benches- will vegetation take?
- Regarding drainage: address water usage, discharge of runoff and sediments downstream, flood potential, erosion, and liquifaction.
- EIR should include measures for the proper compaction of overburden fill areas- is there a potential for liquifaction or a land slide?
- The EIR should include better maps showing ground and site conditions, boundaries, etc.
- Regarding the wastepits: will concrete batch plant have one? Will there be disposal locations for extra leftover mixer truck concrete disposal?
- Traffic analysis should identify volume of truck trips and impacts to roadway operations.
- EIR should address dust impacts to adjacent vegetation- outside of project boundaries.
- EIR should address possible impacts to water supplies for the Mountain Gate Area.
- EIR should identify air quality impact thresholds- what are they, and will they remain constant? EIR should address cumulative dust emissions and their effects on senior health. EIR should include analysis of sensitive receptor impacts related to air quality emissions and particulate matter.
- EIR should address truck access during winter months and impacts on local roadways. Truck emissions during winter if the roads back up should be addressed. Access via Oregon Trail- is it feasible year-round?
- EIR should address traffic hazards with buses, recreational users, and safety on access roads.
- The EIR should identify Mountain Gate on area maps. It was noted that there are several hundred homes in the project vicinity. Show location of Mountain Gate and address potential impacts to this community.
- Regarding viewshed impacts. It was requested that a 3-dimensional viewshed impact analysis tool be used.
- The EIR should address and determine the relevance of previous EIRs prepared for projects in the region.
- The EIR should address Impacts to area schools.

- The EIR should address drainage impacts to Salt Creek, Cherry Creek, and Moody Creek. Determine if Salmon fingerlings are present in creeks on site. It was noted that previous studies have been prepared to address fisheries resources and creeks. It was noted that salmon and steelhead are present in area creeks.

- The EIR should identify which creeks onsite are still viable habitat and what species are present in these creeks. It was noted that Moody Creek and Salt Creek originate nearby and are still viable habitat. The EIR should address potential impacts to creek habitat and include mitigation if fish species are impacted.

- The EIR should address impacts on local wells and groundwater in Mountain Gate and the City of Shasta Lake.

- It was again noted that three creeks are located on the project site, and they originate in the area via springs.

- The EIR should consider impacts to aquifers and depth of mining.

- EIR should address storage and replacement of dirt to facilitate replanting.

- The EIR should address cumulative impacts to: salmon, other species, aquifers, drinking water from Shasta Lake.

- The EIR should address how dust may impact drinking water and aquifers- would there be impacts on water quality from dust?

- It was asked if there was any guarantee that current companies proposing to operate the mine are not limited in the future regarding their economic viability.

- It was asked why are mineral resource areas are being expanded in the County.

- It was asked if there was the potential for the project to impact other mining operations existing in the region.

- The EIR analysis should ensure that biological field work for plant and animal surveys occur during appropriate seasons.

- The EIR should consider population density and number of people and residents that may be adversely affected.

- The EIR should include a study of comparable sites and include examples and visits from comparably sized projects with similar operational characteristics.

- The EIR should discuss actual impacts with water and air quality regulators and residents. Report preparers should observe effects from comparable projects and talk to local government representatives near comparable projects. Include findings from such discussions in the EIR. Include real world info in EIR. Verify real world effects or effectiveness of mitigation.

- The EIR should address impacts to residences in Black canyon- particularly those with horses. The EIR should address adverse effects on horses, wells, and livestock.

- The EIR should address the impacts from blasting on Shasta Dam.
- The EIR should identify earthquake faults in area, and address dam safety and proximity.
- The EIR should address impacts to wells and groundwater impacts. EIR should address impacts related to water quality, quantity and availability. EIR should address water quality impacts and flooding during severe rain events.
- The EIR should address cumulative impacts to Mountain Gate at Shasta and LOS on the Wonderland Drive interchange.
- The EIR should address hazards associated with gravel from trucks during materials transport- particularly for residents to the north and east of site.
- The EIR should identify who regulates water useage and volume.
- It was asked if contoured scale models to identify visual impacts can be created. Is it possible to create 3-dimensional visual sims?
- The EIR should address prevailing winds, frequency, direction, and linkages to dust dispersal and locations.
- The EIR should model and address blasting impacts in residential areas. Disclose and describe severity of impact. How will individual areas and residents be assessed for impacts? Consider cumulative long term impacts in assessments.
- Seismic activity should be addressed in the EIR.
- The EIR should address noise and dust near "panhandle" access areas and adjacent residences, particular in the vicinity of Flintstone Avenue.
- The EIR should address impacts to wildlife in the area. Would dust on vegetation impact wildlife feeding?
- The EIR should identify the extent of dust transport. Would it go as far as Redding?
- It was asked if this project has been attempted elsewhere? Why here?
- The EIR should address vibrations from operations and blasting in proximity to the City of Shasta Lake. The commenter requests legal document that ensures tranquility of life in Shasta Lake will remain. Should be signed by all quarry execs, and County Resource Management Division. Include clause for home purchase and relocation at market value.

DEPARTMENT OF TRANSPORTATION
OFFICE OF COMMUNITY PLANNING
1657 RIVERSIDE DRIVE
P. O. BOX 496073
REDDING, CA 96049-6073
PHONE (530) 229-0517
FAX (530) 225-3020
TTY (530) 225-2019

Flex your power!
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February 9, 2012

IGR/CEQA Review
Sha-5-24
Moody Flats Quarry
NOP EIR
SCH# 2012012013

Bill Walker, Senior Planner
Shasta County Department of Resource Management
Planning Division
1855 Placer Street
Redding, CA 96001

Dear Mr. Walker:

Thank you for the opportunity to review the Notice of Preparation of an Environmental Impact Report (NOP EIR) for the general plan amendment, zone amendment, use permit, and reclamation plan applications submitted on behalf of Moody Flats Quarry LLC for a 100-year hard rock quarry proposed on a 345-acre portion of a 1,900-acre property. The project is located west of the Wonderland Boulevard/Old Oregon Trail and Interstate 5 (I-5) interchange in the community of Mountain Gate. The project also abuts the northern boundary of the City of Shasta Lake.

The facilities will include a ready mix concrete plant, asphalt batch plant, and recycled construction materials plant. Up to 1.5 million tons of aggregate could be shipped out via rail and 0.5 million tons of aggregate finished products per year could be distributed to local markets via trucks. The project vehicle access is proposed from a road connection onto Wonderland Boulevard just south of the Wonderland Boulevard/Old Oregon Trail/I-5 interchange. Maximum anticipated project daily traffic is 464 trips. The EIR will also study traffic impacts to eight railroad crossings between Mountain Gate and Girvan Road near the city of Anderson.

We appreciate Shasta County having previously provided early consultation information and a scope of work for the traffic study. We request further consultation in development of the traffic study. Agreement between Caltrans and the County on the trip generation and trip distribution assumptions will assist in reaching agreement on the results of the traffic study. We will be reviewing the following regarding development of the traffic study:

- Documentation of the traffic study data sources, including any adjustment factors or other modifications. If from published data, cite the source and the publish date.
- Dates and times of traffic counts, and whether any adjustment factor is included. Identify and state the adjustment factor.
- Agreement between the County and Caltrans regarding the trip distribution that considers where the products will be used or whether the Shasta County Regional Traffic Demand Model is used for trip distribution assumptions. The trip distribution will determine the highway road segments that need to be analyzed.

- The scope of work includes 13 intersections for analysis. Please cite which intersections will include turn movement counts.
- Please discuss how two pending projects (Mountain Gate at Shasta and the Shasta Wine Village) in the immediate vicinity will be accounted for. Please state whether additional pending projects in the City of Shasta Lake or Redding will be included in the cumulative conditions or whether the analysis proposes to use the Shasta County Regional Traffic Demand Model for cumulative conditions. Again, please state any modifications made to the published data.
- The project is proposed to be phased such that the opening day production will be one-half of the requested ultimate production. Please prepare an analysis reflecting both phases, project time frames, and timing of proposed mitigation improvements.
- The scope of work states that the HCM 2000 update methodology will be used. Please use the more current HCM 2010 update, or cite reasons why the older version should be used.
- Caltrans requests that electronic copies of the traffic analysis be provided, including all input and output files. As part of the consultation process and to expedite the review of the technical data to identify potential errors or omissions prior to incorporation of the analysis into the DEIR, we suggest that the technical data be provided to Caltrans for review. While Caltrans would appreciate being allowed to review the administrative draft of the DEIR, we understand that this may not be possible. At a minimum, we request that we be able to review the raw traffic study data.
- The scope of work contains a list of peer reviews for studies in the report. Will the traffic study include a peer review?
- Please consider the needs of pedestrian and bicycles facilities, along with a safety evaluation to allow for the safe use by pedestrian and bicycles in the project area.
- The study will need to specify the passenger car equivalents assumed for truck trips.

To restate, prior to initiating the traffic study , as part of the scoping and consultation process, Caltrans requests that the County obtain agreement by Caltrans on the assumptions and trip distribution.

The scope of work provided addresses that pavement thickness of the ramp terminals and highway segments will be analyzed. The analysis will determine improvements that may be needed to the pavement structural section at the ramp terminals and the affected highway segments. It is likely that the increased truck trips and the weight of the trucks will result in rapid deterioration and the need to replace the asphalt ramps with concrete ramp terminals to withstand the proposed cumulative truck traffic.

Alternatives – We look forward to the Alternatives considering all project traffic utilizing the Wonderland Boulevard access and the Digger Bay or Black Canyon Road access as gated emergency access only. The Alternatives may also consider whether cumulative traffic operations would benefit from the realignment of the Wonderland Boulevard access directly across from the Old Oregon Trail intersection rather than the easement connection south of the Wonderland Boulevard/Old Oregon trail intersection. An exhibit of the potential alignment is attached.

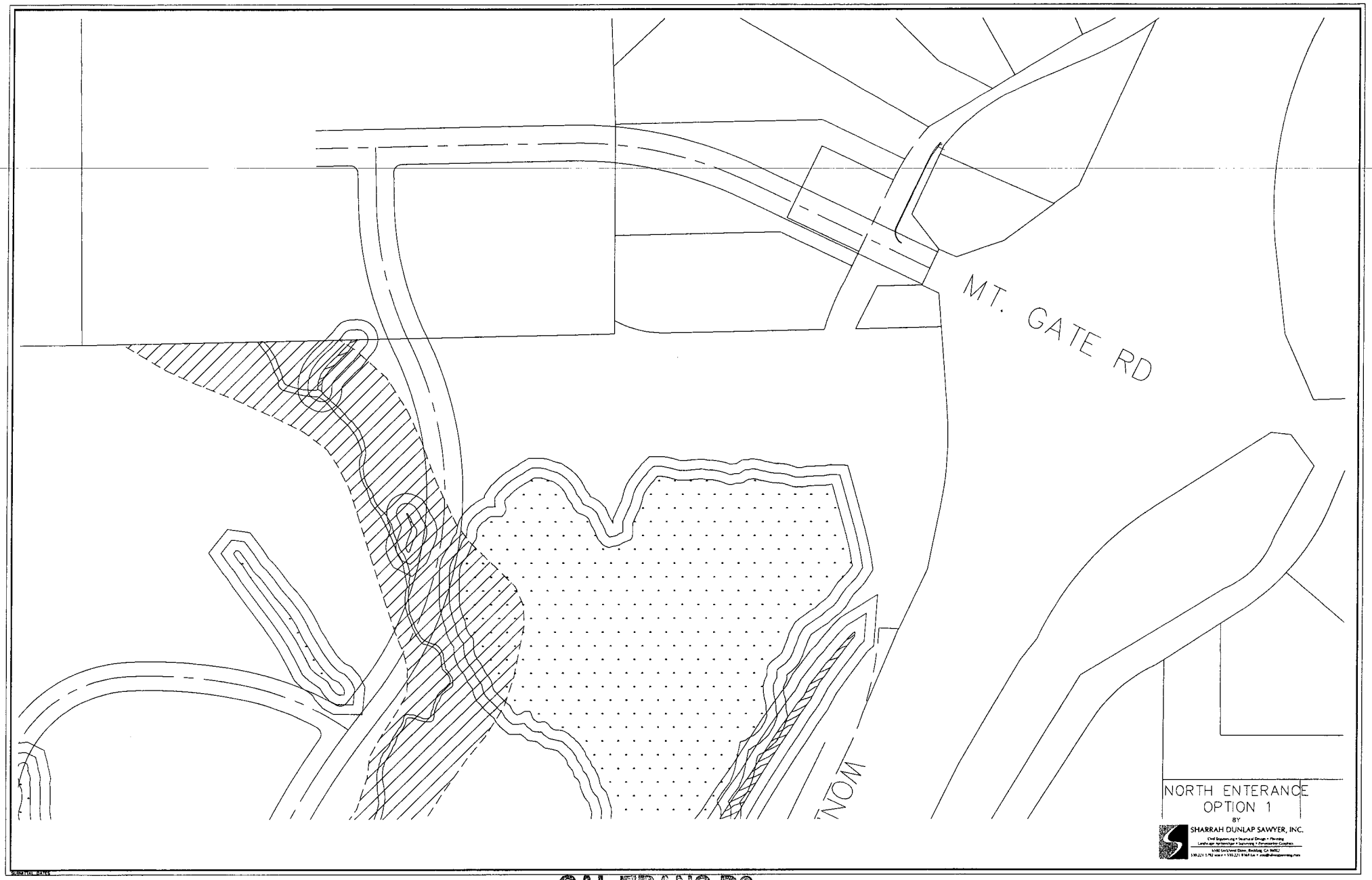
Rancheria Creek, Salt Creek, and Moody Creek drain through the property. Drainage from the project site will need to be properly collected and conveyed downstream without causing localized or regional flooding beyond the capacity of the existing facilities and stream courses. We look forward to reviewing the drainage study and related calculations assessing the potential impact to the State's facilities and the provision of adequate mitigation measures to address the State's concerns.

We look forward to working with the County and the EIR consultants on the parameters of the traffic study which should result in an acceptable environmental analysis. If you have any questions, or if the scope of this project changes, please call me at (530)225-3369.

Sincerely,

MARCELINO GONZALEZ
Local Development Review
Office of Community Planning
District 2

1-26-12



CAL TRANS D2
JAN 27 2012
PLANNING

CITY OF REDDING

DEVELOPMENT SERVICES DEPARTMENT
PLANNING DIVISION
777 Cypress Avenue, Redding, CA 96001-271
P.O. Box 496071, Redding, CA 96049-6071
530.225.4020 FAX 530.225.4495

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SHASTA COUNTY
JAN 25 2012
DEPT OF RESOURCE MGMT
PLANNING DIVISION

January 24, 2012
A-050-250

Mr. Bill Walker
Shasta County Department of Resource Management
Planning Division
1855 Placer Street, Suite 103
Redding, CA 96001

Subject: Shasta County Environmental Impact Report on the Moody Flats Quarry
GPA-09-002, 2A-09-013, UP-09-018, Scoping Comment

Dear Mr. Walker:

Thank you for the opportunity to comment on the scope of the Environmental Impact Report (EIR) being prepared for the Moody Flats Quarry Project. In consideration of the anticipated rail-shipping and truck-shipping activity associated with the project, the City of Redding (City) requests the following be analyzed in the EIR:

1. Potential service level impact of increased rail traffic on the City's street system. The City has surface-street railroad crossings at Shasta Street, Tehama Street, Yuba Street, Placer Street, South Street, Breslauer Way, South Bonnyview Road, Girvan Road, and at Eastside Road, south of Metz Road.

2. Potential impact of increased rail traffic on public and private emergency-response service due to increased delays at railroad surface-street crossings within the City.

3. Disclosure of any anticipated project truck-access route(s) utilizing a City street(s) and the potential impact on traffic service level, noise level on adjacent land uses, and physical condition of the street(s) due to the increase in commercial truck trips.

If any clarification is needed on this scoping request, please contact me at 530-225-4028 or demallie@ci.redding.ca.us.

Sincerely,

Douglas DeMallie
Planning Manager

DD:et
LTR12\E012412L-BW

c: Brian Crane, Redding Public Works Director

City of Shasta Lake

P.O. Box 777 • 1650 Stanton Drive
Shasta Lake, CA 96019
Phone: 530.275.7460
Fax: 530.275.7406
Website: cityofshastalake.org

RE: Proposed Moody Flats Quarry Project

The City provided a letter to the County dated March 23, 2011, identifying issues of primary concern to the City of based on preliminary review of the application materials for the proposed Moody Flats Quarry.

Concerns Included:

TRAFFIC

Traffic Impacts on Shasta Park Drive

One proposed site access point would connect to Digger Bay Road via Shasta Park Drive, which is within the City of Shasta Lake.

Use of this route would be limited to access for equipment, ANFO (ammonium nitrate - fuel oil) delivery, and employee traffic primarily during North Pit operation.

The project description does not discuss the period of time this roadway will be used.

Shasta Park Drive serves a developed residential area and is not designed for commercial or industrial traffic. Pavement width is only 10 – 20 feet. The condition of the road is generally poor.

EIR should analyze traffic impacts and proposed mitigation measures needed in order to use this roadway.

The use of this roadway should also be addressed under Public Safety for the transport of hazardous materials, and noise from increased traffic.

Traffic Impacts to Black Canyon Road

The project description indicates *an emergency access would connect to Black Canyon Road in the City of Shasta Lake.*

This roadway provides access to approximately 65 single-family residences within the City of Shasta Lake. The condition of the road is extremely poor, with a section to the north completely unimproved.

The EIR should include discussion and identification of improvements required to meet standards for an emergency access route.

Mitigation should also address structural reinforcement of project roadways to accommodate the weight and frequency of Project traffic that would utilize City streets.

AESTHETICS:

Figures 5a, 5b and 5c of the Benchmark Aesthetics Report appear to depict the Project following reclamation of the site rather than during quarry operations.

The December 27, 2010, Revegetation Plan prepared by Biotic Resources Group states,

> *"The operation is planned for 100 years, although mineral resources are identified that could extend operations. Reclamation of the mining and operations areas will occur when mining is completed."*

To this end, the visual impact analysis needs to include photo-simulations depicting existing conditions, visual impacts during the 100 years of mining operations, and the appearance of the site following revegetation.

In addition, the photographs in Figures 5a, 5b and 5c appear to be taken using a 50-55 mm lens, making the hillsides appear further away than they do to the human eye.

New photo-simulations should be completed to more accurately disclose actual visual impacts.

The EIR should identify all Project alternatives that were considered to minimize aesthetic impacts.

Noise:

The Initial Study states the EIR will analyze noise from quarry operations, including drilling, blasting, movement of materials, washing, crushing and screening, the cement concrete plant, the asphalt plant, the recycle plant and the truck and rail loading facilities.

The Noise analysis also needs to evaluate noise from increased traffic for all roadways proposed to be used, including roadways within the City of Shasta Lake.

Air Quality: Including Odors. The City's comment letter included specific concerns.

Fire Hazards / Hazardous Materials: Comments were also submitted by the Shasta Lake Fire Protection District

Permitting:

Depending on specific mitigation measures, permits may be required from the City of Shasta Lake for road improvements to Black Canyon Road and Shasta Park Drive, and for extension of utilities.

Grading Permit; Floodplain Development Permit; Tree Removal and Replacement Plan; Encroachment Permit

Cumulative Impacts:

The City looks forward to working with the EIR consultant to provide a current list of projects which should be considered in the cumulative impact analysis.

The City will also review the Draft EIR and may submit additional comments following review of a more detailed project description and revised environmental studies.

California Regional Water Quality Control Board
Central Valley Region
Katherine Hart, Chair

Mattew Rodriquez
Secretary for Environmental Protection

415 Knollcrest Drive, Suite 100, Redding, California 96002
(530) 224-4845 • Fax (530) 224-4857
http://www.waterboards.ca.gov/centralvalley

Edmund G. Brown Jr.
Governor

RECEIVED
SHASTA COUNTY

JAN 26 2012

DEPT OF RESOURCE MGMT
PLANNING DIVISION

25 January 2012

Mr. Bill Walker
Shasta County Planning Division
1855 Placer Street
Redding, CA 96001

COMMENTS ON THE NOTICE OF PREPARATION OF A DRAFT ENVIRONMENTAL IMPACT REPORT FOR THE MOODY FLATS QUARRY PROJECT, MOUNTAIN GATE, SHASTA COUNTY

The Central Valley Regional Water Quality Control Board (Central Valley Water Board) is a responsible agency for this project, as defined by the California Environmental Quality Act (CEQA). On 23 February 2011, we received your request for comments on the Notice of Preparation for the Moody Flats Quarry Project draft Environmental Impact Report.

Our agency is delegated with the responsibility of protecting the quality of surface and groundwaters of the State; therefore our comments will address concerns surrounding those issues.

Moody Flats Quarry, LLC is proposing General Plan and Zone Amendments to change the land use designations and zoning of six parcels (totaling 746.31 acres) to Mineral Resource, and is requesting a Use Permit for a proposed 345-acre quarry (that includes a 60-acre area of overburden fill), a 75-acre aggregate processing area (that includes a crushing, screening, and washing plant, a Portland cement concrete plant, an asphalt concrete plant, a recycled construction material processing plant truck, railroad loading facilities, and access road). The quarry will produce about 2 million tons of material per year. Approximately 75% of the material will be shipped by rail and 25% shipped by truck. The proposed term of the use permit is 100 years. The project includes a Reclamation Plan for the proposed 345-acre quarry, the 15-acre primary processing plant area and the 10-acre railroad cut area. The secondary and ancillary processing and loading areas would remain for use as an industrial site. A total of about 430 acres would be disturbed, and about 370 acres would be reclaimed.

The proposed project site is located in the Mountain Gate area of western Shasta County, about one mile west of the Old Oregon Trail/Interstate 5 interchange, north of the City of Shasta Lake, and nine miles north of the City of Redding. Access to the project would be via a proposed road connecting to the east side of Wonderland Boulevard (approximately 0.4 miles south of the intersection of Wonderland Boulevard and Old Oregon Trail). The project site is located in the Stillwater–Churn Creek Watershed, and several watercourses including Moody Creek, Rancheria Creek, and Salt Creek are located within the project area.

Based on our review of the information submitted for the proposed project, we have the following comments:

Clean Water Act (CWA) Section 401, Water Quality Certification
The Central Valley Water Board has regulatory authority over wetlands and waterways under both the Federal Clean Water Act (CWA) and the California Water Code, Division 7 (CWC). Discharge of dredged or fill material to waters of the United States requires a CWA Section 401 Water Quality Certification from the Central Valley Water Board. Typical activities include any modifications to these waters, such as stream crossings, stream bank modifications, filling of wetlands, etc. 401 Certifications are issued in combination with CWA Section 404 Permits issued by the Army Corps of Engineers. The proposed project must be evaluated for the presence of jurisdictional waters, including wetlands and other waters of the State. Steps must be taken to first avoid and minimize impacts to these waters, and then mitigate for unavoidable impacts. Both the Section 404 Permit and Section 401 Water Quality Certification must be obtained prior to site disturbance.

Potential Water Quality Impacts
In its current state, rock at the site is weathered and presumably low in leachable minerals. Crushing rock exposes larger surface area to water contact which may result in increased leaching of minerals. Ground and surface water monitoring at the site may be required to determine if the mine adversely impacts water quality. The project proponent should test a sample of crushed rock in water representative of the rainwater falling at the site to predict changes, if any, in water quality.

Reclamation Requirements
The reclamation plans for the mine call for the construction of a narrow strip of vegetated soil on each bench. Because the soil strips will sit atop a solid rock bench, there will be little water supply and therefore little chance of substantive vegetation growth in the soil strips. The success of vegetation growth in these strips should be re-evaluated as failure of vegetation growth in these strips may result in dislocation of the soil in heavy winter rains.

Settling Pond Process Water
As mentioned on page 24 of the *Hydrology and Water Quality* section of the document, the Discharger will need to submit a ROWD for the project. At a minimum, WDRs will be required for the discharge of process water to the on-site settling ponds. The requirements will be determined based on the specifics of the project and may change over the course of the 50-100 year life of the project.

Industrial Storm Water
The Discharger will also need to submit a Notice of Intent for the discharge of storm water for the project. Coverage for the discharge of storm water may be regulated under a general permit issue or the Central Valley Water Board may deem that due to the size and complexity of the project, that an individual permit will be required.

If you have any questions or regarding our comments please contact me at (530) 224-4783 or dberchtold@waterboards.ca.gov.

Dannas J. Berchtold
Engineering Associate
Storm Water & Water Quality Certification Unit

DJB: jmtm

cc: Mr. Matt Kelley, U.S. Army Corp of Engineers, Redding
Ms. Donna Cobb, Department of Fish and Game, Region 1, Redding
Moody Flats Quarry, LLC, St. Paul, MN
Ben Ritchie, De Nova Planning Group, Sacramento

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STATE OF CALIFORNIA – CALIFORNIA NATURAL RESOURCES AGENCY EDMUND G. BROWN JR., GOVERNOR

CENTRAL VALLEY FLOOD PROTECTION BOARD
3310 El Camino Ave., Rm. 151
SACRAMENTO, CA 95821
(916) 574-0609 FAX: (916) 574-0682
PERMITS: (916) 574-2380 FAX: (916) 574-0682

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SHASTA COUNTY
FEB 09 2012
DEPT OF RESOURCE MGMT
PLANNING DIVISION

February 7, 2012

Mr. Bill Walker
Shasta County
1855 Placer Street
Redding, California 96001

Subject: Moody Flats Quarry SCH Number: 2012012013 Notice of Preparation of a Draft Environmental Impact Report

Dear Mr. Walker:

Staff for the Central Valley Flood Protection Board has reviewed the subject document and provides the following comments:

The proposed project is located within the jurisdiction of the Central Valley Flood Protection Board - Salt Creek. The Board is required to enforce standards for the construction, maintenance, and protection of adopted flood control plans that will protect public lands from floods. The jurisdiction of the Board includes the Central Valley, including all tributaries and distributaries of the Sacramento River and the San Joaquin River, and designated floodways (Title 23 California Code of Regulations (CCR), Section 2).

A Board permit is required prior to starting the work within the Board's jurisdiction for the following:

- The placement, construction, reconstruction, removal, or abandonment of any landscaping, culvert, bridge, conduit, fence, projection, fill, embankment, building, structure, obstruction, encroachment, excavation, the planting, or removal of vegetation, and any repair or maintenance that involves cutting into the levee (CCR Section 6);

- Existing structures that predate permitting or where it is necessary to establish the conditions normally imposed by permitting. The circumstances include those where responsibility for the encroachment has not been clearly established or ownership and use have been revised (CCR Section 6);

- Vegetation plantings that will require the submission of detailed design drawings; identification of vegetation type; plant and tree names (i.e. common name and scientific name); total number of each type of plant and tree; planting spacing and irrigation method that will be utilized within the project area; a complete vegetative management plan for maintenance to prevent the interference with flood control, levee maintenance, inspection and flood fight procedures (Title 23, California Code of Regulations CCR Section 131).

In accordance with CEQA Guidelines Section 15130 "Discussion of Cumulative Impacts. (a) An EIR shall discuss cumulative impacts of a project when the project's incremental effect is cumulatively considerable, as defined in section 15065(a)(3). Where a lead agency is examining a project with an incremental effect that is not "cumulatively considerable," the lead agency need not consider that effect significant, but shall briefly describe its basis for concluding that the incremental effect is not cumulatively considerable."

Vegetation requirements in accordance with Title 23, Section 131(c) states, "Vegetation must not interfere with the integrity of the adopted plan of flood control, or interfere with maintenance, inspection, and flood fight procedures."

The accumulation and establishment of woody vegetation that is not managed has a negative impact on channel capacity and increases the potential for levee over-topping and flooding. When a channel develops vegetation that then becomes habitat for wildlife, maintenance to initial baseline conditions becomes more difficult, as the removal of vegetative growth is subject to federal and state agency requirements for on-site mitigation within the floodway.

Hydraulic impacts – Hydraulic impacts due to encroachments could impede flows, reroute flood flows, and/or increase sediment accumulation. The Draft EIR should include mitigation measures for channel and levee improvements and maintenance to prevent and/or reduce hydraulic impacts. Off-site mitigation outside of the State Plan of Flood Control should be used when mitigating for vegetation removed within the project location.

The permit application and Title 23 CCR can be found on the Central Valley Flood Protection Board's website at http://www.cvfpb.ca.gov/. Contact your local, federal and state agencies, as other permits may apply.

Should you have any further questions, please contact me by phone at (916) 574-0651, or via email at jherota@water.ca.gov .

Sincerely,

James Herota
Staff Environmental Scientist
Floodway Projects Improvement Branch

cc: Governor's Office of Planning and Research
State Clearinghouse
1400 Tenth Street, Room 121
Sacramento, California 95814

From: Eric Cassano [ecassano@shastalake.com]
Sent: Wednesday, February 15, 2012 9:13 AM
To: Bill Walker
Subject: Fwd: Comments to be addressed in the EIR for the proposed 3M Moody Flats Quarry

Attachments: 03.02.10 Packet.pdf; ATT00001..htm

Begin forwarded message:

> **From:** Eric Cassano <ecassano@shastalake.com>
> **Date:** February 13, 2012 2:21:06 PM PST
> **To:** Bill Walker <bwalker@co.shasta.ca.us>
> **Subject: Comments to be addressed in the EIR for the proposed 3M Moody Flats Quarry**
>
> DATE:
> February 13, 2012
>
> TO:
> Bill Walker, AICP, Senior Planner
> Shasta County Department of Resource Management
> Planning Division
> 1855 Placer Street, Suite 103
> Redding, CA, 96001
> bwalker@co.shasta.ca.us
> (530) 225-5532
>
> FROM:
> Eric A. Cassano
> 4512 Boca St.
> Shasta Lake, CA 96019
> ecassano@shastalake.com
> (530) 275-1296
>
> SUBJECT:
> Comments to be addressed in the Environmental Impact Report (EIR) regarding potential environmental impacts of the proposed 3M Moody Flats Quarry near Shasta Lake, California, USA

The Shasta County Air Quality Management District, California Air Resources Board, U.S. Environmental Protection Agency and the City of Shasta Lake allowed Knauf Insulation (formerly Knauf Fiber Glass) in Shasta Lake, CA to violate their air pollution permit for more than three years before they were given a new permit that had limits increased to allow their excess pollution. (please see the letter to EPA Region 9 at the bottom of these comments.) Since the new permit was granted to Knauf, more air quality violations have occurred at their facility. (please see attached PDF file document "03.02.10 Packet.pdf")

Considering that so-called regulatory agencies have a poor track record of air pollution regulation and air permit enforcement, the EIR must look at environmental impacts that could be caused by the project if permit conditions and limits are not enforced by so-called regulatory agencies. The lack of air pollution regulation should be addressed in the "Regulatory Setting" portion of the Environmental Impact Report (EIR).

What environmental impacts could the Moody Flats Quarry project cause if permits are not enforced and actual regulation is not performed by the permitting agencies?

What environmental impacts would result from the *estimated* air emission amounts?

What environmental impacts would result from the *permitted* air emission amounts?

What environmental impacts would result from the *intended* air emission amounts?

What environmental impacts would result from the use of treated effluent or reclaimed water from the Shasta Lake wastewater treatment facility?

What environmental impacts would result from the extension of power lines to the project?

What environmental impacts would result from the uses of fresh water, well water and reclaimed water at the project site?

What environmental impacts would result from the development of a wastewater treatment plant on the project site?

What environmental impacts would result from deliveries to the project by rail or truck?

What kind of materials would be delivered? How many trips and type of vehicles would be involved in deliveries?

What impacts to the City of Shasta Lake would occur if the city provided electricity, fresh water, reclaimed water or sewage service to the project site?

Analysis of visual impacts created by the project should include viewpoint locations where a person is more likely to see the scarring on the sides of the mountains. Along with choosing viewpoint locations, the visual impacts analysis should involve identifying where the worst visual impacts would occur. In other words, the visual impacts analysis shouldn't be limited to some photos taken from hand-picked locations.

Some examples of possible viewpoint locations for visual impact analysis are listed below…

40.6792, -122.3484 Offramp from northbound i-5 to westbound State Route 151 (Shasta Dam Blvd.) Google Map http://g.co/maps/w7jdn

40.6281, -122.3688 Onramp to northbound i-5 from northbound 273 (N. Market St.) Google Map http://g.co/maps/7m7ju

What environmental impacts and visual impacts would result from visible dust emissions from the project?

How far away from the project would dust emissions be visible?

From which viewpoint locations would dust emissions be visible?

How would the elevation of mountain tops in the project area be affected?

Would any mountain tops in the project area be mined and reduced in elevation?

How would Shasta Lake (reservoir) be affected by runoff from the project or impacts to groundwater?

How would water quality for livestock, wildlife and vegetation be affected by pollution discharged into creeks in the project area?

The visual simulation photos of visual impacts that were presented in the preliminary studies of the project appear to show the quarry's hillside scars landscaped with full grown trees. I'm guessing this was done to make the project look better to decision makers and the public. How would the hillside scars actually look (without the full grown trees) during the various phases of the 100 year project?

How would the hillside scars look during all phases of the project's restoration?

How would 3M's Moody Flats Quarry near Shasta Lake, California compare to 3M's Belle Mead Quarry in Montgomery Township, New Jersey that is reported to have "angered officials" after runoff from heavy rain? How would this quarry be the same? How would this quarry be different? (please see the two links to web pages listed below)

Runoff from 3M quarry during heavy rains angers officials
http://bit.ly/AxjIa9

3M Pollutes 3M kills wildlife
http://3m-pollution.blogspot.com

Which of the quarry pits would 3M begin mining first? The north pit, the south pit or both?

What type of rocks and/or minerals would 3M be mining?

Are there any mineral resources in the project - other than aggregate - that are of value such as gold, copper or other metals?

How would other valuable mineral resources be addressed if they were found during the mining operation?

Would any of the rock material mined at the quarry be used in the production of roofing shingles?

Existing quarries in the general vicinity of the proposed project have created visible dust emissions (clouds of dust). Visual impacts caused by visible dust emissions should be addressed in the

aesthetics section of the EIR. Would this project create visible dust emissions? If not, what would prevent this project from causing visible dust emissions?

What environmental impacts would result if acid mine drainage were to occur and flow from the project site into the creeks?

How would zoning changes affect property owners who invested in property near the project based on the Shasta County general plan and the existing zoning?

How would zoning changes affect other quarries in the area due to increased competition?

How would the sight of a massive pit mine impact visitors to the Whiskeytown-Shasta-Trinity National Recreation Area (NRA) that is just north of the project?

How would the sight of scars on the hillside affect visitors to the Shasta Lake Visitor Information Center on Holiday road in the Mountain Gate area?

How would the sound of explosions from blasting impact visitors to the Whiskeytown-Shasta-Trinity National Recreation Area (NRA) that is just north of the project?

How would the sound of explosions from blasting impact visitors to the Shasta Lake Visitor Information Center on Holiday road in the Mountain Gate area?

Would the quarry be producing aggregate suitable for use in any of the construction projects related to the enlargement of Shasta Dam?

What environmental impacts would result if the proposed quarry was used as a source of construction materials for the enlargement of Shasta Dam?

---------- Letter to EPA Region 9 ----------

Date:
March 27, 2006

2.2

PROCLAMATION

A PROCLAMATION OF THE CITY OF SHASTA LAKE CITY COUNCIL SUPPORTING OPENNESS IN GOVERNMENT AND RECOGNIZING MARCH 14th THROUGH MARCH 20th, 2010 AS "SUNSHINE WEEK."

WHEREAS, a crucial element of a great democracy is citizen participation and awareness of the public's business discussed by elected leaders; trust being a critical element in this partnership; and

WHEREAS, the City of Shasta Lake recognizes that municipal government leaders must uphold that trust by building a healthy, positive relationship with their residents and voting citizens; and

WHEREAS, municipal leaders are the elected officials closest to the people they serve and have the most direct contact with the citizens who elect them; and

WHEREAS, the City Council of the City of Shasta Lake believes openness in government proceedings at all levels makes for the credibility and accountability that our citizens expect and deserve; and

WHEREAS, in support of these ideals, March 14h through March 20th, 2010 is designated as "Sunshine Week.

NOW, THEREFORE, BE IT RESOLVED that the City of Shasta Lake City Council affirms their commitment to open government, and proclaims March 14th through March 20th, 2010 as "Sunshine Week."

_____

GREG WATKINS, Mayor

2.3

PROCLAMATION

PROCLAMATION OF THE CITY OF SHASTA LAKE DECLARING THE MONTH OF MARCH 2010 AS "WOMEN'S HISTORY MONTH"

WHEREAS, women of every race, class, and ethnic background have made historic contributions to the growth and strength of our Nation in countless recorded and unrecorded ways; and

WHEREAS, American women have played and continue to play a critical economic, cultural, and social role in every sphere of the life of the Nation by constituting a significant portion of the labor force working inside and outside of the home; and

WHEREAS, American women have played a unique role throughout the history of the Nation by providing the majority of the volunteer labor force of the Nation; and

WHEREAS, American women were particularly important in the establishment of early charitable, philanthropic, and cultural institutions in our Nation; and

WHEREAS, American women of every race, class, and ethnic background served as early leaders in the forefront of every major progressive social change movement; and

WHEREAS, American women have been leaders, not only in securing their own rights of suffrage and equal opportunity, but also in the abolitionist movement, the emancipation movement, the industrial labor movement, the civil rights movement, and other movements, especially the peace movement, which create a more fair and just society for all; and

WHEREAS, despite these contributions, the role of American women in history has been consistently overlooked and undervalued, in the literature, teaching and study of American history.

NOW THEREFORE, BE IT RESOLVED that the Shasta Lake City Council proclaims March 2010 as "Women's History Month."

_____

GREG WATKINS, Mayor

Report and Recommendations Reviewed and Approved

City Manager

3.5a

AGENDA ITEM
City Council Meeting

TO:	**Carol Martin, City Manager**
FROM:	Carla L. Thompson, AICP, Development Services Director
DATE:	February 24, 2010
SUBJECT:	**Knauf Insulation Air Quality Violations**
FILE:	K-050-126-035

RECOMMENDATION:

Receive report regarding violations of Knauf Insulation's Air Quality permits. Representatives from Knauf: Iain James, Director of Operations, and Randall Peterson, Environmental Manager, will attend the City Council meeting to answer questions and to further discuss their Ecose® Technology, a new formaldehyde-free binder technology, based on renewable materials instead of petro-based chemicals.

BACKGROUND:

At the February 16, 2010, City Council meeting, Eric Cassano addressed Council regarding violations of Knauf Insulation's air quality permits. Mr. Cassano also stated Knauf was applying for a variance.

Staff contacted Shasta County Air Quality Management District (AQMD) and received copies of the two most recent violations (May 29, 2009, and November 6, 2008), and the staff reports for the variance, which are attached. The November 8, 2008, violation was issued because initial source sampling and testing required for the installation of the Regenerative Thermal Oxidizer had not been completed. The May 29, 2009, violation was due to an exceedence of PM_{10} emissions from the furnace stack.

Also attached is a Memorandum from John Kenny, City Attorney, dated January 31, 2003, regarding an air quality violation that was identified at that time. The memorandum addresses the timing of enforcement action by the City for air quality violations.

Mitigation Monitoring

City Council certified the EIR, adopted the findings of fact and statement of overriding considerations and approved Conditional Use Permit 96-07 and the Mitigation Monitoring Plan (MMP) for the Knauf facility on November 5, 1997.

The California Environmental Quality Act, Section 21081.6, requires public agencies to adopt a

monitoring program of mitigation measures and ensure their enforceability when adopting a mitigated negative declaration or certifying an EIR. The required MMP is included as Appendix B to the Environmental Impact Report prepared for the Knauf facility.

The MMP states: *"The City will be responsible for monitoring the implementation of most of the mitigation measures. The exception is for certain mitigation provisions that must be monitored by the Shasta County Air Quality Management District."*

The MMP identifies each significant impact identified in the EIR, associated mitigation measures, the corresponding monitoring and reporting requirement, and responsible party for ensuring implementation of the mitigation and monitoring effort.

Item 2 of the MMP covers air quality impacts during operation of the Knauf facility. The MMP assigns the responsibility of mitigation monitoring for air quality solely to the Shasta County Air Quality Management District. A copy of this section of the MMP is attached.

Conditional Use Permit - Conditions Related to Air Quality

Prior to Commencement of Operations

3.5. The Permittee shall secure emissions offsets at a ratio of 1.2:1 for direct PM_{10} emissions exceeding 25 tons per year. The method for achieving these offsets shall be paving roads to achieve an equivalent offset as detailed in the City's roadway analysis in Appendix D of the EIR. All paved roads shall be within approximately 2 miles of the Project and cannot be Project associated. The offsets must be approved in writing by both the City and the AQMD and the written approval timely lodged in the City's Centralized Data Repository pursuant to section 1.7.

3.6. *Deleted: Planning Commission action of October 29, 1997.*

3.7. The Permittee shall mitigate NO_X and ROG emissions by one of the following methods:

3.7a. Implementing feasible Level A and Level B BAMMs that are calculated to reduce NO_X and ROG emissions below the Level A threshold of 25 pounds per day.

3.7b. Identifying and securing emission offsets to the Level B threshold and implementing Level A BAMMs to achieve the Level A threshold of 25 pounds per day.

3.7c Identifying and securing NOx and ROG offsets at a 1:1 ratio to reduce emissions to achieve the Level A threshold of 25 pounds per day.

The Permittee's plan for achieving the NOx and ROG threshold level of 25 pounds per day shall be submitted in writing to the AQMD and the City. The City and the AQMD shall approve the NOx and ROG reduction plan in writing prior to occupancy and shall timely lodge the plan and the approval in the Central Data Repository pursuant to section 1.9.

3.8. The Permittee shall finance the purchase of two EPA approved PM_{10} special purpose ambient air monitors and install such monitors at locations selected and approved by the City and the AQMD. All costs related to the installation and operation of the monitors shall be borne solely by the Permittee. Funding shall be sufficient to allow the monitors to be installed and operated by AQMD for up to one year prior to operation and for two years after the commencement of operation.

3.9. Design the project and install equipment that constitutes BACT, as determined by the Shasta County AQMD. At a minimum, include electric burner with baghouse, low No_X

burners, wet electro-static precipitator, wet venturi scrubbers, thermal oxidizers, water washing and settling chamber, and a baghouse.

Throughout Operation of the Project

3.14. The Permittee shall conduct source testing for all significant pollutants as required by the AQMD permit. In the event the testing demonstrates noncompliance with applicable standards, the testing shall be conducted more frequently as required by the AQMD until the testing indicates that standards for all significant pollutants are being achieved by the Permittee. All testing results must be submitted to Shasta County AQMD as required by the AQMD. Test results shall be available to the public pursuant to section 1.9 and continued violations may be subject to permit revocation or modification pursuant to the provisions of section 1.15.

3.15. If the Permittee's pollution control technology becomes inoperative or substantially impaired, Permittee shall (1) immediately cease operations and (2) repair the pollution control technology to its prior efficiency before restarting operations. In the event of a major malfunction of air pollution control devices, the plant will be shut down within 15 minutes of such a malfunction.

Separate permits issued by AQMD include additional requirements (i.e., Permits to Operate and Title V Operating Permit).

<u>Enforcement</u>

The CUP outlines procedures for addressing violations of the Use Permit as follows:

1.15 Enforcement, Modification, Suspension, and Revocation

The City shall enforce, modify, suspend or revoke this CUP only in accordance with this condition. This condition (1.15) represents the sole interpretation of the City's Zoning Code regarding enforcement, modification, suspension and revocation.

1.15.1 If the Development Services Director or his/her equivalent determines that the Permittee has failed to comply substantially with the conditions set forth in the Conditional Use Permit, the Development Services Director or his/her equivalent shall provide by certified mail to the Permittee, a notice of the violation of the Conditional Use Permit. Such notice shall state with specificity the location, place, time and description of such violation, and a reasonable time period within which the violation must be cured by Permittee. Concurrent with the City's notice to Permittee, the City may provide copies of such notice to all agencies with jurisdiction over the alleged violation, and place a copy of the violation in the central data repository.

1.15.2 If, after conclusion of the time specified in the notice, the Permittee has not cured the alleged violation or set forth a reasonable course of action to cure the violation, then the Development Services Director or his/her equivalent shall refer the matter to the Planning Commission for permit enforcement, modification, suspension, revocation or any other action it deems appropriate. <u>In scheduling the Planning Commission hearing under this section, the Development Services Director or his/her equivalent may notify all local, State or Federal agencies with jurisdiction over the subject of the alleged violation and, to the extent feasible, shall coordinate any ongoing proceedings of the City of Shasta Lake regarding violations by the Permittee to occur after the conclusion of any proceedings before other local, State or Federal agencies.</u>

1.15.3 If the Development Services Director or his/her equivalent determines to proceed with enforcement, modification, suspension, or revocation of the Conditional Use Permit, the Development Services Director or his/her equivalent shall give at least sixty (60) days notice to

Permittee and such other public notices as required by law of the Development Services Director or his/her equivalent intention to submit the enforcement, modification, suspension or revocation to the Planning Commission. The notice to the Permittee shall contain, at a minimum, the following information:

1. The time and place of the hearing;

2. A statement as to the reasons why the Planning Commission should enforce, modify, suspend or revoke the Conditional Use Permit;

3. A statement regarding any concurrent proceedings before local, State or Federal agencies and if the Development Services Director has decided it is necessary for the Planning Commission to proceed prior to conclusion of such concurrent proceedings, the reason for such conclusion;

4. Any proposed modification to the Conditional Use Permit; and

5. Any other information that the Development Services Director or his/her equivalent considers necessary or desirable to inform Permittee, the Planning Commission and the public of the nature of the hearing.

1.15.4 Any action by the Planning Commission shall be documented by written findings. In the event the Planning Commission chooses to enforce, modify, suspend or revoke the Conditional Use Permit, the Commission must specifically find that such action is necessary because prior efforts to compel Permittee to comply with the Conditional Use Permit have failed and Permittee has failed to demonstrate, to the Planning Commission's satisfaction, either (1) the inability of Permittee to comply, despite good faith efforts, or the willingness or ability to comply with the terms and conditions of Conditional Use Permit. <u>In the event that another local, State or Federal agency has jurisdiction over an alleged violation, and is proceeding independently with hearings regarding modification, revocation or suspension of a local, State or Federal permit and those proceedings have concluded without suspension, enforcement, modification, or revocation, then the Planning Commission shall state with specificity why they believe such decision to be inadequate.</u> The Commission shall make similar findings in the event that the Commission orders the Permittee to comply with the Conditional Use Permit under more stringent terms than ordered by another local, State or Federal agency.

1.16 Appeals

1.16.1 Any interpretation, decision, or determination by the Development Services Director or his/her equivalent regarding this CUP may be appealed by any party to the Planning Commission. Any Planning Commission determination regarding this CUP may be appealed to the City Council in the same manner as other determinations or CUP applications are appealable. The effect of the decision being appealed shall be stayed during the pendency of the appeal. The Planning Commission and upon appeal, the City Council, shall conduct a public hearing on any appeal. The cost of any appeal shall be paid by the appellant. All equitable remedies available to the Permittee to challenge a final determination of the City are retained by the Permittee.

1.16.2 The final decision of the City may be challenged by the Permittee, the public, or another agency in a court of proper jurisdiction. In the event that the City's final decision revokes, suspends, or modifies this CUP, the effect of that decision shall be stayed until a final determination is rendered by the Court(s); however, nothing in this section shall be construed to prevent a court of proper jurisdiction from enjoining the operation of the facility in order to prevent any threat to the health and/or safety of the public in accordance with the standards established under California law for the issuance of injunctions.

Variance Request

On February 18, 2010, the Air Quality Management District Hearing Board considered and approved variance request 09-V-01 to allow Knauf the continued production of insulation with the Regenerative Thermal Oxidizer (RTO) bypassed for emission testing to quantify emissions from the main stack. The variance would also allow Knauf to produce insulation with the RTO bypassed and to operate the scrubbers with a reduced pressure differential across the wet scrubbers for testing. The Variance request is for a maximum period of 12 hours per test.

If the results of the emission testing are favorable, Knauf may petition the EPA Region IX and the Air Quality Management District to modify the Permits to operate the facility without the RTO, to reduce the emissions from the combustion of natural gas, and lower the pressure differential across the scrubbers.

A copy of the Hearing Board's Order and staff reports for each of these items is attached.

Use Permit Amendment

If Knauf decides to request a modification to their AQMD permit(s), the City would review the application to determine compliance with the Conditional Use Permit. For example, in 2002 Knauf applied to AQMD to amend their permit to increase the NO_X emission limit for the main stack and reallocate emissions for PM_{10} and NO_X. The City reviewed the Supplemental Environmental Impact Report prepared by Shasta County and adopted Resolution CC 05-08 (see attached staff report and Resolution) approving Knauf's plan for securing NO_X offsets as an appropriate means to mitigate in order to achieve the established threshold of 25 pounds per day.

Section 1.20 of the CUP states:

Conditional Use Permit Amendments

Proposed amendments to the Conditional Use Permit requested by Permittee shall be submitted in writing to the Development Services Director or his/her equivalent. Within ten (10) days of submitting such an application, the Development Services Director or his/her equivalent shall determine whether the requested amendment is either a major amendment or a minor amendment.

Minor amendments are those amendments to the design, construction, or operation of the Project that either (1) do not result in an appreciable increase in environmental impact or (2) which may be necessary to comply with requirements or regulations of other governmental agencies. All other amendments shall be considered major amendments by the Development Services Director or his/her equivalent.

Minor amendments shall be considered ministerial actions and shall be processed by the Development Services Director or his/her equivalent accordingly. Major amendments shall be processed in accordance with applicable requirements of the State of California and City of Shasta Lake, including environmental review if applicable, and notice and hearing. All amendments, whether major or minor shall be available in the City's Central Data Repository.

Attachments:

Memorandum from John Kenny, City Attorney, *Knauf Use Permit*, January 31, 2003.

Memorandum from Carla L. Thompson, Development Services Director, to Gerry Cupp, City Manager, City Council Staff Report Regarding Request by Knauf Insulation Regarding Emission Reduction Credits for Oxides of Nitrogen (NO_X), January 25, 2005.

Shasta County Air Quality Management District Notice of Violation, November 6, 2008.

Letter from Russ Mull, Shasta County Air Pollution Control Officer, to Iain James, Director of Operations, Knauf Insulation, GmbH, *Violation #09-NV-03: Exceedence of Periodic Emission Testing Requirements*, February 17, 2009.

Letter from Russ Mull, Shasta County Air Pollution Control Officer, to Iain James, Director of Operations, Knauf Insulation, GmbH, Acknowledgement of Receipt of $2,000 Settlement Fee, March 3, 2009.

Letter from Stephen R. Aldridge, Manager Environmental Health and Safety, Knauf Insulation, to Ross Bell, Shasta County Air Pollution Control Officer, *2009 Variance (08-V-04) RTO Non-Operational test Results for Manufacturing Line #641*, May 12, 2009.

Letter from Stephen R. Aldridge, Manager Environmental Health and Safety, Knauf Insulation, to Ross Bell, Shasta County Air Pollution Control Officer, *2009 Operating Permit Compliance Test Results for Manufacturing and Furnace Line #641*, May 27, 2009.

Shasta County Air Quality Management District Notice of Violation (09-NV-17), May 29, 2009.

Letter from Russ Mull, Shasta County Air Pollution Control Officer, to Iain James, Director of Operations, Knauf Insulation, GmbH, *Violation #09-NV-17: Exceedence of Periodic Emission Testing Requirements*, June 18, 2009.

Letter from Russ Mull, Shasta County Air Pollution Control Officer, to Iain James, Director of Operations, Knauf Insulation, GmbH, Acknowledgement of Receipt of $10,000 Settlement Fee, July 7, 2009.

City of Shasta Lake Mitigation Monitoring Plan, Knauf Fiber Glass Manufacturing Facility, Sheets 2 and 3 of 17, Air Quality, Impacts During Operation.

Agenda, Shasta County Air Quality Management District Hearing Board, Thursday, February 18, 2010.

Staff Report to AQMD Hearing Board, *Petition for Variance 09-V-01, by Knauf Insulation, GmbH, to Operate without the Regenerative Thermal Oxidizer and Reducing Scrubber Operation,* February 18, 2010.

Shasta County AQMD Hearing Board Order Regarding Variance 09-V-01, February 18, 2010.

Moss & Enochian
A LAW CORPORATION
2701 PARK MARINA DRIVE
REDDING, CALIFORNIA 96001-2805

STEVEN R. ENOCHIAN
LARRY B. MOSS
JOHN SULLIVAN KENNY
MARK D. NORCROSS
KELLY J. SNOWDEN
ANDREAS MITTRY
BARRETT R. P. SCHAEFER

MAILING ADDRESS:
POST OFFICE BOX 994608
REDDING, CALIFORNIA 96099-4608
(530) 225-8990
FAX (530) 241-5734
www.mossenochian.com
E-MAIL: postmaster@mossenochian.com

MEMORANDUM

To: **Carla Thompson, Development Services Director**
CITY OF SHASTA LAKE

From: **John Sullivan Kenny, City Attorney**

Date: **January 31, 2003**

Re: **Knauf Use Permit**

Concern has arisen with respect to Knauf violating the terms of its Use Permit. The question is what can or should be done by the City regarding violation of the permit.

General Background:
The Use Permit (Section 3.7) requires that Knauf not exceed NOx and ROG emissions of 25 pounds per day. The permit also requires Knauf to "conduct source testing for all significant pollutants as required by the AQMD Permit" (Section 3.14). The test results are submitted to the Shasta County Air Quality Management District ("District"). It is reported that Knauf's test results show that Knauf is exceeding its NOx and ROG permitted emissions. This would constitute a violation of the Use Permit and the District permit. The air quality permit is enforced by the District or, in some cases, the federal government and will not be addressed here.

A Use Permit creates a vested property right in the holder of the permit. (*Malibu Mtns. Recreation, Inc. v. County of Los Angeles* (1998) 67 Cal.App.4th 359.) The City may have the authority to revoke a Use Permit if the permittee either fails to comply with a condition of the permit or there otherwise exists a compelling public necessity justifying revocation. (*Sunset Amusement Co. v. Board of Police Commissioners* (1972) 7 Cal.3rd 64, 80.) The City also has the right to amend the conditions of a permit if the grounds which would justify revocation can be corrected or cured by an amendment. (*Garva Vantti vs. Fairfax Planning Comm.* (1971) 22 Cal.3rd 145, 148-149.) The actions taken concerning the revocation or modification of a Use Permit are subject to judicial review. Generally courts will not uphold revocation of a permit if there are other, less oppressive means to correct a problem. (*O'Hagen v. Board of Administrative Adjustment* (1971) 19

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Cal.App.3rd 151.) In modifying or revoking a Use Permit, the City must justify the means it used to correct the problem.

The Use Permit:
Section 15.15 of the Use Permit addresses enforcement, modification, suspension, and revocation. Section 1.15.1 provides that the Development Services Director ("Director") shall notify the permittee of a violation, describe the violation and provide a reasonable time for the permittee to cure the violation. The Director is also to send notices to all agencies having jurisdiction over the violation. In this case, the District already has notice of the violation. The City received the information from the District.

Section 1.15.2 provides that if the violation is not cured within the time provided in the notice, the Director is to refer the matter to the Planning Commission for enforcement, modification, suspension, revocation or other action as may be appropriate. In scheduling a hearing before the Planning Commission, the Director is to coordinate the City activities to occur after the conclusion of proceedings before other agencies such as the District.

According to Section 1.15.3, if the Director determines to refer the matter to the Planning Commission prior to the conclusion of concurrent proceedings before other agencies, the Director is to provide a statement justifying this action.

The Violation:
Section 3.7 of the Use Permit sets forth the NOx and ROG emission levels permitted. It also establishes three methods by which NOx and ROG emissions may be mitigated. This is to be done prior to commencement of operations. I believe the same would be allowed to address problems that developed after operations commenced. The City and District would have to approve any new NOx or ROG reduction plan. Approval of a plan could not, however, be unreasonably denied.

Section 1.15.4 states that any action taken by the City must be supported by written findings addressing the permittee's willingness, good faith efforts and ability to meet the terms of the Use Permit. In cases where state or federal agencies are proceeding independently "and those proceedings have concluded without suspension, enforcement, modification or revocation" the City must state why it feels the decisions of the other agencies were inadequate.

Timing of Enforcement Action:
The question is whether you should begin enforcement action at this time. I believe such action would be untimely for several reasons.

You do not have the information necessary to meet the requirements of Use Permit § 1.15.3. This requires you to provide a statement of reasons regarding enforcement, modification, suspension or revocation of the Use Permit. What action would you recommend and why? You need to recommend an action. Before the City acts, it must be assured the recommendations are reasonable, protective of the public and not unduly

burdensome on the permittee. The Use Permit itself provides methods for mitigation. If you are to recommend amending the conditions of the Use Permit, what recommendations could you make? If you were to recommend revocation, do you have sufficient information to determine that no mitigation measures are feasible?

The terms of the Use Permit suggests that the City should not be acting prior to state or federal agencies with concurrent jurisdiction. Presumably this is because these agencies may have superior knowledge and expertise. If the City acts prior to agencies with concurrent jurisdiction, it must justify this action. What is the justification?

Upon completion of proceedings by agencies with concurrent jurisdiction, the City can take action if the City is dissatisfied with actions of those agencies but the City must specifically state why it believes the decisions of the other agencies were inadequate.

Absent information capable of meeting the requirements of the law and the Use Permit conditions, I believe action by the City at this time would be premature.

JSK:jll/2497
71289v1

CITY OF SHASTA LAKE

Report and Recommendations
Reviewed and Approved
G. Cupp by cm
City Manager

7.2

MEMORANDUM

TO:	**Gerry Cupp, City Manager**
FROM:	Carla L. Thompson, Development Services Director
DATE:	January 25, 2005
SUBJECT:	**Request by Knauf Insulation Regarding Emission Reduction Credits for Oxides of Nitrogen (NO_X)**

Background Information

Use Permit 96-07 was approved by the Shasta Lake City Council on November 5, 1997, to allow construction and operation of the Knauf fiberglass facility. Condition 3.7, states:

*The Permittee shall mitigate NO_X and ROG emissions by **one of the following methods**:*

3.7a. Implementing feasible Level A and Level B BAMMs that are calculated to reduce NO_X and ROG emissions below the Level A threshold of 25 pounds per day.

3.7b. Identifying and securing emission offsets to the Level B threshold and implementing Level A BAMMs to achieve the Level A threshold of 25 pounds per day.

3.7c Identifying and securing NO_X and ROG offsets at a 1:1 ratio to reduce emissions to achieve the Level A threshold of 25 pounds per day.

The Permittee's plan for achieving the NO_X and ROG threshold level of 25 pounds per day shall be submitted in writing to the AQMD and the City. The City and the AQMD shall approve the NO_X and ROG reduction plan in writing prior to occupancy and shall timely lodge the plan and the approval in the Central Data Repository pursuant to section 1.9.

Prior to commencement of operations in 2001, the County verified that emission reduction credits for NO_X were purchased by Knauf. Certificate 01-ERC-02 provides a NO_X emission offset of 7.27 tons per year; Certificate 01-ERC-04 provides a NO_X emission offset of 7.6 tons per year; and Certificate 01-ERC-06 provides a NO_X emission offset of 8.74 tons per year, for a total of 23.61 tons per year. Knauf also implemented Standard Mitigation Measures (SMMs) and Best Available Mitigation Measures (BAMMs) in the amount of 2.83 tons/yr. as identified in the Shasta Lake Air Quality Element of the General Plan in order to reduce emissions below the threshold of 25 pounds per day.

Current Situation

Emission testing for the Knauf facility conducted on April 3, 2002, September 11, 2002, and December 12, 2002, indicated that estimates for emissions of oxides of nitrogen (NO_X) from the Fiberglass Forming/Curing/Cooling Section (#97-PO-28) and emissions of particulate matter from the Glass Melting Furnace (#97-PO-27) proposed in the original PSD/ATC permit were underestimated.

Knauf Request

Subsequently, Knauf proposed to increase the NO_X emission limit for the Main Stack from 5.66 lb/hr to 22.6 lb/hr, which is equivalent to an increase in maximum annual emissions from 24.8 tons/yr to 99 tons/yr. The permit drafted by AQMD establishes an emissions limit for NO_X of 16.5 lb/hr, or 72.27 tons/yr.

In addition, Knauf proposed to reallocate 0.9 lb/hr PM_{10} from the Main Stack to the Furnace Stack, resulting in an increase in the Furnace Stack emissions and a corresponding decrease in permitted emissions from the Main Stack. Knauf also proposed to decrease the particulate matter emission limit for the Main Stack from 28.4 lb/hr to 21.6 lb/hr, resulting in a plantwide PM_{10} emission level limit of 99 tons/yr. The original limit was 124.8 tons/yr.

The Supplemental Environmental Impact Report addressing these adjustments was certified by the Shasta County Air Quality Management District on September 21, 2004. The Certified SEIR was provided to the Air Quality Management District for drafting of modified permits.

Required Action by the City

Since revisions to PM_{10} emissions are a reduction from original levels and are in compliance with the City's Air Quality Element and the Use Permit, no action by the City is required in regard to the PM_{10} reallocations.

As required by the Use Permit, the City is required to approve Knauf's plan for achieving the NO_X threshold level of 25 pounds per day. Knauf proposes to achieve this threshold as identified in AQMD Permit to Operate #97-PO-28, Condition 14, which states:

> The owner/operator shall relinquish to the Shasta County Air Quality Management District oxides of nitrogen emission reduction credits for voiding in the amount of 47.47 tons. This one-time submittal of oxides of nitrogen emission reduction credits is to satisfy offsetting requirements contained in Condition #3.7c of the City of Shasta Lake Conditional Use Permit.

The AQMD Permit to Operate establishes an emissions level for NO_X of 72.27 tons/yr. Pursuant to the Use Permit, Knauf must mitigate for NO_X emissions over 25 pounds per day (4.56 tons/yr.).

Therefore, Knauf is required to provide offsets for a total of 67.71 tons/yr, or an additional 41.27 tons/yr. (67.71 tons/yr. – 26.44 tons/yr. previously mitigated = 41.27 tons/yr.) The AQMD Permit to Operate requires relinquishment of 47.47 tons of emission reduction credits, which is higher than the City's requirement to achieve the 25 lb/day threshold.

Staff Recommendation

Staff recommends that City Council approve the attached Resolution approving proposed emission reduction credits in the amount of 47.47 tons as mitigation for NO_X emissions. The Final Supplemental Environmental Impact Report has been certified by the Shasta County Air Quality Management District, and securing NO_X offsets is identified as an appropriate means to mitigate in order to achieve a threshold of 25 pound per day.

RESOLUTION CC 05-08

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHASTA LAKE APPROVING THE RELINQUISHMENT OF OXIDES OF NITROGEN EMISSION REDUCTION CREDITS AS MITIGATION FOR KNAUF INSULATION, GmbH

WHEREAS, on November 5, 1997, the City of Shasta Lake approved Use Permit 96-07 allowing construction and operation of the Knauf fiberglass facility; and

WHEREAS, the Use Permit requires Knauf to mitigate NO_X emissions below a threshold of 25 pounds per day; and

WHEREAS, Knauf has proposed to increase the NO_X emission limit for the main stack from 5.66 pounds per hour to 22.6 pounds per hour; and

WHEREAS, the Supplemental Environmental Impact Report addressing this adjustment was certified by the Shasta County Air Quality Management District on September 21, 2004; and

WHEREAS, Knauf has proposed to relinquish to the Shasta County Air Quality Management District oxides of nitrogen (NO_X) reduction credits for voiding in the amount of 47.47 tons to satisfy offsetting requirements contained in Condition 3.7c of Use Permit 96-07; and

WHEREAS, Knauf's proposal for mitigating NO_X emissions is consistent with the mitigation options contained in the Use Permit.

NOW THEREFORE, BE IT RESOLVED that the City Council of the City of Shasta Lake hereby approves the relinquishment to the Shasta County Air Quality Management District oxides of nitrogen emission reduction credits in the amount of 47.47 tons to satisfy offsetting requirements contained in Condition 3.7c. of City of Shasta Lake Condition Use Permit UP 96-07.

PASSED, APPROVED AND ADOPTED this 1st day of February 2005 by the following vote.

AYES: **DURYEE, FARR, HURLHEY, SINER, GOEKLER**
NOES: **NONE**
ABSENT: **NONE**

DEAN GOEKLER, Mayor

ATTEST:

RAE MORROW, City Clerk

SHASTA COUNTY DEPARTMENT OF RESOURCE MANAGEMENT
AIR QUALITY MANAGEMENT DISTRICT
1855 PLACER STREET, SUITE 101, REDDING, CALIFORNIA 96001
(530) 225-5674

NOTICE OF VIOLATION

Violation Date: November 6, 2008 **Time:**

Name/Source: Iain James, Director of Operations
Knauf Insulation GmbH
3100 Ashby Road
Shasta Lake, California 96019

Phone: (530) 275-9665

Location of Violation: Knauf Insulation GmbH, 3100 Ashby Road, Shasta Lake, CA 96019
(AP# 064-150-072/77-79)

Pertinent District Permit Condition: Permit # 97-PO-28

36. Periodic emission testing shall be required pursuant to District Rule 2:11.a.3.(f). Annual emission testing for ammonia and particulate matter emissions from the main stack shall be required in accordance with Bay Area AQMD Method ST-1B and EPA Method 5E, respectively, or subsequently approved alternate methods. Results of all emission testing shall be forwarded to the District for compliance verification. An emission testing protocol detailing the methods of sampling and analysis shall be submitted to the District for approval 30 days prior to any test required under the above rule.
    c) The following supplemental emission testing will be required to determine compliance with the installation of the Regenerative Thermal Oxidizer:

Initial Sampling*	180-210 days after Initial Sampling
PM10, NOx, VOC	PM10, NOx, VOC

* within 45 days of initial startup

Pertinent Title V Operating Permit Condition: Permit # 03-VP-01

C16. Periodic emission testing shall be required pursuant to District Rule 2:11.a.3.(f), except for ammonia, NOx, and particulate matter. The Permittee shall conduct the ammonia, NOx, and particulate matter testing annually. Performance testing shall be performed within 30 days after the anniversary of the most recent performance test. The Permittee shall conduct the performance test (as described in 40 CFR 60.8) for the emission limitations that apply to the Main Stack. The Permittee shall retain records of all performance tests measurements.
    c) The following supplemental emission testing will be required to determine compliance with the installation of the Regenerative Thermal Oxidizer:

Initial Sampling*	180-210 days after Initial Sampling
PM10, NOx, VOC	PM10, NOx, VOC

* within 45 days of initial startup

Explanation of Violation:

On November 6, 2008, 210 days had elapsed since Knauf Insulation conducted initial source sampling and testing required for the installation of the Regenerative Thermal Oxidizer.

Issued by:

Ron Bell for

Russ Mull
Air Pollution Control Officer
February 17, 2009

Issued to:

Iain James, Director of Operations
Knauf Insulation, GmbH
3100 Ashby Road
Shasta Lake, California 96019

Shasta County

DEPARTMENT OF RESOURCE MANAGEMENT
1855 Placer Street, Redding, CA 96001

Russ Mull, R.E.H.S., A.I.C.P.
Director
Richard W. Simon,
Assistant Director

February 17, 2009

CERTIFIED MAIL
7007 0710 0004 7679 0452

Iain James, Director of Operations
Knauf Insulation, GmbH
3100 Ashby Road
Shasta Lake, California 96019

Dear Mr. James:

VIOLATION #09-NV-03: EXCEEDANCE OF PERIODIC EMISSION TESTING REQUIREMENTS PER PERMIT TO OPERATE #97-PO-28b CONDITION 36c and TITLE V OPERATING PERMIT #03-VP-01 CONDITION C16.c, KNAUF INSULATION, GMBH, SHASTA LAKE, CA, (AP# 064-150-072/77-79)

The above-referenced violation was documented by Shasta County Air Quality Management District (District) staff. As the legal owner of the property, and holder of District issued Permit to Operate #97-PO-27, you are responsible for conducting activities in compliance with these Permits as well as all other District rules and regulations. Knauf Insulation, GmbH (Knauf) is hereby charged with one violation of Condition #36 of District Permit to Operate #97-PO-28b and one violation of Condition C16 of Title V Permit to Operate #03-VP-01.

California Health and Safety Code allows prosecution either as a criminal action under Section 42400 (General Violations, Criminal) or as a civil action under Section 42402 (General Violations, Civil). Penalties (fines) are specified by these statutes according to the degree of negligence and willful intent. If the violation is pursued as a criminal matter, the code specifies that such a violation is a misdemeanor and is subject to a fine or imprisonment in the county jail for not more than nine months, or both. Each day of violation may subject you to a separate penalty.

IF YOU HAVE ANY QUESTIONS CONCERNING PENALTIES OR PROCEDURES, YOU SHOULD SEEK THE ADVICE OF AN ATTORNEY.

In order to avoid the time and expense of litigation that would accrue to both parties, the District is willing to settle this matter for the sum of **$2,000** in accordance with a Mutual Settlement Policy approved by the Air Pollution Control Board if you meet the following conditions:

1. Submit all data relative to the supplemental RTO source testing conducted on the main stack by June 1, 2009.

2. Remit the above-referenced settlement fee to the Shasta County Air Quality Management District within 15 days of receipt of this letter.

This settlement shall preclude the District from seeking additional penalties with regard to this alleged violation. Although evidence regarding alleged violations may be presented in any judicial or administrative proceeding where pertinent, such settlement shall not constitute an admission of any violative conduct nor shall it be considered such an admission in any judicial or administrative proceeding.

If you wish to settle the matter on this basis, please sign and return the enclosed copy of this letter along with a check for **2,000**, payable to Shasta County AQMD and the source test data. The District will execute a written release from liability, and the matter will be closed without further action.

You may call Ross Bell, Air Quality District Manager, at 225-5674 to request an office conference if you wish to discuss this matter. If we do not hear from you within fifteen (15) days of the date of this letter, we will assume that you are not interested in resolving this matter as outlined, and the District will initiate proceedings in the appropriate court.

Sincerely,

Ross Bell for

Russ Mull
Air Pollution Control Officer

rm/mb

enc.

♦♦♦♦♦

I wish to settle this matter as outlined. Here is my check for $2,000 ~~and the source test data.~~

IAIN JAMES
Name

2/23/09
Date

Shasta County

DEPARTMENT OF RESOURCE MANAGEMENT
1855 Placer Street, Redding, CA 96001

Russ Mull, R.E.H.S., A.I.C.P.
Director
Richard W. Simon,
Assistant Director

March 3, 2009

Iain James, Director of Operations
Knauf Insulation, GmbH
3100 Ashby Road
Shasta Lake, California 96019

Dear Mr. James:

NOTICE OF VIOLATION 09-NV-03

The Shasta County Air Quality Management District (District) hereby acknowledges receipt of your check (#139825) in the amount of $2,000 (receipt #R0900566) as the full payment of the settlement fee for the above-referenced matter.

The District shall not pursue any legal action concerning this matter. This settlement precludes the District from seeking additional penalties with regard to this violation. However, evidence concerning this violation may be presented in any judicial or variance proceeding where it is pertinent. All future activities associated with Permit to Operate #97-PO-28b and Title V Permit to Operate #03-VP-01 must meet the conditions of the permits and comply with District Rules and Regulations.

Thank you for your cooperation in bringing this matter to a close.

Sincerely,

Ross Bell for

Russ Mull
Air Pollution Control Officer

rm/mgb

KNAUF INSULATION

Federal Express Tracking Number:

May 12, 2009

RECEIVED
MAY 20 2009
SHASTA COUNTY AQMD

Mr. Ross Bell
Air Pollution Control Officer
Shasta County Air Quality Management District
1855 Placer Street
Redding, CA 96001

Re: 2009 Variance (Var#08-V-04) RTO Non-Operational Test Results for Manufacturing Line #641

Dear Mr. Ross Bell,

Please find attached one copy of the recent emission test results for Knauf Insulation manufacturing line #641 with the RTO not in operation. The Avogadro Group performed the tests on March 30, 2009.

Our allowable emission limits and tested emission rates in pounds per hour are as follows:

Parameter	Emission Rate (lb / hr)	
	Main Stack Tested	Main Stack Allowable
Total Particulate	8.179	21.6
Nitrogen oxide	1.24	16.5
Sulfur dioxide	- - -	1.0
Carbon monoxide	14.13	22.3
Total Non-Methane Hydrocarbons	4.18	9.0
Phenol	- - -	6.0
Formaldehyde	- - -	2.0
Fluoride	- - -	0.625
Ammonia	8.83	38.0
Ethanol	0.3836	- - -

- - - Parameter not required to be tested.

The process data collected during the individual tests with regard to the oven incinerator temperatures, the water flow rates and pressure drops on the forming scrubbers, the wet ESP parameters, and the opacity readings from the forming are on file at the Shasta Lake facility.

Knauf Insulation GmbH, One Knauf Drive, Shelbyville, IN 46176
Telephone (317) 398-4434, Fax (317) 398-3675, www.KnaufInsulation.com

KNAUF INSULATION

As the data suggests, eliminating the requirement of maintaining a temperature of 1400 degree Fahrenheit in the Regenerative Thermal Oxidizer (RTO) does not have a negative impact on the emission rates or the environment. Based on this information, Knauf Insulation will evaluate the advantages and disadvantages of not operating the RTO and determine if a permit modification application will be submitted to the AQMD for consideration.

If there are any questions, please contact me at your convenience at 1-800-825-4434 ext. 8408 or steve.aldridge@us.knaufinsulation.com .

Respectfully submitted,

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of knowledge and belief, true, accurate, and complete. I am aware that are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Stephen R. Aldridge

Stephen R. Aldridge
Knauf Insulation, Manager Environmental Health and Safety

Cc: Iain James, Director Plant Operations, Shasta Lake, California

Enclosures:

One CD containing 2007 Emissions Compliance Test Report Submittal
Confidential Business Information Packet

KNAUFINSULATION

UPS Tracking Number:

May 27, 2009

RECEIVED
MAY 29 2009
SHASTA COUNTY AQMD

Mr. Ross Bell
Air Pollution Control Officer
Shasta County Air Quality Management District
1855 Placer Street
Redding, CA 96001

Director, Air Division (Attn: AIR-5)
U.S. Environmental Protection Agency Region 9
75 Hawthorne Street
San Francisco, CA 94105-3901

Re: 2009 Operating Permit Compliance Test Results for Manufacturing and Furnace Line #641

Dear Mr. Ross Bell and Director, Air Division,

Please find attached one copy of the recent compliance tests results for Knauf Insulation manufacturing line #641. The Avogadro Group performed the tests on April 1-2, 2009.

Our allowable emission limits and tested emission rates in pounds per hour are as follows:

Parameter	Emission Rate (lb / hr)			
	Main Stack Tested	Main Stack Allowable	Furnace Stack Tested	Furnace Allowable
Total Particulate [1]	21.7	21.6	2.656	1.0
Total Particulate [2]	6.387	21.6		
Nitrogen oxide	3.31	16.5	---	---
Sulfur dioxide	---	1.0	---	---
Carbon monoxide	11.83	22.3	---	---
Total Non-Methane Hydrocarbons	2.48	9.0	---	---
Phenol	---	6.0	---	---
Formaldehyde	---	2.0	---	---
Fluoride	---	0.625	---	0.625
Ammonia	8.2	38.0	---	---

[1] Three test average with obvious contamination in Test Run #1
[2] Two test average with Test Run #1 discarded
--- Parameter not required to be tested.

Knauf Insulation GmbH, One Knauf Drive, Shelbyville, IN 46176
Telephone (317) 398-4434, Fax (317) 398-3675, www.KnaufInsulation.com

KNAUF INSULATION

The data generated demonstrates two areas of concern. The first area of concern is the collected data for the Main Stack total particulate emission rate. The tested average value is one-tenth of a pound over the allowable limit; however, upon further examination of the three individual test runs it is obvious that there was contamination in the front-half probe wash of test run #1. This contamination, most likely from the sampling probe tip coming into contact with the sampling port wall, caused the test run #1 front-half portion to be ten times the average pounds per hour of test run #2 and #3. This can be compared further with the testing that was conducted the day before for the RTO Variance #08-V-04, where the front-half portions of the test runs were 4.198, 6.084, and 5.530 with a test average of 5.271 pounds per hour. The RTO Variance tests were run under identical production conditions – same product and same production rate.

Based on the test run #1 front-half probe contamination and the supporting data from the March 31, 2009, testing, Knauf Insulation is requesting that the District allow the data from test run #1 to be discarded and that test runs #2 and #3 be utilized for the 2009 Main Stack total particulate emission rate average for compliance determination; which would be 6.387 pounds per hour. Alternatively, since the RTO Variance testing was conducted under compliance testing guidelines/requirements, Knauf would propose that the three test runs from March 31 and the two test runs from April 1 be averaged for the 2009 Main Stack total particulate emission rate average for compliance determination. The total particulate average for the combined (03/31 & 04/01) testing would be 7.4626 pounds per hour.

The second area of concern is the emission rate from the Furnace Stack. The emission data demonstrates that greater than 96% of the total emissions are in the back-half condensable aqueous portion. Knauf has been working to assess the potential causes for the increased back-half condensable portion, which appears to be almost entirely inorganic. Some of the possible changes since the last testing are that Knauf has been diligent in its efforts to increase the amount of post consumer cullet in the batch mixture, and has successfully increased the total usage to 50% of the batch mixture. Other possibilities include the receipt and usage of approximately 100 tons of post consumer cullet that was contaminated with fuel coke dust approximately 3-4 days before the testing occurred and the potential artifacts that are created in the back-half portion (aqueous impinger portion) / Method 202 procedure.

Additionally, the California Air Resources Board (CARB) has been working with the glass industry in the State as part of the AB 32 GHG reduction effort to quantify the current level of glass cullet usage. CARB has expressed a strong interest in maximizing cullet usage to take advantage of the lower energy required to melt cullet compared to virgin batch materials. This lower energy demand equates to lower GHG emissions at the point of electricity generation. Knauf utilizes a Cold Top glass melting furnace at the Shasta facility which is electrically fired.

Based on the furnace emission test results, Knauf will be rescheduling a retest as soon as all the potential variables are assessed that may be causing the elevated back-half portion,

Knauf Insulation GmbH, One Knauf Drive, Shelbyville, IN 46176
Telephone (317) 398-4434, Fax (317) 398-3675, www.KnaufInsulation.com

KNAUFINSULATION

including the test method,. At this time, we are anticipating that the retest will take place within two-three weeks. AQMD and EPA Region 9 will be notified as soon as the schedule is set.

Unfortunately, the report submittal has been delayed due to the fact that the emissions report was not received from the testing company in a timely manner. In addition, once the results were known, Knauf has been actively assessing the potential causes and having the data quality checked again by the testing group. Knauf is working with the testing group to address and resolve the untimely delivery of the emission tests data and report.

The process data collected during the individual tests with regard to the oven incinerator temperatures, the water flow rates and pressure drops on the forming scrubbers, the wet ESP parameters, and the opacity readings from the forming and furnace stacks are on file at the Shasta Lake facility. Alarm points within the facility data acquisition system will be adjusted to comply with the parameter set-points established during the tests per NSPS (40 CFR 60 Subpart PPP).

If there are any questions, please contact me at your convenience at 1-800-825-4434 ext. 8408 or steve.aldridge@us.knaufinsulation.com .

Respectfully submitted,

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of knowledge and belief, true, accurate, and complete. I am aware that are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Stephen R. Aldridge
Knauf Insulation, Manager Environmental Health and Safety

Cc: Iain James, Director Plant Operations, Shasta Lake, California

Enclosures:

One CD containing 2009 Emissions Compliance Test Report Submittal
Confidential Business Information Packet

Knauf Insulation GmbH, One Knauf Drive, Shelbyville, IN 46176
Telephone (317) 398-4434, Fax (317) 398-3675, www.KnaufInsulation.com

SHASTA COUNTY DEPARTMENT OF RESOURCE MANAGEMENT
AIR QUALITY MANAGEMENT DISTRICT
1855 PLACER STREET, SUITE 101, REDDING, CALIFORNIA 96001
(530) 225-5674

NOTICE OF VIOLATION
09-NV-17

Violation Date: May 29. 2009 **Time:**

Name/Source: Iain James, Director of Plant Operations
Knauf Insulation GmbH
3100 Ashby Road
Shasta Lake, California 96019

Phone: 275-9665

Location of Violation: Knauf Insulation GmbH, 3100 Ashby Road, Shasta Lake, CA 96019
(AP 064-150-072/77-79)

Pertinent Regulation: Permit 97-PO-27a, Condition 34:

34. Total particulate matter emissions from the stack of the glass melting furnace shall not exceed any of the following emission limitations:

    a. 1.0 pounds per hour

    b. 0.5 pounds per ton of glass pulled

    c. 4.4 tons per year

    The total emissions of fluoride from the glass melting furnace baghouse exhaust shall not exceed 15 lbs/day (0.625 lbs/hr) per District Rule 2:1, Part 301.

Permit 03-VP-01, Condition B2:

B2. PM10 emissions (filterable and condensable) from the Furnace Stack of the combined baghouse discharge exhausts from the glass melting furnace shall not exceed the following emission limitations:

    a. 0.67 lb/hr and 0.07 lb/ton of glass pulled, based on a 3-hour rolling average; and

    b. 2.9 tons per year, based on a 12-month rolling sum.

    [NSR 4-4-4 SAC 03-01, Condition 22]

Explanation of Violation:

On May 29, 2009, the District received a source test report indicating a furnace stack PM10 emission rate of 2.656 pounds per hour from a test performed on April 2, 2009. The test results indicated an exceedance of the pounds per hour and tons per year limit contained in both permits.

The source test report and cover letter also detailed an abnormal particulate run on the Main Stack and the District does concur that this run (4-PM-1) is not indicative of actual emissions and that the two run average should be used for emission inventory and compliance determination.

Issued by:

Ross Bell for

Russ Mull
Air Pollution Control Officer
June 18, 2009

Issued to:

Iain James , Director of Plant Operations
Knauf Insulation, GmbH
3100 Ashby Road
Shasta Lake, California 96019

Shasta County

Office

DEPARTMENT OF RESOURCE MANAGEMENT
1855 Placer Street, Redding, CA 96001

Russ Mull, R.E.H.S., A.I.C.P.
Director
Richard W. Simon,
Assistant Director

June 18, 2009

CERTIFIED MAIL
7007 0710 0003 6455 8171

Iain James, Director of Plant Operations
Knauf Insulation GmbH
3100 Ashby Road
Shasta Lake, California 96019

Dear Mr. James:

VIOLATION 09-NV-17: EXCEEDANCE OF PERIODIC EMISSION TESTING REQUIREMENTS FOR PERMIT TO OPERATE 97-PO-27a and TITLE V OPERATING PERMIT 03-VP-01, KNAUF INSULATION GMBH, SHASTA LAKE, CA, (AP 064-150-072/77-79)

The above-referenced violations were documented in the report submitted by The Avogadro Group, LLC entitled "*2009 Emission Compliance Test Report Knauf Insulation, GmbH Shasta Lake, California*" dated May 13, 2009, and confirmed by Shasta County Air Quality Management District (District) staff. As the legal owner of the property, and holder of District issued Permit to Operate 97-PO-27, you are responsible for conducting activities in compliance with these Permits as well as all other District rules and regulations. Knauf Insulation, GmbH (Knauf) is hereby charged with one violation of Condition 34 of District Permit to Operate 97-PO-27a and one violation of Condition B2 of Title V Operating Permit 03-VP-01. The Notice of Violation is enclosed.

California Health and Safety Code allows prosecution either as a criminal action under Section 42400 (General Violations, Criminal) or as a civil action under Section 42402 (General Violations, Civil). Penalties (fines) are specified by these statutes according to the degree of negligence and willful intent. If the violation is pursued as a criminal matter, the code specifies that such a violation is a misdemeanor and is subject to a fine or imprisonment in the county jail for not more than nine months, or both. Each day of violation may subject you to a separate penalty.

IF YOU HAVE ANY QUESTIONS CONCERNING PENALTIES OR PROCEDURES, YOU SHOULD SEEK THE ADVICE OF AN ATTORNEY.

In order to avoid the time and expense of litigation that would accrue to both parties, the District is willing to settle this matter for the sum of **$10,000** in accordance with a Mutual Settlement Policy approved by the Air Pollution Control Board if you meet the following conditions:

1. Submit a schedule to the district for retesting the furnace stack by July 10, 2009.

2. Remit the above-referenced settlement fee to the Shasta County Air Quality Management District within 15 days of receipt of this letter.

This settlement shall preclude the District from seeking additional penalties with regard to this alleged violation. Although evidence regarding alleged violations may be presented in any judicial or administrative proceeding where pertinent, such settlement shall not constitute an admission of any violative conduct nor shall it be considered such an admission in any judicial or administrative proceeding.

If you wish to settle the matter on this basis, please sign and return the enclosed copy of this letter along with a check for **$10,000**, payable to Shasta County AQMD and include the source test schedule. The District will execute a written release from liability, and the matter will be closed without further action.

You may call Ross Bell, Air Quality District Manager at 225-5674 to request an office conference if you wish to discuss this matter. If we do not hear from you within fifteen (15) days of the date of this letter, we will assume that you are not interested in resolving this matter as outlined, and the District will initiate proceedings in the appropriate court.

Sincerely,

Ross Bell for

Russ Mull
Air Pollution Control Officer

rm/mgb

enc.

RECEIVED
JUL 06
SHASTA COUNTY AQMD

◆◆◆◆◆

I wish to settle this matter as outlined. Here is my check for $10,000 and the source test schedule.

Randall Flemy FOR IAIN JAMES
Name

7/6/09
Date

RECEIVED
JUL 06 2009
SHASTA COUNTY AQMD

Shasta County

DEPARTMENT OF RESOURCE MANAGEMENT
1855 Placer Street, Redding, CA 96001

Russ Mull, R.E.H.S., A.I.C.P.
Director
Richard W. Simon,
Assistant Director

July 7, 2009

Iain James, Director of Operations
Knauf Insulation GmbH
3100 Ashby Road
Shasta Lake, California 96019

Dear Mr. James:

NOTICE OF VIOLATION 09-NV-17

The Shasta County Air Quality Management District (District) hereby acknowledges receipt of your check (144781) in the amount of $10,000 (receipt R0901981) as the full payment of the settlement fee for the above-referenced matter.

The District shall not pursue any legal action concerning this matter. This settlement precludes the District from seeking additional penalties with regard to this violation. However, evidence concerning this violation may be presented in any judicial or variance proceeding where it is pertinent. All future activities associated with Permit to Operate 97-PO-27a and Title V Permit to Operate 03-VP-01 must meet the conditions of the permits and comply with District Rules and Regulations.

Thank you for your cooperation in bringing this matter to a close.

Sincerely,

Ross Bell for

Russ Mull
Air Pollution Control Officer

rm/mgb

Table B-1
Mitigation Monitoring Plan
Knauf Fiber Glass Manufacturing Facility

Impact	Mitigation	Mitigation Implementation			Responsibility	
		One-time	Ongoing	Timing	Mitigation Implementation	Mitigation Monitoring
Air Quality (continued)						
Impacts During Operation						
2. Significant impact on direct plant criteria pollutant emissions (PM_{10}) and ROG emissions from the project.	2a. Conduct periodic source testing determined by Shasta County AQMD. 2b. Secure emissions offsets at a ratio of 1.2:1 for direct PM_{10} emissions exceeding 25 tons per year. 2c. Pave enough roads to achieve an equivalent offset as detailed in the City's roadway analysis in Appendix D. All paved roads would be within approximately 2 miles of the project and would not be associated with the project.		X	Throughout operation of the project	Knauf	Shasta County AQMD
3. Significant impacts on direct criteria pollutant emissions (ROG).	3a. Conduct periodic source testing for all significant pollutants as determined by Shasta County AQMD. 3b. Secure emissions offsets at a ratio of 1.2:1 for direct ROG emissions exceeding 25 tons per year. Offsets could either come from banked credits of from removed emissions from other sources.		X	Throughout operation of the project	Knauf	Shasta County AQMD
4. Significant impact on total plant criteria pollutant emissions (ROG) over the level "A" thresholds.	4a. Implement levels "A" BAMMs (specified in Section 4.2) to reduce emissions of NO_x below the level "A" thresholds. or, Secure additional ROG offsets, acceptable to the AQMD, at a 1:1 ratio achieve the level "A" BAMMs.		X	Throughout operation of the project	Knauf	Shasta County AQMD
5. Significant impacts on total plant criteria pollutant emissions (NOx) over the level "A" and level "B" thresholds.	5a. Implement Level "A" BAMMs (specified in Section 4.2) to reduce NO_x emissions to a level the Level "A" threshold, or,		X	Throughout operation of the project	Knauf	Shasta County AQMD

Table B-1
Mitigation Monitoring Plan
Knauf Fiber Glass Manufacturing Facility

Impact	Mitigation	Mitigation Implementation			Responsibility	
		One-time	Ongoing	Timing	Mitigation Implementation	Mitigation Monitoring
Air Quality (continued)						
	Secure additional NO_x offsets, acceptable to the AQMD, at a 1:1 ratio to reduce emissions to the Level "B" threshold and implement the Level "A" BAMMs to further reduce emissions to the Level "A", or, secure additional NO_x offsets at a 1:1 ratio to reduce emissions to the Level "A" thresholds.					
6. Significant impacts on direct plant pollutant ground-level concentrations (PM_{10}).	6a. No additional mitigation measures available beyond those described in Mitigation Measure 2.	NA	NA	NA	NA	NA
Water Resources						
Groundwater						
Impacts During Construction						
1. Significant impact at the project site from an accidental spill or leak of fuels or chemicals.	1a. Prepare a Stormwater Pollution Prevention Plan (SWPPP) that includes a spill prevention control and countermeasure (SPCC) Element. The SPCC, at a minimum, should include the following: a) Locate staging and storage areas for fuel and liquid materials away from drainageways and other surface water features. b) Line the storage areas with an impermeable material to prevent the release of fuel, oils, grease, or hydraulic fluids in the event of a spill. c) Separate the storage areas from adjacent surface runoff with containment berms having sufficient dimensions to retain the volume of fluids within the storage areas.	X		Prior to award of construction contract/Include this provision in the construction contract	Construction Contractor	City Engineer

AIR QUALITY MANAGEMENT DISTRICT HEARING BOARD

Air Quality Management District Office
1855 Placer Street, Suite 101
Redding, CA 96001
(530) 225-5674

AGENDA
SHASTA COUNTY AIR QUALITY MANAGEMENT DISTRICT HEARING BOARD

Shasta County Administration Center
1450 Court Street, Suite 263, Redding, California

Thursday, February 18, 2010, 1:30 p.m.

TO ADDRESS THE BOARD DURING OPEN TIME: Persons wishing to address the Board should fill out a Speaker Request Form prior to the beginning of the meeting (forms are available from the District office, 1855 Placer Street, Suite 101, Redding, CA 96001 or at the back of the meeting room). When the Chairman announces the public comment period, please approach the rostrum and, after receiving recognition from the Chairman, give your name and comments. Each speaker is allocated three (3) minutes to speak. Comments should be limited to matters within the jurisdiction of the Board. Pursuant to the Brown Act (Govt. Code Section 54950 et seq.) action or Board discussion cannot be taken on open time matters other than to receive the comments and, if deemed necessary, to refer the subject matter to the appropriate department for follow-up and/or to schedule the matter on a subsequent Board Agenda.

CALL TO ORDER

INTRODUCTIONS

PUBLIC COMMENT PERIOD - OPEN TIME

Persons wishing to address the Board should fill out a Speaker Request Form prior to the beginning of the meeting (forms are available from the District office, 1855 Placer Street, Suite 101, Redding, or at the back of the meeting room). The presentation shall not include any matter that has been or will be the subject of a noticed public hearing before the Board.

APPROVAL OF MINUTES: March 26, 2009

SCHEDULED HEARINGS

R1 Hear and consider granting Proposed Variance 10-V-01, Burney Forest Products, Burney, California. This proposed Variance would allow Burney Forest Products to continue operation of Boilers Number 1 and 2 without the use of the required Nitrogen Oxides (NOx) control system. The purpose of the Proposed Variance is to conduct a detailed engineering study to measure the effectiveness of the NOx control system. The results of the study will be used to determine if modifications can be made to the NOx control system to further enhance its effectiveness. Total operation time without the NOx control system shall not exceed 24 hours per Boiler.

R2 Hear and consider granting Proposed Variance 09-V-01 to allow Knauf Insulation, GmbH the continued production of insulation with the Regenerative Thermal Oxidizer bypassed for testing, and to continue production of insulation with the Regenerative Thermal Oxidizer bypassed and reduced pressure differential across the wet scrubbers for testing. The Variance request is for a maximum period of 12 hours, per test, to allow for emission testing.

R3 Hear final compliance report on 08-V-04, Knauf Insulation, GmbH, Shasta Lake, regarding bypassing the Regenerative Thermal Oxidizer for compliance testing.

ADJOURN

NOTES

1. The Air Quality Management Hearing Board, at their discretion, may limit individual/group testimony time in the interest of facilitating the meeting to allow all persons who wish to comment the opportunity to do so.

2. Documents associated with the agenda are on file and available for review. Direct inquiries to: Air Quality Management District, 1855 Placer St, Suite 101, Redding, CA 96001. Phone: (530) 225-5674.

3. In compliance with the Americans with Disabilities Act, Shasta County will make available to disabled members of the public disability-related modification or accommodation, including auxiliary aids of services, in order for the person to participate in the public meeting. The public should contact the Air Quality Management District, by telephone at (530) 225-5674 or in person or by mail at 1855 Placer Street, Suite 101, Redding, CA 96001 to request a modification or accommodation. Notification five (5) days prior to the meeting will enable the County to make arrangements to provide reasonable accommodations. If requested, this document and other agenda materials can be made available in an alternative format for persons with a disability who are covered by the Americans with Disabilities Act.

The agenda may be viewed on the internet at www.co.shasta.ca.us. Select "County Departments" and next click on Air Quality.

REPORT TO SHASTA COUNTY AIR QULAITY MANAGEMENT DISTRICT

HEARING BOARD

SUBJECT	Public Hearing PETITION FOR VARIANCE 09-V-01, BY KNAUF INSULATION, GmbH TO OPERATE WITHOUT THE REGENERATIVE THERMAL OXIDIZER AND REDUCING SCRUBBER OPERATION	BOARD MEETING DATE 02/18/2010	AGENDA NUMBER R2

RECOMMENDATION: It is recommended that your Board conduct a public hearing to receive testimony on the proposed Variance Petition, 09-V-01, submitted by Knauf Insulation, GmbH. The Variance will allow for the continued operation of the process with the Regenerative Thermal Oxidizer bypassed for testing and reduction of differential pressure in the scrubbers.

SUMMARY/DISCUSSION: Knauf Insulation, GmbH (Knauf) is a wool fiberglass manufacturing facility located in the City of Shasta Lake. The facility manufactures both bonded- and unbonded-fiberglass products. The facility began operation and producing fiberglass insulation on February 4, 2002. The original binder formulation used in the fiberglass production consisted of urea, formaldehyde, and phenol. Both formaldehyde and phenol are listed by the U.S. Environmental Protection Agency (EPA) as hazardous air pollutants. Knauf ran two binder trials with their new Ecose binder, in 2008 that had favorable results. During a shutdown in November and December of 2008, Knauf changed over the binder at the facility from the phenol/formaldehyde binder to the new Ecose binder. On March 30, 2009, Knauf did a series of tests for the main manufacturing line main stack with the Regenerative Thermal Oxidizer (RTO) bypassed.

The Title V Operating Permit for Knauf contains the following conditions:

C4. *Best Available Control Technology (BACT) for the emissions from the fiberglass forming/curing/and cooling section shall be defined as the following emission control technologies capable of meeting the emission standards as specified in Condition C2 of this permit. The Permittee shall install, and thereafter continuously operate whenever fiberglass is being produced, and maintain the following air pollution control devices:*

a) *Forming Sections: Use of combustion controls which minimize peak flame temperatures in the fiber forming process for control of NOx, CO, and SOx. Use of Knauf process technology, six venturi scrubbers on the bonded wool forming line and one venturi scrubber on the unbonded wool forming line (each with a minimum of 10" WC pressure drop), followed by a wet electrostatic precipitator with continuous water spray wash system and four electrical fields (minimum) for the control of particulate matter and reactive organic gases (ROG).*

b) *Curing Section: Use of low NOx/CO burners burning natural gas for the control of NOx, CO, and SOx. Use of one regenerative thermal oxidizer with a minimum temperature of 1475 °F and a residence time of at least 0.75 second for control of VOC and particulate matter. A lower minimum operating temperature, no less then 1200 °F, may be used for the thermal oxidizer if, through emission testing, it is demonstrated to the satisfaction of the APCO and the EPA that a lower temperature offers an equivalent emission control of VOC and particulate matter as provide by the 1475 °F minimum temperature.*

C5. *The owner/operator shall continuously operate and maintain venturi scrubbers for the removal of suspended particulate matter from the cooling section and for the pretreatment of the gas upstream of the wet electrostatic precipitator. The scrubbers prior to the wet electrostatic precipitator shall maintain a minimum gas pressure drop of 10 inches water across the venturi throat and a minimum water flow to each scrubber of 200 gallons/minute. The cooling section scrubber shall maintain a minimum gas pressure drop of 2.0 inches water across the venture throat and a minimum water flow to each scrubber of 50 gallons/minute. The pressure drop and water flow parameters shall be measured and recorded continuously. The solids in the scrubber water shall be removed to the extent necessary and fresh make-up water added as required in order for the Main Stack exhaust to meet the emissions limits in Condition C2 at all times of operation.*

Knauf has applied for a Variance with two parts. The first part of the Variance is to operate the facility with the RTO bypassed for emission testing to quantify emissions from the main stack. The second part of the Variance is to operate the facility with the RTO bypassed and to operate the scrubbers with a pressure differential of less than 10 inches of water column. If the results of the emission testing are favorable, Knauf may petition the EPA Region IX and the Air Quality Management District (District) to modify the Permits to operate the facility without the RTO, to reduce the emissions from the combustion of natural gas, and lower the pressure differential across the scrubbers.

Based on the emission testing done during March 30, 2009, and April 1, 2009, and the maximum duration that the RTO will be bypassed for this test is 12 hours, the change in emissions will be:

	Main Stack Test (lb/hr)	RTO Bypass Test (lb/hr)	Emission Difference (lb/hr)	Emission Change (lbs)
PM	6.387	8.179	1.792	21.504
NO_X	3.310	1.240	-2.070	-24.840
CO	11.830	14.130	2.300	27.600
VOC	2.480	4.180	1.700	20.400
NH_3	8.200	8.830	0.630	7.560

The facility is proposing to reduce the gas pressure differential across the scrubbers to a level that will be determined during the emission testing. Pursuant to a conversation with the manufacturer of the scrubbers, the efficiency of the scrubbers should not vary significantly with a decrease in the differential pressure.

The District recommendation reflects the District's belief that Knauf Insulation, GmbH has presented all necessary information in the request for Variance 09-V-01. The District has evaluated the request to bypass the Regenerative Thermal Oxidizer for testing purposes, and believes that the potential for an increase of emissions during the testing will be minimal. It is the District staff's recommendation that the Board grant the request for Variance 09-V-01 for a maximum period of 12 hours for the RTO bypass test and a maximum of 12 hours for the RTO bypass and scrubber pressure reduction test.

Russ Mull, A.P.C.O.
Director of Resource Management

Attachment: Variance 09-V-01

SHASTA COUNTY AIR QUALITY MANAGEMENT DISTRICT

HEARING BOARD

Allen Krohn, M.D. Chairman
Mike Braden
David Poore
Amy Spencer-Martyn, Esq.

Application of: **IAIN JAMES** **KNAUF INSULATION, GmbH** **3100 ASHBY ROAD** **SHASTA LAKE, CA 96019**	**Order:** **Variance No. 09-V-01** **KNAUF INSULATION, GmbH** **DISTRICT PERMIT #97-PO-28 AND** **TITLE V PERMIT # 03-VP-01** **BYPASS THE REGENERATIVE THERMAL OXIDIZER AND LOWERING THE SCRUBBER OPERATING PRESSURE**

The above-referenced matter came before the Shasta County Air Quality Management District Hearing Board on the **18th** of February 2010, pursuant to Sections 42352, 42353, and 42359, and 42359.5 of the *California Health and Safety Code.*

The Hearing Board has made the following findings:

(a) That the applicant for a Variance is in violation of a rule, regulation, or order of the Air Quality Management District (District).

The applicant is seeking Variance 09-V-01 to shut down the use of the Regenerative Thermal Oxidizer (RTO) for emission testing for a maximum duration of 12 hours, and to shut down the use of the RTO and reduce the differential pressure drop across the venturi scrubbers for emission testing for a maximum duration of 12 hours. Title V Permit #03-VP-01 and Shasta County Air Quality Management District (District) Permit #97-PO-28 state that the RTO shall be operated at all times during the production of fiberglass.

(b) That due to conditions beyond the reasonable control of the applicant, requiring compliance would result in either (1) an arbitrary or unreasonable taking of property, or (2) the practical closing and elimination of a lawful business.

The applicant is requesting a short-term deviation from the normal operations at the facility. By requiring compliance to the applicable Permit Condition, the applicant would not be able to quantify the emissions from the exit of the curing ovens.

(c) That such closing or taking would be without a corresponding benefit in reducing air contaminants.

The applicant has stated that this is not applicable for this Variance. If the Variance is not obtained, the applicant would not do the additional emission testing and would operate the facility in compliance with the Condition of the Permits.

(d) That the applicant for the Variance has given consideration to curtailing operations of the source in lieu of obtaining a Variance.

The applicant has stated that this is not applicable for this Variance. If the Variance is not obtained, the applicant would not do the emission testing and would operate the facility in compliance with the Condition of the Permits.

(e) That during the period the Variance is in effect, the applicant will reduce excess emissions to the maximum extent feasible.

The applicant has switched the fiberglass binder formula to remove the chemicals that are listed as Hazardous Air Pollutants, formaldehyde and phenol. During the emissions testing, the RTO burner will not be in operation, therefore reducing the emissions from the combustion of natural gas.

(f) That during the period the Variance is in effect, the applicant will monitor or otherwise quantify emission levels from the source and, if requested, report these emission levels to the District.

The applicant has verified that there will be emission testing of PM10, NOx, and VOCs during the period that the RTO is bypassed.

THEREFORE, IT IS HEREBY ORDERED THAT:

(a) The Variance shall be issued pursuant to *California Health and Safety Code* Section 42359.5 for a period not to exceed 12 hours per test to allow facility operations without the use of the Regenerative Thermal Oxidizer and reduction in differential pressure drop across the venturi in the scrubbers.

(b) The remaining Conditions of the Permit to Operate and Title V Operating Permit for Knauf Insulation, GmbH will continue to be in full effect during the 12-hour testing period.

(c) Knauf Insulation, GmbH shall submit to the District written verification of the time the RTO is removed from service, the time the RTO is placed back into service, and the duration the RTO is out of service. Knauf Insulation, GmbH shall submit to the District written verification of the time the differential pressure drop is reduced, the time the differential pressure drop is returned to 10" H20, and the duration the pressure drop is less than 10" H20.

(d) Knauf Insulation, GmbH shall submit to the District a copy of the emission testing done during the Variance period.

(e) Knauf Insulation, GmbH shall immediately mitigate any situation causing a public nuisance pursuant to *California Health and Safety Code* Section 42353.

(f) The Hearing Board Chairman has made the necessary findings pursuant to *California Health and Safety Code* Section 42352.

(g) The effective date of this Variance shall be February 18, 2010.

Dated: _____

By: _____
Allen Krohn, M.D., Hearing Board Chairman

This Order was duly entered and a copy thereof mailed to the applicant on: _____

By: _____
Russ Mull
Air Pollution Control Officer

4.1

Report and Recommendations
Reviewed and Approved

City Manager

CITY OF SHASTA LAKE CITY COUNCIL

MINUTES OF THE REGULAR MEETING HELD TUESDAY, FEBRUARY 16, 2010, AT THE JOHN BEAUDET COMMUNITY CENTER, 1525 MEDIAN AVENUE, SHASTA LAKE, CALIFORNIA.

1.0 CITY COUNCIL MEETING - 6:00 p.m.

Mayor Watkins called the meeting to order at 6:00 p.m.
Council members present: Dixon, Farr, Lindsay, Lucero, Watkins
Pledge of Allegiance
Invocation

2.0 AWARDS/ RECOGNITIONS:

2.1. Resolution recognizing and commending the Sunrise Rotary Club for their work in serving our community.

Motion/Vote:

By motion made/seconded (Dixon/Farr), and carried, Resolution CC10-12 was approved.

3.0 COMMUNICATIONS

3.1 **Presentations:**

Presentation by Dr. Andrew Deckert of Shasta County Public Health on the health impacts of marijuana.

3.2 **Public Comment Period:**

Students from the Interact Club of Central Valley High School talked about their service club activities and the upcoming community barbeque fundraiser.

Eric Cassano spoke about alleged Knauf air pollution permit violations and establishing better communications between Air Quality Management District and the city.

3.3 Commission/Committee Reports:

Neva Wacker of the Shasta Gateway Library thanked councilmember Lucero for helping get donations for the library and about a calendar sale fundraiser the library is having.

Henry Hurlhey of the Mosquito Vector Control District gave a brief report.

Steve Morgan of the Parks and Recreation Commission spoke in support of the work that the Parks a Recreation Commission has done and expressed that he would like to see the commission continue.

3.4 City Council Reports/Comments/Correspondence

3.5 Staff Comments/Reports

City Manager Carol Martin gave an update on the status of the Law Enforcement Center project.

Development Services Director Carla Thompson spoke about the Caltrans Complete Streets workshop. She also announced that the Planning Commission would be meeting at 6:00 p.m. on Thursday, February 17, 2010 and are asking for public input regarding the subject of medicinal marijuana cultivation.

4.0 CONSENT CALENDAR

4.1 Approval of the minutes of the regular meeting of February 2, 2010.

4.2 Resolution CC10-13 authorizing Shasta County to submit a regional application to the California Integrated Waste Management Board for a local government Waste Tire Amnesty Event grant for fiscal year 2009/2010.

Motion/Vote

By motion made, seconded (Lindsay/Lucero), the Consent Calendar was approved.

5.0 PUBLIC HEARINGS: None

6.0 OLD BUSINESS

6.1 Discussion and possible action on Resolution approving a Professional Services Agreement with the Economic Development Corporation of Shasta County to conduct a Feasibility Study for a Green Technology Business Park for an amount not to exceed $70,000.

Eric Casano of Shasta Lake made public comment in opposition to the project.

Motion/Vote

By motion made/seconded (Farr/Lindsay), and carried, Resolution CC10-14 was approved.
Noes: Dixon

7.0 NEW BUSINESS

7.1 Discussion and possible action to reappoint Bridget Dirks to a four year term on the Planning Commission.

Motion/Vote

By motion made/seconded (Farr/Lindsay), and carried, Resolution CC10-15 was approved.

7.2 Discussion and possible action on Resolution appointing Patricia Lind to a four year term on the Planning Commission.

Motion/Vote

By motion made, seconded (Lindsay/Lucero), and carried, Resolution CC 10-16 was approved.

7.3 Discussion and possible action on Resolution authorizing a temporary reclassification of electric power charges to Weslfex Pipe Manufacturing from the small industrial rate to the economic development rate.

Motion/Vote

By motion made, seconded (Lindsay/Dixon), and carried, Resolution CC 10-17 was approved.

7.4 Discussion and possible action on Resolution approving a supplemental appropriation in the amount of $800,000 for the City of Shasta Lake Homebuyer Program (HP), funded by the State of California Department of Housing and Community Development Home Program (Standard Agreement 09-HOME-6210

Motion/Vote

By motion made, seconded (Dixon/Lindsay), and carried, Resolution CC 10-18 was approved.

7.5 Discussion and possible action on Resolution authorizing the City Manager to execute an engagement letter extending auditing services with D.H. Scott for Fiscal Years 2009-10, 2010-11 and 2011-12.

Motion/Vote

By motion made, seconded (Lindsay/Lucero), and carried, Resolution CC 10-19 was approved.

7.6 Discussion and possible action on Resolution approving a Change Order Policy for Professional Service Agreements and Construction Projects.

Motion/Vote

By motion made, seconded (Farr/Lucero), and carried, Resolution CC 10-20 was approved.

8.0 COUNCIL/STAFF REPORTS/COMMENTS

8.1 Council Comments/Reports None

8.2 Staff Comments/Reports: None

9.0 ADJOURNMENT

With no further business to come before the City Council, Mayor Watkins adjourned the meeting at 8:32 p.m.

TONI M. COATES, City Clerk

Report and Recommendations Reviewed and Approved

4.2

Carol Martin

City Manager

AGENDA ITEM
City Council Meeting

TO:	**Carol Martin, City Manager**
FROM:	**John Duckett, Assistant City Manager**
DATE:	**February 10, 2010**
SUBJECT:	**Cash & Investment Report for December 31, 2009**
FILE NO:	**F-200-150-015**

RECOMMENDATION:

Staff recommends approval of the attached Cash & Investment Report for the period ending December 31, 2009.

BACKGROUND:

Effective January 1, 1996, California enacted into law Senate Bills 564 and 866, which outline standards and requirements regarding investment activities for local public agencies. Sound investment policies, conservative management of public funds, and quarterly reporting requirements to the governing body were the main focus of this legislation.

The law requires that staff submit an investment report to the City Council (governing body) each quarter that consists of the following information:

- issuers (bank or institution),
- type of investment or description,
- dollar amount,
- interest rate,
- market valuation,
- percent of each investment within the overall portfolio,
- date of maturity.

The source of the valuation of each investment is required to be reported to the City Council. Additionally, a statement indicating the agencies ability, or lack thereof, to meet the next six (6) months cash flow requirements is required.

Each of the criteria listed above has been addressed in the attached analysis of the cash and investments that the City held on December 31, 2009. The source of market valuations has been quoted from documents received from the bank or institution that is the issuer of each of the investments. If staff did not receive this information from the bank or institution, market value has been listed as equal to the carrying amount. Additionally, we have indicated whether funds are "restricted" for a particular purpose. Restricted funds are usually the amount of funds required to service the last debt service payment on a loan or funds for special projects (water improvement project and housing rehabilitation).

On an overall basis, the City of Shasta Lake should be able to meet its cash flow requirements for the next six months.

FISCAL IMPACTS:

None.

ATTACHMENTS:

- City of Shasta Lake Cash & Investment Report
- Resolution for the approval of the December 31, 2009 Cash & Investment Report

DISTRIBUTION:

City of Shasta Lake City Council
City of Shasta Lake Central Files

City of Shasta Lake

Analysis of Cash and Investments

December 31, 2009

Bank or Institution	Description	Amount	Interest Rate	Market Valuation	% of Portfolio	Date of Maturity
North Valley Bank/Union Bank of CA:						
NVB	Checking Acct	$684,492.17	n/a	$684,492.17	2.74%	n/a
NVB	Savings Account	$0.00	0.75%	$0.00	0.00%	n/a
	Tenant Deposit Acct	$430,470.06	n/a	$430,470.06	1.73%	n/a
	U.S. Treasury Notes	$250,000.00	6.510%	$340,782.50	1.00%	08/15/2017
	Petty Cash	$1,700.00	n/a	$1,700.00	0.01%	n/a
Redding Bank of Commerce:						
(Restricted)	Certificate of Deposit	$58,000.00	2.21%	$58,000.00	0.23%	12/24/2010
(Restricted)	Checking Account	$3,669.31	0.20%	$3,669.31	0.01%	n/a
Wells Fargo						
Account #1	Certificate of Deposits	$185,546.40	N/A	$192,176.71	0.74%	N/A
Account #2	Certificate of Deposits	$8,000,039.23	N/A	$7,963,933.70	32.08%	N/A
State of California						
	LAIF-City	$19,031,891.39	Pooled Earnings	$19,031,891.39	76.32%	n/a
	LAIF-Redevelopment	$374,896.87	Pooled Earnings	$374,896.87	1.50%	n/a
Shasta County Trustee						
(Restricted)	LAIF-County	$320,928.60	Pooled Earnings	$320,928.60	1.29%	n/a
Union Bank of California						
(Restricted)	Money Market	$2,685,992.62	7.00%	$2,685,992.62	10.77%	n/a
(Restricted)	Money Market	$908,850.00	2.84%	$908,850.00	3.64%	n/a
	Grand Total	$24,936,437.42		$25,033,850.23	132.08%	

*Restricted = Debt Service Reserve Requirements

It is expected that the City of Shasta Lake will be able to meet its cash flow requirements for the next six months.

10-Feb-10

Finance Director

Date

RESOLUTION CC 10-

A SHASTA LAKE CITY COUNCIL RESOLUTION ACCEPTING THE QUARTERLY INVESTMENT REPORT FOR THE PERIOD ENDING DECEMBER 31, 2009.

WHEREAS, staff is required under Senate Bills 564 and 866 to provide a quarterly investment report to the City Council, and

WHEREAS, the staff has included the issuers, type of investment or description, dollar amount, interest rate, market valuation, the percent of each investment within the overall portfolio, the date of maturity, and

WHEREAS, the source of valuation of each investment has been quoted from documents received from the bank or institution that is the issuer of each of the investments and when not supplied the amount has been listed as equal to the carrying value, and

WHEREAS, on an overall basis, the City of Shasta Lake will be able to meet its cash flow requirements for the next six months.

NOW, THEREFORE BE IT RESOLVED that the Shasta Lake City Council accepts the Quarterly Investment Report for the period ending December 31, 2009.

PASSED, APPROVED, AND ADOPTED this 16th day of February, 2010, by the following vote:

AYES:
NOES:
ABSENT:

_____
GREG WATKINS, Mayor

ATTEST:

_____
TONI M. COATES, City Clerk

Report and Recommendations
Reviewed and Approved

Carol Martin

City Manager

7.1

AGENDA ITEM
CITY COUNCIL MEETING

TO: **Mayor and City Council Members**

FROM: **Carol Martin, City Manager**

DATE: **February 23, 2010**

SUBJECT: **Request by Calvary Chapel/Simpson University**

RECOMMENDATION:

Staff recommends Council approval of a request by Calvary Chapel for the use of city owned property for a 5K run Family Fun Day on April 17, 2010.

BACKGROUND:

Simpson University and Calvary Chapel are working together to put on a 5K run Family Fun Day on April 17th to raise money for an after school program. The event location is at the Calvary Chapel in Shasta Lake. They will be using the Calvary Chapel facilities and parking, and have requested the use of city owned property across the street to put on Family Fun Day events, such as the craft fair, bounce houses, face painting, etc. The City owned property they are proposing to use is the Meade Street Senior Housing lot. Staff has reviewed the request and has no issues with their use of the property.

A Special Event Permit has been approved with the stipulation that if city owned property is used, there will be a requirement to provide an insurance certificate with the City listed as additional insured.

FISCAL IMPACTS:

None

ATTACHMENTS:

Letter from Luke Pettingill of Simpson University.

DISTRIBUTION:

City Council
Assistant City Manager

SIMPSON
UNIVERSITY

To Whom It May Concern,

My name is Luke Pettengill from Simpson University and I am working in conjunction with Calvary Chapel of Shasta Lake; we are currently planning a 5k run Family Fun Day on April 17th in Shasta Lake City to raise money for an after school program held at the church. It is the church's plan to move locations in the next three months and to donate the current building to serve as a Youth Center that will serve as a ministry of Calvary Chapel of Shasta Lake. The center is being established to be a resource to the community, specifically the city's youth as students can come daily to receive help on their homework, to grow in the arts, or to simply hang out.

This event has already received approval for an event permit leaving us left with the task of finding a location. We are requesting your approval to use the lot next to the church that will serve as the future location of a senior housing project. We feel like this would be an ideal location because from a P.R. standpoint, the lot is directly across the street from the church and people can see where we intend to put the center. In addition to the race, this event will include a craft fair, local area vendors, bounce houses, face painting and other activities ideal for families. The lot we are requesting will allow us to use the church for parking and bathrooms, and has a sufficient amount of property to hold all of the activities planned. We would take the responsibility to mow the grass and to clean up the property to have it ready for the event. As I've stated, we want to be a resource to the city and feel that this location will be important in allowing us to this effectively.

If you have any questions please feel free to contact me directly at (530) 356-7100. Thank you for your consideration!

Sincerely,

Luke Pettengill
Student Outreach Intern
Simpson University

Spiritual Formation
Office 530.226.4177
Fax 530.226.4852
2211 College View Drive
Redding, CA 96003
1.888.9.SIMPSON

Report and Recommendations
Reviewed and Approved

Carol Martin

City Manager

7.2

AGENDA ITEM
CITY COUNCIL MEETING

TO: **Mayor and City Council Members**

FROM: **Carol Martin, City Manager**

DATE: **February 23, 2010**

SUBJECT: **Resolution Adopting FY 2009-10 Mid-Year Budget**

FILE: **F-200-050-017**

RECOMMENDATION:

Staff recommends approval of the FY 2009-10 Mid-Year Budget for the City of Shasta Lake as well as the authorization of a loan from the City's Electric Utility in the amount of $133,347 to be repaid with interest when funds borrowed by the State of California are repaid to the City's General Fund.

BACKGROUND:

Staff met with the Finance Committee on February 9, 2010 to review the proposed FY 2009-10 Mid-Year Budget. If Council desires any further budgetary changes, a motion to amend the Mid-Year Budget would be required.

FISCAL IMPACTS:

The Mid-Year Budget revisions include a revenue program of $38,585,848, an expenditure program of $50,140,711 and transfers in and out of $964,732 with a $133,347 loan from the City's Electric Utility to the City's General Fund.

ATTACHMENTS:

- Resolution adopting the FY 2009-10 Mid-Year Budget and electric utility loan.
- Budget Message and Comparative Fund Summary of all funds.

DISTRIBUTION:

- Shasta Lake City Council
- Shasta Lake Redevelopment Agency

RESOLUTION CC 10-

A SHASTA LAKE CITY COUNCIL RESOLUTION APPROVING AND ADOPTING THE FISCAL YEAR 2009-10 MID-YEAR BUDGET

WHEREAS, the City of Shasta Lake annually appropriates funds to conduct the business of the City, and;

WHEREAS, the City Council has reviewed the proposed Mid-Year budget revisions for the Fiscal Year 2009-10, which incorporates revenue projections of $38,585,848, an expenditure program of $50,140,711, and transfers in and out of $964,732 with a loan from the City's electric Utility to the City's General Fund.

NOW, THEREFORE BE IT RESOLVED that the Shasta Lake City Council hereby approves and adopts the FY 2009-10 Mid-Year Budget for the City of Shasta Lake; authorizes the collection of revenues and appropriates the funds necessary to implement its policies, priorities and objectives.

PASSED, APPROVED, AND ADOPTED this 2nd day of March, 2010, by the following vote:

AYES:
NOES:
ABSENT:

_____
GREG WATKINS, Mayor

ATTEST:

_____
TONI M. COATES, City Clerk

MEMORANDUM

TO: Mayor and City Council Members

FROM: Carol Martin, City Manager

DATE: February 19, 2010

SUBJECT: Fiscal Year 2009-10 Mid-Year Budget Message

The City of Shasta Lake fiscal year 2009-10 Mid-Year Budget Update is presented here and includes all of the funds the City anticipates will be received and expended for the balance of the current budget cycle. In most instances, revenue and expenditures are based on known information likely to occur, however, it is important to note that the City is reliant on many factors when making projections for the balance of this fiscal year.

The term roll-over mentioned in this document refers to funds committed for projects in a previous fiscal year and moved to the current fiscal year. In addition, the City Council approved an implementation plan for the management of City's Other Post-Employment Benefits (OPEB). The OPEB requirement for the City relates to retiree health care premiums as required by Governmental Accounting Standards Board Statement 45. Therefore, any fund within the City that has employees will include the approved OPEB expense with the exception of the City's General Fund.

General Fund

General Fund Revenue

In May 2009, the City Council adopted a revised fiscal year 2009-10 budget due to the continued economic downturn. The following table represents recommended General Fund revenue increases and decreases to those revisions adopted by the City Council in May of 2009 for fiscal year 2009-10:

Increases/Reductions to General Fund Revenue Accounts ($)

ACCOUNT	Original Revised	Mid-Year Adjustment	Revised Estimate
ERAF Backfill	205,000	(63,500)	141,500
Sales Tax	385,000	(30,500)	354,500
Sales Tax Compensation (Triple Flip)	145,000	(55,000)	90,000
Building Permits	67,000	6,000	73,000
Grant - Other (Shasta County)	-	20,000	20,000
Field Notice Fee	57,500	7,000	64,500
Miscellaneous Employee Services	47,625	37,375	85,000
Investment Income	75,000	(30,000)	45,000
Other Revenue	4,773,916	6,420	4,780,336
Totals	5,756,041	(102,205)	5,653,836

The above revisions reduce General Fund revenue by $102,205 (1.8%) for fiscal year 2009-10. Although the City continues fiscally conservative budgeting practices, the economy remains anemic across the

country. The above proposes a decrease of $30,500 in sales tax revenues. This is a 7.9% decline from the revised estimate of $385,000 to $354,500 and represents the general reduction in consumer spending that is affecting California cities throughout the state. As a comparison, the City received $330,923 in sales tax revenue in the preceding fiscal year. Other items of note are the reduction of $63,500 in the City's ERAF Backfill account and a decrease of $55,000 in the Sales Tax Compensation account. Both of these revenue streams are also affected by the general reduction in sales tax receipts. An increase of $20,000 for a Healthy Communities Grant from the County of Shasta and $37,375 for Miscellaneous Employee Services accounts are included. The Miscellaneous Employee Services account revenue is from the reimbursement of staff time charged to qualifying grants projects.

Staff continues to monitor the State of California's budget process. At this time, the only item that will have an affect on the City's General Fund revenue will be the implementation of the 2004 Proposition 1A provisions. This will allow the State to borrow property tax funds from cities. These funds would be collected by the counties and transferred to the State. The funds must be repaid with interest to the cities within three years. The City's contribution will be $133,347. It is recommended by staff that the amount loaned to the state by the General Fund be replaced by borrowing the amount from the City's Electric Utility. The General Fund would then repay the Electric Utility the $133,347 with interest when the funds are reimbursed to the City by the State of California. A resolution will be completed for City Council consideration for this loan.

The following are notable changes to expenditures in the City's General Fund:

General Fund Departmental Expenditures

City Council - Decreases to the Health Insurance and the Travel, Meetings & Dues accounts in the amount of $12,475 and $2,500, respectively.

City Manager – True-up of salary and benefit accounts as approved. Decrease of $1,000 to the Travel, Meetings & Dues account.

Development Services – There are several changes resulting in an overall increase of $3,016.

City Clerk Services – An increase of $4,000 for election expenses and an increase of $4,500 for the cost of required advertising requirements.

Central Services – Increase in consulting services of $14,344 representing the expenditures offset by the Healthy Communities grant of $20,000 included in revenue. An increase in Services-Miscellaneous of $27,000 representing an increase in costs paid to the County of Shasta for property tax collection services. Several other increases and decreases to various accounts for an overall expenditure reduction of $2,254.

Capital Outlay – Includes previously approved roll-overs of $50,000 for general plan technical studies and $1,797,610 for the approved construction of the Law Enforcement Center/City Council Chamber project.

Park Services – Reductions of $7,263 to General Maintenance and $14,587 to the Labor Allocation accounts representing the recently Council approved restructuring of the City's Public Works Department.

Recreation – A $10,602 reduction representing the projection of expenditures for the balance of this fiscal year.

Police Services – Includes a reduction of $20,709 in costs allocated from the City's Motor Pool operation representing the recently approved Council restructuring of that department.

Public Services – The department has an overall reduction of $52,421 primarily related to the restructuring of the City Engineer's duties and transferring a greater portion of this position's salary and benefits to the Public Works department.

Excluding the roll-overs of capital expenditures previously approved by the City Council, the City's General Fund expenditures were reduced by $114,426.

Overall the City's General Fund revenue has been decreased $102,205 to $5,653,836 and expenditures increased $1,741,184 to $7,456,074. The increase to the expenditures is primarily related to the roll-over of one-time capital expenditures of $1,847,610.

The following table details recommended General Fund revenue and expenditure increases and decreases for fiscal year 2009-10:

Overall General Fund Changes ($)

Revenue	Amount	Expenditures	Amount
Revised FY 2009-10 Budget	5,756,041	Revised FY 2009-10 Budget	5,690,890
ERAF Backfill	(63,500)	*Council Approved Supplementals*	24,000
Sales Tax Related	(85,500)		
Investment Income	(30,000)	*Mid-Year Expenditure Reductions*	
Grant - Other (Shasta County)	20,000	Recommended by Staff	(114,426)
Miscellaneous Employee Services	37,375	*One-Time Capital Expenditures*	
Misc. Revised Revenue - Increase	19,420	Gen. Plan Tech/Council Cham/GASB45	1,855,610
			-
Revised Revenue Budget	5,653,836	Revised Expenditure Budget	7,456,074

Excluding one-time capital expenditures of $1,855,610, the City's General Fund is projected to have revenue exceeding expenditures of $53,372. The projected fund balance (reserves) at June 30, 2010 is $1,315,467 or 23% of the fiscal year 2010 expenditure budget. The $1,315,467 represents the City's General Fund Reserve balance after the contribution for the City's portion of the new City Council/Law Enforcement Center construction.

Staff continues to monitor the overall economy with a close eye on property and sales tax revenue. Property and sales taxes are the City's most volatile General Fund revenue streams and are most dependent on the general state of the economy. The following table compares General Fund actual revenues received to actual expenditures since fiscal year 2003:

General Fund Actual Revenues vs. Expenditures ($)

Fiscal Year	Revenue	Expenditures	Transfers Out	Over/(Under)
2009*	5,523,804	5,587,065	(22,100)	(85,361) **
2008	5,895,617	5,481,466	(40,000)	374,151
2007	5,608,723	4,933,507	(11,300)	663,916
2006	5,101,924	4,815,031	(53,595)	233,298
2005	5,029,732	4,536,286	(669,019)	(175,573)
2004	4,417,290	3,963,288	(131,889)	322,113
2003	4,035,271	3,704,594	(106,918)	223,759

* FY 2009 Excludes $374,885 in One-Time Capital Projects Expenditures.
** Includes an approximate $50,250 subsidy to the City's internal recreation program.

To date, with all the changes and adjustments recommended by staff and approved by the City Council, the City of Shasta Lake continues to maintain a relative healthy General Fund. However, as the state prepares to balance their budget, the City remains vigilant of the potential impacts that actions taken by the Governor and Legislature may have on the revenue streams of the City.

Special Revenue Funds

Transportation/Trafficway

The State of California again has delayed the Gas Tax distributions for Cities. The July, August and September Gas Tax allocations for the City were delay and paid in October of 2009. The State is currently withholding the November, through March Gas Tax distribution which is scheduled to be reimbursed to the City in April of 2010. This should not cause any immediate cash flow issues for the Traffic/Transportation Fund.

Again the City has been notified by the Regional Transportation and Planning Administration (RTPA) that due to the reallocation of statewide sales tax on gasoline and diesel fuel away from transportation needs, there will be reduced Transportation Development Act (TDA) funding allocated through the RTPA to the City of Shasta Lake. This will have an impact on the City's discretionary transportation funds used for street maintenance. Staff will continue to monitor this area and report any additional information as it becomes available.

Revenue - Increase of $409,000 for the City's share of the American Recovery and Reinvestment Act funding for street projects, and a roll-over of funds in the amount of $656,538 for the approved Montana Safe Routes to Schools grant. An adjustment based on the reduction in projected TDA funds of $195,000 as well as a $20,000 reduction to the Traffic Impact Fee account is included.

Expenditures – Roll-over funds previously approved for the Proposition 1B and Montana Safe Routes to Schools project are included of $376,950 and $656,538, respectively. Other adjustments include the true-up of the City's contribution to the Redding Area Bus Authority.

Plant & Facility Connection Charges

Revenue - The continued downturn in the housing market directly affects the City's Plant & Facility Connection Charge (P&FCC) funds. These funds are collected through new development and are utilized to construct or upgrade facilities. Expenditures in these funds are limited to funds available and revenue received in the current year. The City has four wholly separate funds related to water, electric, wastewater and park services. The funds have been revised to reflect the payment of refunds based on the recently approved City Council resolution authorizing connection charge refunds. Overall expenditure changes are as follows:

Revsions to P&FCC fund expenditures ($)

ACCOUNT	Original Budget	Adjustment	Revised Estimate
Water P&FCC	13,867	4,231	18,098
Electric P&FCC	100,500	3,732	104,232
Wastewater P&FCC (Including trunk capacity)	50,542	38,191	88,733
Parks P&FCC	1,720	42,255	43,975
Totals	166,629	88,409	255,038

Revenue – A reduction of $40,000 to the Wastewater P&FCC fund and an increase of $18,876 to the Park P&FCC account for the receipt of Park Bond grant funds for the completion of the lighting project at Claire Engle Park.

Expenditures – Significant changes include an increase of $38,191 in the Wastewater P&FCC Fund for connection fee refunds of $8,245 and a $29,946 roll-over for the completion of the Wastewater Feasibility Study. The Parks P&FCC Fund includes the addition of $3,379 for connection fee refunds and an addition of $18,876 to the $20,000 already on hand from the Park Bond funds (Grant) for the completion of the lighting project at Clair Engle Park.

Transfers – As part of the 2008 water infrastructure project, the City pledged that $135,000 would be transferred on an annual basis from the Water P&FCC Fund to the Water Fund to assist with the payment of debt service. Due to the economic downturn and the decline in connection fees, this amount will not be available within the P&FCC Fund this fiscal year. Therefore, the transfer has been reduced from $135,000 to $67,500 for fiscal year 2009-10. This transfer reduction will have an adverse impact on the Water Fund as the rate payers are required to contribute to the debt service. This issue was not addressed during the rate analysis completed in June 2009 and will reduce the fund balance from what was initially projected within the Water Fund. This problem may need to be revisited in the future if the funds continue to be unavailable for transfer as originally proposed.

Redevelopment Agency

During the State of California's budget crisis of 2009, the State developed the Supplemental Educational Revenue Augmentation Fund (SERAF). In short, the State intends to divert $1.7 billion in property tax revenues to K-12 schools during the 2009-10 fiscal year and $350 million the next fiscal year. The City's Redevelopment Agency's projected contribution this year is $1,166,708. The budget has been updated to include this amount. The legislation that requires the transfer of these funds to the SERAF is currently pending litigation on the basis that the action taken by the legislature is unconstitutional. This is similar to the lawsuit in which redevelopment agencies prevailed last year. In the event the cities prevail in the lawsuit, $1,000,000 will be transferred to the Street & Street Improvements FY 2010 account. Staff will continue to monitor these proceedings.

The Agency has also committed funding for several capital projects including the completion of the Cascade Boulevard roadway project, a downtown parking lot, a portion of the Safe Routes to Schools – Cabello project, and the Law Enforcement Center project as well as funding for a new parking lot for the Summit City fire station.

Additionally, the Agency is primarily dependent on property tax revenue based on property valuations. Therefore, any property devaluations will have a negative affect on the Agency's revenue steam.

Low & Moderate Housing

Revenue – No changes to the originally proposed budget.

Expenditures – The City's Low and Moderate Housing Fund has minimal changes with the exception of the inclusion of the annual OPEB contribution of $18,062.

CDBG Projects Funds

Revenue – The City is very active in securing Community Development Block Grant (CDBG) funding. The fund includes the City Council approved supplemental appropriation roll-over from the last fiscal year in the amount of $447,500 for the Cultural Resource Center as well as grant revenue for the Housing Element – Historical Context and the City Center Plaza project in the amount of $132,187.

Expenditures – The fund includes the roll-over of $447,607 for the Cultural Resource Center project, $23,687 roll-over for the Housing Element – Historical Context project and a $37,100 roll-over of the previously approved City Center Plaza Project.

Enterprise Funds

Water Enterprise

Revenue – No changes to current estimates.

Expenditures – Includes a true-up for the projected cost of water in the amount of $110,260 for the balance of the fiscal year as well as other miscellaneous adjustments and transfers in the amount of $1,858 for a total increase in expenditures of $112,118 within the fund.

Electric Enterprise

Revenue – Includes a decrease of $700,000 in Sales-Industrial to true-up to actual projected revenue.

Expenditures – Includes a reduction in the cost of purchased power in the amount of $1,150,000 to true-up to actual projections. Increase of $722,502 to the Power Purchase Amortization account. This is a non-cash account that records the annual amortization of previously purchased gas and electrical transmission services.

The capital budget includes the roll-over of $1,000,000 for the replacement of a transformer at the Central Valley Substation as well as an increase/roll-over of $50,000 for the completion of the remote meter reading project and the elimination of $110,000 of Public Benefit funds previously budgeted for hybrid vehicles has been eliminated. The above represents an overall increase in the fund of $693,900.

Additionally, staff will be updating the electric rate model this year to determine the possible need for an increase to electric rates.

Wastewater Enterprise

Revenue – No changes to current estimates.

Expenditures – The operation budget includes various additions and transfers in the amount of $112,061. The bulk of this increase is a $95,268 labor allocation charge reflecting increased maintenance costs associated with recent State mandated sewer inspection requirements.

Industrial Park Enterprise

Revenue - No changes to current estimates.

Expenditures – Miscellaneous decrease in overall expenditures of $10,000.

Internal Service Funds

Motor Pool

Revenue – A decrease of $141,396 in the Cost Transferred In–Motor Pool account. This reduction reflects a cost savings from recently approved personnel changes as well as the savings in the cost of fuel purchases within the fund. The savings was passed on to those funds that contribute to the Motor Pool operation.

Expenditures - The operation budget includes a roll-over of $25,000 for motor vehicle purchases and $60,000 for the diesel particulate filter program.

Public Works

Revenue - A decrease of $12,900 in the Cost Transferred In–Public Works account. This reduction reflects a cost savings from recently approved personnel changes.

Expenditures – Includes a decrease of $12,900 due to a cost savings from recently approved personnel changes.

Conclusion

This is the City's second mid-year budget revision to the 2008-10 Two-Year Budget. The above changes and recommendations have been included in the City's 2009-10 Mid-Year Budget Update and reflected in the following Comparative Fund Summary - All Funds on the following page:

COMPARATIVE FUND SUMMARY-ALL FUNDS - (FY 2009-10)

Fund Category	Restricted Funds July 1, 2009	Funds Available July 1, 2009	Estimated Revenue 2009-10	Operating Transfers In	Operating Transfers Out	Estimated Expenditures 2009-10	Restricted Funds June 30, 2010	Estimated Fund Available June 30, 2010
GENERAL FUND	**208,549**	**3,170,947**	**$ 5,653,836**	**$ -**	**$ 53,242**	**$ 7,456,074**	**208,549**	**$ 1,315,467**
SPECIAL REVENUE FUNDS								
Transportation/Trafficway	695,098	1,621,292	2,726,494	-	-	3,273,351	601,357	1,168,176
Redevelopment Agency	5,136,410	2,225,461	2,992,368	-	789,240	7,603,054	489,234	1,472,711
Low & Moderate Housing	-	2,135,571	20,000	787,490	-	2,531,488	-	411,573
Water Plant & Facilities	-	92,726	63,500	-	67,500	18,098	-	70,628
Electric Plant & Facilities	-	225,003	100,500	-	-	104,232	-	221,271
Wastewater Plant & Facilities	-	463,559	87,000	-	-	88,733	-	461,826
Parks Plant & Facilities	-	31,240	55,376	-	-	43,975	-	42,641
Law Enforcement Grant	-	53,912	100,000	-	-	100,000	-	53,912
CDBG Project Fund	-	107	584,687	5,600	-	586,894	-	3,500
CDBG Housing Rehabilitation	569,858	31,701	226,052	-	1,750	225,195	569,858	30,808
CDBG HOME Program	2,961,279	-	110,976	-	-	110,976	2,961,279	-
	9,362,645	6,880,572	7,066,953	793,090	858,490	14,685,996	4,621,728	3,937,046
DEBT SERVICE FUNDS								
1995 Wastewater Treatment	701,002	-	265,000	-	-	453,845	512,157	-
Rosamond Assessment Dist.	33,017	-	19,713	-	-	19,525	33,205	-
Riddle Road Water Bond	6,560	-	3,325	-	-	3,225	6,660	-
Davis-Grunsky Act Loan	50,309	-	12,707	-	-	11,992	51,024	-
State of California Loan	-	-	-	-	-	-	-	-
	790,888	-	300,745	-	-	488,587	603,046	-
ENTERPRISE FUNDS - DEPRECIATION/AMORTIZATION NOT INCLUDED								
Water	403,567	1,290,842	2,046,000	67,500	-	2,485,654	403,567	918,688
Electric	918,774	13,690,051	19,118,768	53,000	-	20,358,128	918,774	12,503,691
Wastewater	-	534,394	2,120,179	-	53,000	2,280,068	-	321,505
Industrial Park	-	-	103,900	51,142	-	155,042	-	-
	1,322,341	15,515,287	23,388,847	171,642	53,000	25,278,892	1,322,341	13,743,884
INTERNAL SERVICE FUNDS - DEPRECIATION NOT INCLUDED								
Motor Pool	-	294,999	538,671	-	-	600,771	-	232,899
Community Facilities Dist.	-	119,464	74,105	-	-	67,700	-	125,869
Public Works	-	-	1,562,691	-	-	1,562,691	-	-
	-	414,463	2,175,467	-	-	2,231,162	-	358,768
TOTAL ALL FUNDS	**$ 11,684,423**	**$ 25,981,270**	**$ 38,585,848**	**$ 964,732**	**$ 964,732**	**$ 50,140,711**	**$ 6,755,664**	**$ 19,355,166**

Report and Recommendations
Reviewed and Approved

Carol Martin

Executive Officer

RDA 3.1

CITY OF SHASTA LAKE
REDEVELOPMENT AGENCY MEETING

MINUTES OF THE REGULAR MEETING HELD TUESDAY, FEBRUARY 16, 2010 AT THE JOHN BEAUDET COMMUNITY CENTER, 1525 MEDIAN AVENUE, SHASTA LAKE, CA.

1.0 REDEVELOPMENT AGENCY MEETING: Convened at 8:32 p.m.

1.1 Board members present: Dixon, Farr, Hurlhey, Lindsay, Lucero, Watkins

1.2 Toni Coates, City Clerk, reported on Disclosure Statements of direct or indirect property interests within the Shasta Dam Area Redevelopment Project area.

Board Member	Location	Nature of Interest
Lucero	4061 La Mesa	Property owner
Dixon	13604 Shasta St.	Property owner
Watkins	006-810-015 undeveloped parcel	Property owner
Watkins	17549 Flanagan	Property owner
Watkins	17577 Flanagan	Property owner
Lindsay	1435 Rouge Road	Lease

2.0 PUBLIC COMMENT PERIOD: None

3.0 CONSENT CALENDAR

3.1 Approval of the minutes for the regular meeting of January 5, 2010.

3.2 Resolution RDA10-03 authorizing the Executive Director to inform the Shasta County Auditor Controller that the Shasta Lake Redevelopment Agency's Supplemental Education Revenue Augmentation Fund (SERAF) payment of $1,166,708 which, if required, will be paid from the Agency's available reserves.

Motion/Vote

By motion made, seconded (Lindsay/Lucero), and carried, the Consent Calendar was approved.

4.0 NEW BUSINESS

4.1 Discussion and possible action on Resolution approving a supplemental appropriation in

the amount of $281,657 for the City of Shasta Lake Meade Street Senior Housing Project, funded by the U.S. Department of Housing and Urban Development EDI Special Project Resolution accepting the Redevelopment Agency financial audit for fiscal year ending June 30, 2009.

Motion/Vote

By motion made, seconded (Farr/ Lindsay), and carried, Resolution RDA10-04 was approved.

4.2 Discussion and possible action on Resolution authorizing the Executive Director to execute an engagement letter extending auditing services with D.H. Scott for fiscal years 2009-10, 2010-11 and 2011-12.

Motion/Vote

By motion made, seconded (Farr/ Lindsay), and carried, Resolution RDA10-04 was approved.

5.0 ADJOURNMENT

With no further business to come before the Board, Chairman Watkins adjourned the meeting at 9:45 p.m.

TONI M. COATES, Secretary

Report and Recommendations
Reviewed and Approved

Carol Martin

Executive Director

RDA 4.1

AGENDA ITEM
REDEVELOPMENT AGENCY MEETING

TO: **Chairperson and Board of Directors**

FROM: **Carol Martin, Executive Director**

DATE: **February 23, 2010**

SUBJECT: **Resolution Adopting the Shasta Lake Redevelopment Agency FY 2009-10 Mid-Year Budget**

FILE: **F-200-050-017**

RECOMMENDATION:

Staff recommends approval of the FY 2009-10 Mid-Year Budget for the Shasta Lake Redevelopment Agency.

BACKGROUND:

Staff met with the Finance Committee on February 9, 2010 to review the proposed FY 2009-10 Mid-Year Budget. If the Agency desires any further budgetary changes, a motion to amend the Budget would be required.

FISCAL IMPACTS:

The Mid-Year Budget revisions include a revenue program of $3,012,368, an expenditure program of $10,134,542 with internal transfers of $787,490 and a transfer out of $1,750.

ATTACHMENTS:

- Resolution adopting the FY 2009-10 Mid-Year Budget.
- Budget Message and Comparative Fund Summary of all funds attached in City Council materials.

DISTRIBUTION:

- Shasta Lake City Council
- Shasta Lake Redevelopment Agency

RESOLUTION RDA 10

A SHASTA LAKE BOARD OF DIRECTOR'S RESOLUTION FOR THE REDEVELOPMENT AGENCY APPROVING AND ADOPTING THE FISCAL YEAR 2009-10 MID-YEAR BUDGET

WHEREAS, the Redevelopment Agency annually appropriates funds to conduct the business of the RDA, and;

WHEREAS, the Board of Directors has reviewed the proposed mid-year budget for the Fiscal Year 2009-10, which incorporates revenue projections of $3,012,368, an expenditure program of $10,134,542 with internal, transfers of $787,490 and a transfer out of $1,750.

NOW, THEREFORE, BE IT RESOLVED that the Shasta Lake Board of Directors hereby approves and adopts the 2009-10 Mid-Year Budget for the Shasta Lake Redevelopment Agency; authorizes the collection of revenues and appropriates the funds necessary to implement its policies, priorities and objectives.

PASSED, APPROVED, AND ADOPTED this 2nd day of March, 2010 by the following vote:

AYES:
NOES:
ABSENT:

_____
GREG WATKINS, Chair
Redevelopment Agency Board

ATTEST:

_____
TONI M. COATES, Secretary

North Woods Discovery School
Redding's Premier School of
Math and Science

14732 Bass Drive
Redding, California
530-275-5480
FAX 530-275-5416
www.nwds.org

January 25, 2012

RECEIVED
SHASTA COUNTY

FEB 06 2012

DEPT OF RESOURCE MGMT
PLANNING DIVISION

Bill Walker, Senior Planner
Department of Resource Management
1855 Placer Street
Redding, CA 96001

Dear Mr. Walker,

I am writing to share concerns in regard to the potential environmental impact and the negative traffic impact, which the proposed Moody Flats Quarry would have on the students, parents, and staff at North Woods Discovery School. North Woods Discovery School is a K-8 charter school located in the historic Bass School site, which is approximately 1 mile from the proposed entrance to the Moody Flats Quarry. North Woods currently enrolls 215 students.

According to the Record Searchlight, "The quarry would generate 51,765 one-way vehicle trips daily per year, or 489 one-way trips a day." North Woods does not have busses, and therefore private vehicles carry all of our students to and from school twice per day. There is no easy way to access North Woods, except via Wonderland Boulevard, the proposed quarry entrance. Parents and students will be driving in and around those 489 vehicle trips every day. It seems very unlikely to me that the mixing of private vehicles, industrial equipment and diesel trucks on this narrow thoroughfare will not jeopardize the safety of our students, parents, and staff. It could also have a negative impact on enrollment, as parents will not want to transport their children through this maze of traffic, twice daily, just to get their children to school.

The quarry may also have a negative impact on the overall air quality and health of our school's students. Dust from the blasting may impact student health, especially students with asthma. Currently, nine enrolled students have severe asthma and eight or nine others are identified as having mild asthma. The blasting, depending on the distance to the school, could also interrupt the learning environment. Please consider this as you prepare your Environmental Impact Report (EIR).

Thank you for considering the school's needs as you proceed with the EIR.

Sincerely,

John Husome

John Husome

MEMORANDUM

DEPARTMENT OF RESOURCE MANAGEMENT
1855 Placer Street, Redding, CA 96001

Environmental Health	Administration	Air Quality Management
Suite 201	Suite 200	Suite 101
225-5787	225-5789	225-5674
Planning Division	**Community Education Section**	**Building Division**
Suite 103	Suite 200	Suite 102
225-5532	225-5789	225-5761

TO: Bill Walker, Senior Planner, Planning Division

FROM: Donal Jonio, Air Quality Inspector, Air Quality Management DJ

DATE: February 2, 2012

SUBJECT: Moody Flats Quarry Project

In reference to the Planning Division inquiry stated in the attached copy of the Notice Of Preparation document regarding the EIR for the Moody Flats Quarry project, please find attached a copy of a memorandum sent to you from Ross Bell on 03/04/11. The attached memo therefore will be the response by the Air Quality Management District to your inquiry.

Please send any future correspondence regarding this project to me, Donal Jonio. Thank you.

wpd\corresp\memo-aaa.inn

MEMORANDUM

DEPARTMENT OF RESOURCE MANAGEMENT
1855 Placer Street, Redding, CA 96001

Environmental Health
Suite 201
225-5787

Administration
Suite 200
225-5789

Air Quality Management District
Suite 101
225-5674

Planning Division
Suite 103
225-5532

Community Education Section
Suite 200
225-5789

Building Division
Suite 102
225-5761

TO: Bill Walker, Senior Planner
Rick Simon, Assistant Director of Resource Management

FROM: Ross Bell, Air Quality District Manager

DATE: 3/4/11

SUBJECT: Moody Flats Quarry Project

The Shasta County Air Quality Management District has reviewed the Moody Flats Quarry Project Application Package that you recently provided. In response to your February 22, 2011 Request for Review and Comment the District provides the following:

1. The environmental assessment contained a thorough analysis of the project's emissions with the exception of a criteria pollutant background analysis. This analysis should describe the cumulative impact of the project's emissions in relation to current area pollutant concentration within an approximate five-mile radius of the proposed site. The district maintains ambient monitoring stations at Buckeye School for PM 10 and PM 2.5. Buckeye School is approximately 5.5 miles from the Moody Flats site. The District also maintains a monitoring site for PM 10 and PM2.5 at Toyon School, an ozone monitoring site at the Shasta Lake Fire District station on Lake Boulevard and a PM10 monitoring site at Central Valley High School. These sites are just over 2 miles from the Moody Flats site.

2. The Shasta County AQMD is currently working on the development of a Regional Climate Action Plan (RCAP). It is expected that this RCAP will be completed and adopted within the next year. Since the Application Package indicates that the facility is expected to become operational in 2014, the Moody Flats environmental assessment should include an analysis of how the project meets the goals of the climate action plan.

3. It will be required that the project applicant submit pertinent District Authority to Construct and Permit To Operate application forms and materials. The submitted application materials are necessary for District staff to identify air pollutant emission sources produced in the construction and operation of the project. The applicant can contact the District for the appropriate forms and the applicant can contact District staff at any time for information on completion of the forms. The application materials should be submitted in a timely manner to allow sufficient time for District staff application review and evaluation.

City of Shasta Lake

P.O. Box 777 • 1650 Stanton Drive
Shasta Lake, CA 96019
Phone: 530.275.7460
Fax: 530.275.7406
Website: cityofshastalake.org

February 22, 2012

Bill Walker, AICP, Senior Planner
Shasta County Department of Resource Management
1855 Placer Street, Suite 103
Redding, CA 96001

RE: Proposed Moody Flats Quarry Project

Dear Bill:

As you are aware, the City of Shasta Lake provided a letter to you dated March 23, 2011, identifying issues of primary concern to the City of Shasta Lake based on preliminary review of the application materials for the proposed Moody Flats Quarry. I also presented verbal comments at the Scoping Meeting on January 26, 2012.

To reiterate, the following issues are of primary concern to the City of Shasta Lake based on preliminary review of the application materials:

TRAFFIC / CIRCULATION:

Shasta Park Drive / Digger Bay Road

According to the project description, "A *second site access point will connect to Digger Bay Road, near the northwest corner of the site. This access point will be limited to access for equipment, ANFO (*ammonium nitrate - fuel oil) *delivery, and employee traffic when operations necessitate such access, primarily during North Pit operation. No material transport would occur through this access."*

Access to Digger Bay Road is via State Route 151 (Shasta Dam Boulevard) and Shasta Park Drive. Shasta Park Drive provides access to approximately 50 single-family residences within the City of Shasta Lake and is neither designed nor suitable for commercial/industrial traffic. The existing right-of-way (ROW) width of Shasta Park Drive averages 40 feet, with pavement width ranging from 10 – 20 feet. The standard ROW width for a commercial/industrial roadway is between 64 feet (local) and 66 feet (collector), with a pavement width of 44 – 46 feet. The condition of the road is generally poor, and a section of Shasta Park Drive has a posted speed limit of 15 MPH.

The DEIR should identify annual and maximum daily trip generation rates for Shasta Dam Boulevard and Shasta Park Drive, current and anticipated intersection LOS, proposed mitigation measures and the need for additional ROW to accommodate identified roadway and drainage improvements. The DEIR should indicate what type of vehicular travel will occur on Shasta Park Drive (excavators, scrapers, dozers, drill rigs, water trucks, etc.), and the period of time this roadway will be used.

Also see the discussion under "Fire Hazard / Hazardous Materials" and "Noise" below.

Black Canyon Road

The project description indicates, *"Emergency access to and from the site would not only be provided by the Wonderland Road and Digger Bay Road access points, but also two additional emergency-only access roads… The second emergency access would follow an existing road near the southeast corner of the site to Black Canyon Road."*

However, Figure 9 of the project description prepared by Benchmark Resources appears to indicate this emergency access route connects to property to the east rather than to Black Canyon Road. The exact route of this emergency access road needs to be identified.

Black Canyon Road is identified in the Shasta Lake General Plan as a future Residential Collector and currently provides access to approximately 65 single-family residences within the City of Shasta Lake. The existing ROW width of Black Canyon Road averages 40 feet, with the pavement width ranging between 10 – 20 feet. The condition of the road is extremely poor, with a section to the north completely unimproved.

Although Black Canyon Road is proposed only for secondary emergency access, the DEIR should include discussion and identification of improvements required to accommodate heavy equipment and trucks, including any additional ROW needed to accommodate required roadway and drainage improvements.

Traffic Analysis

Traffic counts for SR 151 (Shasta Dam Boulevard), Shasta Park Drive and Black Canyon Road should be conducted during the peak traffic season, which is summer when visitors arrive at Lake Shasta and Shasta Dam. The City is concerned with impacts to the intersection of SR 151/Shasta Park Drive/Twin Lakes Mobile Home Park and requests the DEIR identify appropriate mitigation measures to address vehicular, pedestrian and bicycle safety. Sight distance is a specific concern at this intersection.

Mitigation should also address structural reinforcement of roadways to be utilized by the Project to accommodate the weight and frequency of Project traffic that would utilize City streets, including all City streets to be used for the emergency access route.

AESTHETICS:

The Aesthetics Report prepared by Benchmark Resources, February 2011, states, *"From most viewpoints in the City* (Shasta Lake), *the Project site is completely out of sight because of intervening residential and commercial buildings, natural topography and vegetation. The few areas of the City that would have views of the Project site are residences located within the City's northern limits... Rural residences are scattered in the surrounding vicinity of the Project site. These residences are located primarily to the southwest and southeast with the majority of these residences approximately 2-3 miles away from anticipated surface disturbance."*

It should be noted the City has been processing an application for a proposed mixed use development on property directly east/southeast of the proposed quarry site. The proposed Mountain Gate at Shasta project could include up to 1,148 traditional single-family residential homes, 404 medium density homes, attached or multi-family residences, totaling 1,552 residences and up to 26 acres of commercial and mixed-use development on the approximately 600-acre site.

Residences within the proposed Mountain Gate at Shasta project would be located approximately ¼ mile from the Secondary and Ancillary Processing and Load-Out Area, and less than one mile from the North Pit area. This project should be referenced in the DEIR.

It should also be noted Shasta Lake General Plan Policy C-k states:

> *Establish Route 151 between North Boulevard and Shasta Dam, Shasta Park to Digger Bay, and the existing and future road segment of Wonderland Boulevard (changed to Cascade Boulevard) between Shasta Dam Boulevard and the Mountain Gate Interchange with Interstate 5 as scenic routes.*

The Shasta Lake General Plan also includes the following Implementation Measures:

C-(27) In cooperation with Caltrans and the U.S. Bureau of Reclamation, evaluate the establishment of Route 151 between North Boulevard and Shasta Dam as a designated scenic route.

C-(28) In cooperation with the U.S. Bureau of Reclamation, evaluate the establishment of Shasta Park from Shasta Dam Boulevard to Digger Bay as a designated scenic route.

C-(29) In cooperation with the property owner of the Peri Property *(Mountain Gate at Shasta site)* establish the precise alignment and design section of the future extension of Cascade Boulevard (previously Wonderland Boulevard). The City shall designate the road section as a City of Shasta Lake Scenic Route.

The DEIR should include photo-simulations from additional viewpoints than those indicated in Figure 4 of the Benchmark Resources Report (e.g., additional viewpoints along Interstate 5, State Route 151/Shasta Dam Boulevard, Shasta Park Drive, Digger Bay Road).

In addition, Figures 5a, 5b and 5c of the Benchmark Resources Aesthetics Report appear to depict the Project following reclamation of the site rather than during quarry operations.

The December 27, 2010, Revegetation Plan prepared by Biotic Resources Group states,

> *"The operation is planned for 100 years, although mineral resources are identified that could extend operations. Reclamation of the mining and operations areas will occur when mining is completed."*

To this end, the visual impact analysis needs to include photo-simulations depicting existing conditions, visual impacts during the 100 years of mining operations, and the appearance of the site following revegetation.

In addition, the photographs in Figures 5a, 5b and 5c appear to be taken using a 50-55 mm lens, making the hillsides appear further away than they do to the human eye. New photo-simulations should be completed to more accurately disclose actual visual impacts.

The EIR should also identify all Project alternatives that were considered to minimize aesthetic impacts.

AIR QUALITY:

As stated in the Air Quality Report prepared by Benchmark Resources, December 2009 (Revised February 2011), Project emissions are predicted to exceed Level A and Level B thresholds under certain operating scenarios.

In addition, the report states concentrations of PM_{10} above the California ambient air quality standards (AAQS) are expected to occur over a fairly broad area to the south of the Project site, with the highest concentration occurring just south of the entrance to the Project site access road. The majority of the concentrations in this area are due to estimated fugitive dust emissions from the paved access road. Estimated fugitive emissions from the mine haul trucks also contributed to high predicted concentrations at locations further west along the southern boundary of the site.

As stated above, the proposed Mountain Gate at Shasta project will be located directly east/southeast of the Project site, with residences that would be less than ¼ mile south of the proposed main access route to the quarry. Because the Project's greatest impact from air emissions will be to areas within the City, the DEIR should identify and quantify all feasible mitigation measures prior to Project approval.

FIRE HAZARDS / HAZARDOUS MATERIALS:

As stated in the project description, Shasta Park Drive / Digger Bay Road will be used for equipment delivery, ANFO (ammonium nitrate-fuel oil) delivery, and employee traffic. In addition, Black Canyon Road is designated in the project description as a secondary emergency access route. Both of these areas are located within a Very High Fire Hazard Severity Zone as designated by CAL FIRE.

The City is concerned with the introduction of heavy equipment and the transportation of highly flammable and/or explosive materials within a high fuel load area with limited access and surrounding steep terrain. The DEIR needs to provide the specific type, quantity and frequency of delivery of explosives to the Project site, including all roadways which will be used to transport these materials. In addition, the DEIR must identify an available water source that could be used to extinguish a fire originating on-site.

It should be noted the Shasta Lake Fire Protection District (SLFPD) would be the first responder in the event of an emergency, and they should be consulted during preparation of the DEIR to determine appropriate mitigation measures. Please reference the March 22, 2011, letter from Charles E. Dahlen, Battalion Chief / Fire Marshal with the Shasta Lake Fire Protection District outlining specific concerns.

FLOODPLAIN:

Portions of Black Canyon Road are located within the 100-year flood hazard zone of Salt Creek. Roadway improvements within the floodplain would be subject to compliance with Shasta Lake Municipal Code Chapter 15.04, Floodplain Management.

NOISE:

The project description states Digger Bay Road / Shasta Park Drive would be used *primarily* during North Pit operations. It is anticipated quarry development would begin in the South Pit with reserves sufficient to last approximately 20 to 30 years. However, the project description also states geology, environmental constraints and/or economic factors may require initiation of quarry activities within the North Pit first, or operations within each pit concurrently. The DEIR should identify whether this roadway would be used at times other than during North Pit operations.

The project description also states typical Project operating hours would be from 6:00 AM to 10:00 PM Monday through Friday and 6:00 AM to 3:00 PM on Saturdays.

The November 30, 2009, Environmental Noise Assessment prepared by Bollard Acoustical Consultants, included continuous ambient noise level measurements at five locations (representing seven residential receivers) to quantify the existing ambient noise environment in the Project area.

The Assessment includes noise mitigation options specific to these receivers. Because the highest number of residences will be located within the Mountain Gate at Shasta project in the City of Shasta Lake, the City requests additional mitigation be included to minimize impacts to these future residences as well. In addition, noise impacts from Project traffic on Shasta Park Drive should be addressed in the DEIR.

UTILITIES

Water Supply

According to the Hydrology and Water Quality Analysis prepared by Dr. Andrew Kopania, EMKO Environmental, Inc., anticipated consumptive water needs for the Project range from 65 acre feet per year (AF/yr) at an initial production rate of 500,000 tons per year (tpy) up to 260 AF/yr for a production rate of 2,000,000 tpy. In terms of pumping rates, this represents a range of approximately 60 gallons per minute (GPM), 24-hours per day for 250 operating days per year to produce 65 AF, and pumping at 235 GPM, 24-hours per day for 250 operating days per year to produce 260 acre feet per year.

The report states bedrock in the area typically does not produce sufficient quantities of water to meet this demand due to the limited amount of fracturing in the massive greenstone units. However, the Mountain Gate Community Services District has two wells in the Spring Branch Creek watershed located north of the Project site. These two wells combined produce approximately 350 AF/yr of groundwater (220 GPM) (Lawrence & Associates, 1992).

The report also states an alternative source for Project water supply is retention of local run-off within the quarry pits. The most likely scenario for water supply would include a combination of groundwater wells, with seasonal storage in the quarry basins and/or tailings ponds.

In addition, the City of Shasta Lake has had preliminary discussions with the Project applicant regarding the possible use of the City's reclaimed water at the quarry site. If this is determined to be a feasible option, it should be discussed in the DEIR.

Electric Utility

The project description indicates a diesel generator will be used for temporary start-up electrical energy service. The applicant has also had discussions with the City of Shasta Lake Electric Utility and Pacific Gas and Electric (PG&E) regarding providing electric service to the site. Depending on existing infrastructure of the applicable service provider, new facilities or extension of existing facilities may be required, and this should be addressed in the DEIR.

CUMULATIVE IMPACTS:

The City recommends the County's EIR consultant contact the City for a current list of projects which should be considered in the cumulative impact analysis.

CITY OF SHASTA LAKE PERMITTING:

Depending on specific mitigation measures, the following permits may be required from the City for improvements to Black Canyon Road and Shasta Park Drive:

- Major Project Grading Permit pursuant to Chapter 15.08 of the Shasta Lake Municipal Code
- Floodplain Development Permit pursuant to Chapter 15.04 of the Shasta Lake Municipal Code
- Tree Removal and Replacement Plan, pursuant to Chapter 12.36 of the Shasta Lake Municipal Code.
- Encroachment Permit, pursuant to Chapter 12.24 of the Shasta Lake Municipal Code.

These comments represent the City's concerns based on preliminary review of the application materials. We look forward to reviewing the Draft Environmental Impact Report and submitting additional comments based on more specific project information.

If you have any questions, please feel free to contact me at **530.275.7460** or **cthompson@cityofshastalake.org**

Sincerely,

Carla L. Thompson, AICP
Development Services Director

Enclosures:

- Letter from Carla L. Thompson, Development Services Director for the City of Shasta Lake to Bill Walker, Senior Planner with Shasta County, RE: Proposed Moody Flats Quarry Project, March 23, 2011

- Letter from Tom Miller, Electric Utility Director for the City of Shasta Lake, to Bill Walker, Senior Planner with Shasta County, RE: Moody Flats Quarry Project Electrical Energy Service, March 28, 2011

- Letter from Charles E. Dahlen, Battalion Chief / Fire Marshall, Shasta Lake Fire Protection District, RE: Moody Flats Quarry Project, March 22, 2011

c: Carol Martin, City Manager
Jeff Tedder, City Engineer
Tom Miller, Electric Utility Director
Trent Drenon, Assistant Electric Utility Director
Adrian Rogers, Shasta Lake Fire Protection District
Chuck Dahlen, Shasta Lake Fire Protection District

USDA United States Department of Agriculture
Forest Service

Shasta-Trinity National Recreation Area
Shasta Lake Unit

14225 Holiday Road
Redding, CA 96003
(530) 275-1587
(530) 242-5526 – TDD
www.fs.fed.us/r5/shastatrinity

File Code: 1560
Date: February 10, 2012

Shasta County Department of Resource Management
Bill Walker, Senior Planner
1855 Placer Street, Suite 103
Redding, CA 96001

Dear Mr. Walker:

Thank you for including this office in your scoping for the Moody Flats Quarry Project. Areas of concern that we believe should be explored in depth in the Environmental Impact Report are included below:

- The project area is directly adjacent to the Shasta Unit of the Whiskeytown-Shasta-Trinity National Recreation Area which was congressionally designated for the conservation of certain stated values, as well as for scenic quality and public recreation. Additionally the Interstate 5 corridor adjacent to the project provides the southern "gateway" to this special congressional area.
- Air quality – Will there be an impact to the recreation experiences on Shasta Lake due to fine particulates suspended in the air? Will impacts to air quality potentially limit the ability of federal agencies in implementing important prescribed fire projects?
- Ground Water – Is there a potential for depletion of existing aquifers and how would that affect National Forest lands and uses?
- Invasive Weeds – How will the project and subsequent transportation of materials prevent or mitigate the introduction and spread of invasive weeds over the life of the project; including invasive weeds present currently and future introductions?
- Public safety on Digger Bay Road – For whatever use of this road is designated; what is the capacity of the road and is it adequate? Is there expected to be a mix of commercial and recreational use? If yes, how will public safety issues be resolved?
- Visuals – Will the project negatively impact the scenic quality of the National Recreation Area? Will viewsheds from Shasta Lake or roads and trails be affected?
- Wildland fire – Is there potential for quarry operations and/or subsequent transportation of materials to increase wildland fire ignitions? If so, how will that be mitigated?

- Wildlife – The project appears to affect an important wildlife travel corridor north of the project area. A special study should be considered that analyzes the impacts of the project on the wildlife travel corridor. Particularly, this corridor is a primary travel route for wildlife, as it provides the only forested cover north of the Central Valley and south of Shasta Lake. The federal candidate species Fisher (*Martes pennanti*) has been documented utilizing this area.

- The project as proposed will require installation of a transmission line to supply power to the quarry. If the transmission line crosses National Forest System lands a Special Use Permit must be applied for and approved prior to the installation. This would require compliance with the National Environmental Policy Act.

Thank you for considering our comments in this matter. Please contact Lands and Special Use Administrator, Joe Stubbendick at (530) 242-5539 with any additional questions regarding our comments.

Sincerely,

Kristy Cottini

KRISTY COTTINI
District Ranger

WESTERN SHASTA RESOURCE CONSERVATION DISTRICT

6270 Parallel Road, Anderson, CA 96007-4833 · Phone: (530) 365-7332 · Fax: (530) 365-7271

AGENCY REFERRAL RESPONSE

January 26, 2012

TO: Bill Walker, Shasta County Planning

FROM: Dave Drennan, Director, Western Shasta RCD

RE: Moody Flats Quarry Project, General Plan Amendment 09-002, Zone Amendment 09-13, and Use Permit 09-018, and Reclamation Plan 09-001

The directors of our district have the following comments on the Moody Flats Quarry Project:

AGRICULTURE

Shasta County General Plan
Page 6.1.09 Section 6.1.3 AG Objectives

- Recognition by Shasta County residents that the preservation of agricultural lands for agricultural uses, both large and small scale, is in the public interest because it preserves local and regional food supplies and is an important contributing industry to the Shasta County economy.
- Recognition by Shasta County residents that preservation of agricultural lands, both large and small, provides privately maintained open-space, facilitates a rural lifestyle, and requires community understanding of the problems facing ranchers and farmers.
- Protection of agricultural lands from development pressures and or uses which will adversely impact or hinder existing or future agricultural operations.

Page 6.1.09 Section 6.1.4 Policies

AG – Lands designated on the land use maps as A-G capable of supporting grazing by full-time operators, including existing grazing lands used for this purpose; lands which are not now but could be used for this purpose based on resource characteristics (soils, climate, access to water) and compliance with the applicable parcel size minimums.

Lands designated on the land use maps as AC or AG shall be principally used for grazing and crop production. In addition, lands so classified may be used for residential purposes accessory to the principal use, limited to family member housing and farm labor housing.

Any proposed division of lands shall be for exclusive agricultural purposes, except in the case of family member residences or family member financing.

EROSION CONTROL

We encourage the County to incorporate adequate erosion and sediment control measures to provide minimum requirements to control water quality impacts from accelerated erosion due to construction activities. We urge the County to insure the developer follow those standards and if none are in place, we reference those published in the "County of Shasta Erosion and Sediment Control Standards Design Manual." In particular, following the principles detailed in that document, such as:

- minimize disturbance and soil exposure by retaining natural vegetation adopting phased construction techniques and using temporary cover;
- vegetate and mulch all denuded areas to protect the soil from winter rains;
- utilize proper grading, barriers, or ditches to minimize concentrated flows and divert runoff away from denuded slopes or other critical areas;
- minimize the steepness of slopes and control the length of slopes by utilizing benches, terraces, contour furrows, or diversion ditches;
- keep any sediment on-site by utilizing sediment basins, traps or sediment barriers;

PRE-DEVELOPMENT FUELS TREATMENT

We feel the rezone permit should in some way address hazardous fuel problems before development is permitted to proceed. The California Fire Plan, published by the State Board of Forestry, states: "The public doesn't sufficiently understand the risks and impacts of wildfires on natural resource assets, structures and people living and recreating in California wildlands. Agencies have not adequately communicated those risks."

Past fire seasons bring to light more than usual the importance of reducing the fuel hazard in areas where homes are built before development occurs, so that the level of maintenance needed to minimize the fuels from again reaching hazardous conditions, is reasonable. We believe that the County is the lead agency responsible for assuring new residents moving into wildland areas within the city limits are initially protected by pre-development fuels management and are educated through the permitting process so they do not unknowingly choose to live in areas where natural accumulations of fuel put them, their homes and families, at significant risk.

We suggest the County include pre-development fuels management in the permit requirements in order to create a fire-safe development before homes are built. In doing so, the natural resources in the area will also be more protected.

RIPARIAN AREAS AND WETLANDS

As you know, the degradation of riparian areas and wetlands throughout the valley is recognized as contributors to the changes in surface and groundwater and periodic flooding problems. Riparian habitat provides riverbank protection, erosion control and improved water quality, as well as numerous other values.

STORMWATER RUNOFF

To prevent flooding problems, we feel it is very important this project use Best Management Practices to limit the amount of stormwater runoff from the project site. Unmanaged stormwater runoff causes erosion, downstream flooding, streambank erosion and pollutes waterways. The cumulative effects of stormwater runoff are evident throughout the Redding area. Best Management Practices include retaining vegetation buffers, minimizing the amount of impervious area to the maximum extent possible, cluster development, using landscaping designs that add infiltration capacity or detention/retention.

FIRE ACCESS/EGRESS

Because of the heavy brush loadings and variable terrain of the Project site and its surroundings, fire equipment ingress and egress must be adequate.

From: Kelli Hayward [kellihayward3@aol.com]
Sent: Tuesday, January 17, 2012 9:37 AM
To: Bill Walker
Subject: Moody Flats Quarry
Attachments: Cultural Res Response Ltr.pub

Dear Mr. Walker I am writing to let you know, on behalf of the Wintu Tribe of Northern California, I am opposed to your project and to inform you of the impact your project will have on known cultural resources in the areas described in your letter. We request a copy of the EIR as soon as you get it so we may review it. We request no ground disturbing activities be performed in the areas of cultural significance. I feel mitigation measures may be necessary to discuss this situation in depth. Please feel free to contact me at 530-953-8550 if you have any further questions. I do work and would appreciate it if we could correspond via email as much as possible. I am off work at 4:00 pm and could discuss the issues at hand then.

Under One Sky,

Kelli Hayward Cultural Resources Director

Bill Jeffers
4141 Bursell St.
Shasta Lake, CA 96019
(530) 262-7945
bjeffers@jefferslawoffices.com

Cliff Jacoby
4950 Red Bluff St.
Shasta Lake, CA 96019
(530) 275-4707
cliff.jacoby@yahoo.com

February 13, 2012

Bill Walker
Senior Planner
Shasta County Department of Resource Management
Planning Division
1855 Placer St.
Suite 103
Redding CA 96001-1759

Sent via email to: bwalker@co.shasta.ca.us

Re: Proposed Project Environmental Impact Report—Moody Flats Quarry

Dear Mr. Walker,

The undersigned, Bill Jeffers and Cliff Jacoby, submit this letter to you regarding the proposed Moody Flats Quarry Project (the "Proposed Project".) In this letter we comment upon some of the issues that should be addressed in the pending environmental impact report ("EIR".)

We note that the scope and scale of the Proposed Project is very large. The applicant is seeking a 100-year permit to denude a presently-pristine area of over one square mile on a site immediately adjacent to the City of Shasta Lake, over half of which will consist of two open pits, one of them 800 feet deep. Proposed Project operations include blasting, rock crushing, an asphalt batch plant, a Portland cement plant, a construction materials recycling plant, and rail and truck activities to handle over two million tons of materials each year. The applicant seeks to alter, create and eliminate streams, surface water and ground water. The applicant is seeking zoning changes, general plan changes and various permits.

Assessing a project of this nature requires utmost care and caution, as error, misunderstanding or incomplete information provided during the assessment phase could result in approval of a project that is potentially devastating to the

environment and to everyone who lives in, does business in, owns property in or visits the City of Shasta Lake and Shasta County.

Our comments below are based on our review of the Proposed Project application documents made available to us at your office. We have tried to identify the areas of concern that have the gravest potential impact. Cliff Jacoby, one of the undersigned, has significant experience with hard rock quarry operations, and that experience has helped us, as we hope it will help you, to identify many important areas of concern. However, like other citizens of Shasta County, we rely on our county government to bring to bear the expertise and judgment required to protect us when protection is needed.

Our primary and general comment is that the EIR must be based upon, and convey to any reader, a thorough and detailed understanding of the nature, extent and consequences of all Proposed Project activities and operations. To that end we offer the following specific comments:

The EIR must describe the entire Proposed Project (including each phase or stage) and its environmental impacts with sufficient factual particularity and detail to (i) inform a lay reader of nature and extent of the Proposed Project, and (ii) support the conclusions stated in the EIR. Each assessment or conclusion should expressly refer to the fact or facts set forth in the EIR on which the assessment or conclusion is based, and should reasonably and logically flow from such fact or facts. Where one or more assumptions are used to assess an impact or reach a conclusion, the assumption should be identified as an assumption; the basis for relying on that assumption should be stated; and the extent to which the assumption is critical to the assessment or conclusion should be stated.

In describing the nature and extent of the Proposed Project, the EIR should, among other things, do the following in ways that a lay person can effectively understand: Accurately and clearly depict all Proposed Project activities and operations (including each phase or stage), and describe the environmental and physical context and effects of the Proposed Project by the use of maps, aerial and terrestrial photographs, conceptual illustrations and other illustrations that include but are not limited to the Proposed Project and the environment surrounding the Proposed Project. The description of the Proposed Project should include "before," "during" and "after" depictions and assessments where appropriate to achieve an understanding of the Proposed Project's nature and extent from beginning to end. The EIR should contain a comparative, real-world analysis of comparable operations elsewhere.

The EIR should be prepared with appropriate input from qualified persons with significant, relevant, real-world expertise in all activities and operations of the types described in the application documents, including the activities and operations themselves and their environmental consequences. The EIR should identify and describe all such persons, including their background, qualifications, experience and expertise, and the matters regarding which their input is included in the EIR.

Based on the Project Description and our general understanding of quarrying operations, the following consequences will require thorough assessment:

Hydrology. The size and scope of the Proposed Project involves, among other things, proposed surface disturbance of over one square mile; blasting and digging of massive pits; changes to existing watercourses; establishment of facilities to move, hold, import, use and treat water; bare earth exposure and erosion; and various operations which by their nature cause water pollution. These will result (among other things) in the modification, elimination and pollution of surface water, ground water, runoff, streams and aquifers, including those lying both within and outside the Proposed Project boundaries. The Proposed Project will, in general, have profound hydrological impacts. The EIR should identify, describe with particularity and address all such activities, operations and conditions that may have or cause hydrological impacts, and the impacts themselves.

Blasting. The Proposed Project involves significant hard rock blasting. The EIR should describe the blasting with particularity, including methods, magnitude, frequency, seismic transmission, sonic transmission, and other effects. Among the effects that should be assessed are the impact blasting may have on persons and structures located near the Proposed Project (including an assessment of the impact radius), and on aquifers, geology and wildlife. Where applicable, the EIR should state any geological assessments and assumptions.

Dust. The EIR should address the issue of air and water pollution caused by dust. The nature and extent of all dust, all proposed activities, operations and conditions that may generate and mitigate dust, and all potential movement and impacts of dust generated, should be identified and addressed.

Hydrocarbons. The EIR should identify and assess the impacts of all sources of hydrocarbons that may arise from all project-related activities, operations and conditions.

Other pollutants. The EIR should identify and address all sources of air, water and other pollutants, not addressed elsewhere in this letter, that may arise from all

project-related activities, operations and conditions.

Noise. In addition to blasting, the Proposed Project involves the operation of equipment that causes significant noise, including but not limited to rock crushing and the operation of other heavy equipment. The EIR should identify with particularity, and address, all sources of noise that may arise from all project-related activities, operations and conditions.

Miscellaneous consequences. The EIR should identify and assess all other environmental consequences not specifically mentioned elsewhere in this letter, including but not limited to impacts on infrastructure, roadways and traffic, and the effect of lighting to be used in the Proposed Project at night.

Mitigation measures. The EIR should identify and assess all proposed mitigation measures with particularity, and should address the extent to which all mitigation measures may be expected to affect the Proposed Project's environmental impacts. The EIR should identify and address the consequences of any partial or total failure of each mitigation measure, and the extent to which each measure is at risk from both ordinary and extraordinary events or conditions, including but not limited to acts of God, weather, seismic activity and human error. Comparative data should be used to illustrate the likelihood, consequences, remedies and enforcement outcomes of violations of good practices, permit conditions, or law.

Certainty. The EIR should address the degree to which environmental impacts can be accurately identified, predicted and assessed, despite the exercise of diligence and best efforts. This should include an assessment and discussion real-world, practical realities, based where appropriate on actual, comparable activities. As with mitigation measures, the discussion should include the likelihood, consequences, remedies and enforcement outcomes of violations of good practices, permit conditions, or law.

Please contact either of us if you have any questions.

Yours truly,

Bill Jeffers

Cliff Jacoby

February 3rd 2012

Attn: Bill Walker, Senior Planner
Shasta County Dept. of Resource Mgmt, Planning Div.
1855 Placer St. Suite 103
Redding, CA 96001

RECEIVED
FEB 01 2012
COUNTY OF SHASTA
PERMIT COUNTER

RE: 3M/Moody Flats Quarry Proposal

Dear Mr. Walker,

I am grateful for the California Environmental Quality Act (CEQA). This well reasoned Act allows the concerned citizens of Shasta County to receive comprehensive answers for all of our concerns regarding the proposed 3M/Moody Flats Quarry.

I have many questions do to the enormous size and complexity of the proposed project. Thank you for taking the time to address them all.

NOISE

1) If the trains carrying rocks from the quarry are going north after loading, they will need five engines to pull them up the mountains. A significant amount of noise.
   A) How often will they run;
      1)how many days a week?
      2)Are they limited to what time of day to limit noise impact?
   B)What is the sound decimal of these trains?
   C) Is the noise from the track itself when they are running loud enough to be considered a noise pollutant?
   D)How far away will their noise impact the surrounding environment?
   E)What noise mitigation is being considered for this impact?
   F) What studies will be conducted regarding impact of the train noise on surrounding wildlife?

2) My understanding is that it takes 250 pounds of dynamite to blow up a section to be mined.
   A)What decibel is the noise?
   B) How far away would this noise be heard?
   C) The proposed quarry is very large, would this quarry be using larger charges?
   D)If so, how big would those charges be ?
   E) How often would they be detonating?
   F) Would they detonate more than one site at a time?
   G) Would they mine more than one location at a time?
   H)Would the neighbors be notified ahead of these blasts?
   I) What is the immediate impact on the surrounding wildlife of this blasting?
   J) What is the cumulative impact on surrounding wildlife of repeated blasting?

K) What noise mitigation methods are being considered?
L) What is the impact to the water table?
M) What is the impact to the underground surrounding the area?

3) There was some heavy equipment discussed to at the Scoping meeting.
A)How many pieces of heavy equipment?
B) What types of heavy equipment?
C) What types of noise does this equipment make while operating? For example, scraping the rocky hillside.
D) Are the engines from this heavy equipment loud enough to be considered noise pollutants?
E) Is there other noises associated with this equipment, such as a beeping while backing up?
F) How many pieces of heavy equipment would be operating at one time?
G) How many days a week would they operate heavy equipment?
H) What hours would they operate the heavy equipment?
I) What other environmental impacts are being considered regarding this heavy equipment?

4) Noise concerns regarding the aggregate crushing,screening and washing plant:
A)How loud is an Aggregate Crushing Plant?
B) How many sources of noise from that plant?
C) What is the noise decibel at ½ mile away?
D) what is the noise decibel at 2 miles away?
E)What is the noise impact to surrounding wildlife?
F)What are the proposed hours of operation for the crushing plant?
H) What is the impact on wildlife from this plant over the 100 year life of the quarry?
I) What mitigation is being considered to reduce the noise impact from this plant?
J) what noise threshold would make this plant to harmful to allow it's construction?

5) The scoping meeting did not mention the Portland cement concrete plant.
A)How loud is Portland cement concrete plant compared to other industry?
B) How many sources of noise from this plant are there being considered?
C)Is the cumulative impact of these noise sources being considered?
D) Is the noise from the stream of heavy equipment coming and going in the plant part of the cumulative impact considerations?
D) What is the noise decibel at ½ mile away?
E) what is the noise decibel at 2 miles away?
F)What is the noise impact to surrounding wildlife?
G) How far away from the plant are you studying the impact to wildlife?
H)What are the proposed hours of operation for this plant?
I)Is serious consideration being given to minimizing hours of operation to minimize the noise impact?
J) what other mitigation measures are you considering to minimize the noise impact?
K) what noise threshold would cause this plant to be to big of an impact to allow it's construction?

6) An asphalt concrete plant is mentioned on the scoping flier.
A)How loud is an asphalt concrete plant?
B) How many sources of noise does this plant create?

C) Is the cumulative noise impact being considered?
D) What is the noise decibel at ½ mile away?
E) what is the noise decibel at 2 miles away?
F)What is the noise impact to surrounding wildlife?
G)What are the proposed hours of operation for this plant?
H)Is serious consideration being given to making the asphalt plant smaller to minimize its noise impact?
I)What other ideas are being proposed to minimize the noise?
J) what noise threshold would trigger a denial for permission to construct this plant?

7) A recycled building materials processing plant is also mentioned. Since this is a "processing plant" and not just a shed to catch a few left-over building supplies, similar questions need answers:

A)What noise levels can be expected from a recycled building materials processing plant?
B) How many sources of noise are there from this type of plant?
C) Are the noises being considered cumulatively?
D) What is the noise decibel at ½ mile away?
E) what is the noise decibel at 2 miles away?
F)What is the noise impact to surrounding wildlife?
G) what are the cumulative impacts to wildlife over the life of the plant?
H) What ideas are being considered to minimize the noise impact?
I) What noise threshold would qualify this plant as to hazardous to permit?

8) Truck and railroad loading facility: We're all familiar with the piercing sound of a big rig backing up and the deafening rattling of trains rushing by and blowing their horns at intersections.

A) What noise restrictions would be placed on trucks back- up alarms, especially between 7PM and 7AM?
B)What is the maximum number of trucks that would be loading and unloading at one time?
C) What is the cumulative noise impact from that maximum number?
D)During high production times, is there a limit to how many trucks can be idling while they wait to be loaded?
E) What is the noise decibel of the trucks back-up alarms ½ mile away?
F) what is the noise decibel of the trains' horn 3 miles away?
G)What is the noise impact from this loading facility to surrounding wildlife?
The Scoping flier stated loading would be non-stop.
H) Is serious consideration being given to minimizing hours of loading and off-loading to minimize the noise impact?
I) Has a noise barrier around the shipping area been considered to reduce the noise escaping the area?
J) Are there other means being considered to reduce the noise of the shipping area?
K)What is the cumulative impact on surrounding wildlife over the 100 year life of the shipping facility?

ENVIRONMENTAL CONCERNS:

1)How are the three streams running through the property being safeguarded?
2)What agency is involved to protect the existing streams?
3)What method is proposed to contain the rain run-off from the open quarry?
4) What study has been conducted regarding the endangered flower on this site?
5) What mitigation will be implemented to protect the endangered flower?
6) What agency oversees the endangered flower?
7)Has the option of not building the quarry been considered to protect the flower?
8) How is the rain run off from the Aggregate Crushing building being addressed?
9)There are four proposed plants on this site. How much water run-off is projected for each large building?
10)Where will each buildings water run-off be stored?
11)What chemicals or other toxins are used or produced in the aggregate crushing plant?
12)If any chemicals/toxins are identified in regards to the aggregate crushing plant, what is the handling and storage procedure for these chemicals or toxins?
13)If any chemicals/toxins are identified in regards to the aggregate crushing plant, what is the waste disposal plan for the chemicals?
14) What chemicals or other toxins are used or produced in the Portland Cement Concrete plant?
15)If any chemicals/toxins are identified in regards to the Portland Cement Concrete plant, what is the handling and storage procedure for these chemicals or toxins?
16)If any chemicals/toxins are identified in regards to the Portland Cement Concrete plant, what is the waste disposal plan for the chemicals?
17)What chemicals or other toxins are used or produced in the Asphalt Concrete Plant?
18)If any chemicals/toxins are identified in regards to the Asphalt Concrete Plant? What is the handling and storage procedure for these chemicals or toxins?
19)If any chemicals/toxins are identified in regards to the Asphalt Concrete Plant, what is the waste disposal plan for the chemicals?
20)What chemicals or other toxins are used or produced in the Recycled Construction Materials Processing plant?
21)If any chemicals/toxins are identified in regards to the Recycled Construction Materials Processing plant, what is the handling and storage procedure for these chemicals or toxins?
22)If any chemicals/toxins are identified in regards to the Recycled Construction Materials Processing plant, what is the waste disposal plan for the chemicals?
23) If there are any toxic chemicals, what is the emergency plan in case of an accident?
24) Is there any toxic waste that must be transported to an off-site facility?
25) What arrangements have they made for fire protection to protect surrounding wildlife?
26) Rock quarries are notoriously dusty. What mitigation measures are being proposed to to minimize the dust continually landing on plants?
27) What mitigation measures are being proposed to minimize non-stop dust to surrounding waterways?
28) It is my understanding that dust is a major concern in regards to rock quarrys. What studies of the surrounding area is the quarry owner going to implement to safeguard the surrounding environment?

NATIVE AMERICAN INTERESTS

There is a Native American cemetery as well as other culturally sensitive artifacts and sites on and near the proposed site.
1)What experts are consulting with the local tribes?
2) Will there be a separate document addressing their concerns?

SEISMIC CONSIDERATIONS

1)What seismic impacts are there to the surrounding area?
2)What size area should be studied to know the impacts to the surrounding area (5miles?)
3)Are there seismic considerations to consider when operating heavy machinery?
4)What are the immediate impacts seismically?
5)Are there potential cumulative seismic effects?
6)Are there other seismic considerations we should be concerned about?

POLLUTION

1) Is the significant emissions from the trains (especially if they are running 5 engines each) coming in and out of the quarry included in the air quality analysis? Their emissions while waiting and being loaded considered?
2) What type and quantity of pollution does each 250 pound detonation generate?
3) Are the dynamite pollutants included in the air analysis?
4) What type of local water analysis are you conducting? Certainly some of these pollutants would drift into the three pristine creeks on the site.
5) How are the exhaust from the heavy equipment both operating and idling being considered?
6) There is a constant need when operating a quarry to dump the excess from the cement trucks. Where is the dump on this project?
7) Where will the cement mixers on the trucks be washed?
8) Will the water from washing these trucks be contained in a lined pond?
   a) How will this waste water be treated?
   b) If so, is there any other sources of waste water?
   c) How is that other waste water being treated?

9) In order for citizens to participate in the CEQA process effectively, we need to know the size of each plant proposed, the equipment that would be used in each plant, all chemicals used in the process (and their disposal) and all air and water emission. We would also require a map showing the locations of these proposed plants on the site. Could you provide that information?

As the lead agency on this permit, I would also like to ask why the various federal agencies are not involved in this project yet? Why is Shasta Lake City, whose boarder is joined at the hip to the facility not the lead agency? They would likely be supplying the water, electricity and some of the access roads to the project as well as several acres of the project actually being located in the city limits. They are the closest town to respond to haz-mat emergencies and fires as well.

It is my opinion the project is being placed just outside of the City of Shasta Lake to avoid the oversight such an enormous and complex project must receive. However, the City of Shasta Lake does have jurisdiction in this project because there are several acres inside the city limits attached to this project and a road *within city limits* was identified by the facilitator of the Scoping meeting as being used by the project to bring in fuel and explosives as part of the operation.

This is a substantial project both is size and complexity. There are four proposed plants for which we have not been given the most fundamental information. Where are they to be located on the site? What type of heavy equipment? How large are these buildings? What chemicals are used? How much traffic going to and from the site daily ? I attended the scoping meeting, and the participants were not given enough information to understand the project so that we could effectively participate.

The Federal EPA has officially recognized the City of Shasta Lake as an Environmental Justice Community. Federal agencies must be brought into this project immediately. Not to do so now, would require the permitting process for the project to start from the beginning once they are involved.

Thank you and I look forward to working with you.

Robert W. Atwood
248 Boulder Cr Dr #8
Redding, Ca 96003

Bill Walker
Planning Division

Jan 23, 2012

I live at 14073 Old Oregon Trail (Mt. Gate)

My Concerns:

1.) Have they checked the area for Hazardous RADON?
We could be exposed to this in our area from all the
Digging, Ect. And the effects on our health.

2.) The noise from all the trucks running 24 hrs., back and forth.
Noise from all the digging, dumping, and machines.

3.) We all moved out here where the air is cleaner and the
Peacefulness of the quiet and health reasons.

I APPOSE THIS PROJECT THAT COULD EFFECT THE
MT. GATE AREA

Home Owner,

Brenda Bell

Brenda Bell

RECEIVED
SHASTA COUNTY

JAN 25 2012

DEPT OF RESOURCE MGMT
PLANNING DIVISION

Department of Resource Mgr.
Planning Division

Attn: Bill Walker

Subject: Opposition to General Plan Amendment

Shasta Lake has come along way from a damworkers squatters town to nice, attractive functional town. I am opposed to any changes in the General Plan...I feel the Suburban Residential designation should be left in tact. Shasta Lake is a nice residential area to live. Residents are here because of the beauty, peace & quiet, clean air...a good place to settle & raise families. The change in the General Plan threatens the environment for us severely. If we wanted industrial or mining we would have gone elsewhere. Protect our environment from air pollution, noice pollution, Particulants. The proposed quarry project is too close to an already populated area.

Phyllis B. Beyer 1-18-12

Phyllis B. Beyer

RECEIVED
SHASTA COUNTY

JAN 19 2012

DEPT OF RESOURCE MGMT
PLANNING DIVISION

Phyllis B. Beyer
14273 Lake Blvd.
Shasta Lake, CA
96019

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18 JAN 2012 PM 1 T

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SHASTA COUNTY

JAN 19 2012

DEPT OF RESOURCE MGMT
PLANNING DIVISION

Shasta County Dept. of Resource Management
1855 Placer St., Suite 103
Redding, CA, 96001

Attn: Planning Division
Bill Walker

96001+1753

RE MOODY FLATS QUARRY

RECEIVED
FEB 06 2012
COUNTY OF SHASTA
PERMIT COUNTER

No quarry in Shasta lake, You guys need to go where no one lives. Cali is so big and your choosing to place it In a town that doesn't need it and or wants it. I ride out there, look at that MT. side every day, and enjoy ~~its~~ its beauty. Go where you wont be disturbing anyone or thing.

Beau Bradley

NO QUARRY IN CV

RECEIVED
SHASTA COUNTY
FEB 07 2012
DEPT OF RESOURCE MGMT
PLANNING DIVISION

Jan. 29, 2012

Mr. Walker:

We would like to go on record against the proposed quarry just outside the city of Shasta Lake.

We live in Sugar Lakes Mobile Home Estates which is a large senior park. There are many people living in here who already have breathing problems, many of which are on oxygen. It is a lovely park with walking trail and ponds so many of us spend a lot of time outside. This is a retirement community so with very few exceptions we are home all day. I'm afraid the noise and air pollution would have a very negative impact on our quality of life, as well as

decreasing the value of our property in an already depressed market.

In addition, the railroad tracks that run very close to one end of our park would certainly impact the noise level when the additional cars are added to the twice daily runs.

Please seriously consider rejecting this proposal that would have such a negative impact on just the 250+ residents of this park only, let alone all the surrounding homes.

RECEIVED
SHASTA COUNTY

FEB 07 2012

DEPT OF RESOURCE MGMT
PLANNING DIVISION

Sincerely,
Carolyn Burdick
Carmon Courtin

Carolyn L Burdick
Spc 120
3304 Shasta Dam Blvd
Shasta Lake, CA 96019

REDDING CA 960
09 FEB 2012 PM 1 T

USA FOREVER

Mr. Bill Walker
Dept. of Resource Mgmt
Planning Division
1855 Placer St., Ste. 103
Redding, CA. 96001

From: CINNAMON KERN [ckkern@live.com]
Sent: Saturday, February 04, 2012 10:27 AM
To: Bill Walker
Subject: Moody Flats Quarry Environmental Impact Concerns

2-4-12
Mr. Walker:
In the interests of full disclosure, I should tell you I live in Shasta Lake, with barely three residences between my house and the proposed southern boundary of the Moody Flats Quarry. Obviously, that makes it likely that I am expressing opinions about this project based in a desire to avoid increased traffic and noise in my neighborhood. That is, of course, somewhat true, but our family willingly built a house on property adjacent to the railroad tracks, accepting that the noise of trains was part of the package. We easily hear the occasional thump from blasting up at LeHigh Southwest's cement plant. We can usually hear the freeway if we concentrate, and anyone who lives in Shasta Lake can tell you, we have plenty of truck traffic and some noise, especially at night, from the Sierra Pacific sawmill that helped keep this town alive after the dam-building boom busted. This is not a town afraid of industry, and not a town so desirous of peace and quiet that we chase off all industrial concerns, by any means.
The proposed location for the Moody Flats project is of concern to me in large part because of the unique nature of their site. While their proposed access road would start in Mountain Gate, the majority of their project would actually bump up into the foothills to the northwest, putting the plants approximately one mile south of Lake Shasta, bordering on Shasta-Trinity National Forest lands. This area falls into almost a natural bowl, which one might think likely to "contain" some of the more noxious byproducts of "a hardrock quarry, aggregate processing facility, ancillary aggregate product facilities (e.g. ready-mix concrete plant, asphalt batch plant, and recycled construction materials plant) and aggregate truck and railcar loadout facility", all to the tune of 2 million tons of output a year for a proposed 100 years. However, looking at the geography and geology of the land makes it pretty clear that the removal of anything approaching the proposed volume of the project would quickly erode that natural bowl's northern edge into a mere shell left for cosmetic purposes, and actually remove much of the western edge, rendering any natural protection moot. In addition to taking down those foothills and disturbing groundwater, the to-be-expected contamination would enter several small creeks which eventually join the Stillwater Creek and Churn Creek watersheds. Given the close proximity, it is most likely that particulate pollution from the operation will easily cross the less than one mile to the north necessary to enter drainage that feeds into Shasta Lake, and eventually end up in the Sacramento River.
There are already several industrial production facilities infringing upon air and water quality in the county: a temporarily-permitted asphalt production facility to the north of the lake, a long-established cement production facility to the southeast of the lake and several rock-crushing operations to the south. We have balanced as best we can the impact of these with the need to protect our environment. Moody Flats, however, is a location without enough in the way of natural buffer zones to protect the neighboring natural resources, regardless of what zoning changes a company with the resources of 3M can obtain. It has many of the same weaknesses as the proposed and publicly opposed Goat Ranch Quarry project on land to the west of the city, and is objectionable on many of the same bases. In addition, it would actually be closer to the lake, adding to a growing band of industry on the edges of the water reservoir which feeds the Sacramento River, and eventually supplies water to what could easily be half of the state, before entering the delta and then the ocean.
While 3M's proposed site is over 80% land currently designated on the General Plan as Mineral Resource District, this is a mistake, quite possibly dating from years ago when we really didn't have clear understanding of what impact the harvesting of mineral resources actually has on the surrounding environment, and before

the development of many of the more intense mining techniques of today. (Was the original designation perhaps in the same time period when permits were written allowing the cracking of the ground at the Iron Mountain Mine, which has caused years of damage and destruction to the surrounding area and local watersheds?) Instead of rezoning residential areas to allow for more industrial use, we should be rezoning the industrial zones at this edge of the lake in order to best ensure protection for irreplaceable resources: fresh air and water. The protections in place on the national forest land to the north of the Moody Flats property are just a step towards what is really needed, and allowing more industrial development erodes the protections we have spent years trying to build up in order to protect against and reverse the kind of damage done by the mines at Iron Mountain and the smelters at Kennett and Coram, and restore some of the original integrity to the watersheds.

At the very least, it seems the environmental impact study should include historic wind-patterns in the area; origin and endpoint of all creeks, seasonal or not; wildlife migration patterns; the geographic extent of the mineral stores to be “harvested” and the seismology of the area; as well as historic flows and particulate content of water in both Shasta Lake and the Sacramento River. Surely there is a point of no return, when we will have allowed too much contamination for the natural system to accommodate, and surely we have asked almost too much of this system with our past practices and current allowances for industry. It’s time to save some of what we have here in the north state for the people, instead of sacrificing irreplaceable resources for the almighty dollar.

Sincerely,

Cinnamon Kern
1034 Montana Avenue
Shasta Lake, CA 96019
530-275-6022

QUESTION! — WHY! 1-26-12

TO THE EXECUTIVES OF THE RESOURCE MANAGEMENT DIVIS. OF SHASTA COUNTY, AND OF THE CITY OF SHASTA LAKE, AND OF MOODY FLATS QUARRY "L.L.C."

TO HELP ASSURE THE TRANQUILITY OF THE RESIDENTS OF THE CITY OF SHASTA LAKE A LEGAL DOCUMENT MUST BE SIGNED BY ALL OF THE EXECUTIVES OF THE ABOVE MENTIONED ENTITIES.

THEN IF OUR LIVES ARE DISTURBED BY THE QUARRIES POLLUTION, OF NOISE, ODOR, DUST, SILT, SMOKE ETC. THE THREE ABOVE MENTIONED ENTITIES, MUST PURCHASE OUR HOME/HOMES, AT FAIR MARKET VALUE, AND PAY FOR OUR RELOCATION! OK??

QUESTION! — NOW ISN'T THAT A FAIR DEAL????

Edw. Coleman

P.S. QUESTION! - WOULD THIS QUARRY BE BUILT HERE IF WE WERE WEALTHY PEOPLE?

RECEIVED
SHASTA COUNTY
JAN 31 2012
DEPT OF RESOURCE MGMT
PLANNING DIVISION

Mr. Ed W. Coleman
741 Mussel Shoals Ave
Shasta Lake, CA 96019-9780

DEPT. OF RESOURCE MANAGEMENT.
1855 PLACER ST. #103
REDDING CA. - 96001

ATTENTION
PLANNING DIVISION

96001+1753

From: Darria Kosich [dekosich@yahoo.com]
Sent: Tuesday, January 31, 2012 7:49 PM
To: Bill Walker
Subject: Complaint issues regarding Moody Flats Quarry, LLC

Dear Bill,

Thank you for returning my telephone call last week, I am following up with this email. As I explained to you my family and I own property in the specific area (My grandfather opened the first grocery store in that area) and if the quarry was permitted it would further really devalue our propertyand others for several ovious reasons:

1. Horrible Loud noise 24 hours a day, making the enviroment a terrible place to live, and also adding to noise pollution.

2. Greatly Increase pollution and dirty dust.

3. Destroy the awesome views, the fresh clear clean air, and the quality of life.

4. Devalue the area even more.

5. Create unnessary traffic, noise and add more pollution to an area that promotes integrity of Earth.

Thank you for submitting this in advance.

Regards,

Darria Kosich Etal
2292 Stormy Queen Pl.
Santa Rosa, CA 95403

Marcia Kosich

Andria Kosich

Olenda D. Findley
14233 Wintu Way
Redding, CA 96003

ATTN: Bill Walker, Planning Commission
RE: Proposed Moody Flats Quarry

As a resident of Mountain Gate, I'd like to register my objections regarding the proposed ENORMOUS quarry for our area.

Coming from a family whose roots were in mining, may I express my apprehension toward this project?

While working as an assayer in the southwest, my father suffered lung damage, which necessitated a year of rest to recuperate; however, the damage was extensive enough to keep him from serving in WWII. He died at the age of 60 of cancer. My main concern here is to not jeopardize healthy lungs with dust—and there will be plenty from the quarry.

My mother, as well as other members of the family, contracted typhoid fever in a mining community with contaminated water and that led to other illnesses. My mother died at the age of 46. My concern is the quality of water and the monitoring it will require.

While I live a couple of miles east of the proposed quarry, the trains are easily heard. I like trains so I don't mind them; but I'm still glad I don't live any closer. When I think of the CONTINUAL sound of rumbling trucks—24/7--that doesn't go down well. (The auto window replacement business would do well here if this mine goes through.) My concern is the encroaching noise factor, not to mention traffic hazards and congestion.

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FEB 14 2012
COUNTY OF SHASTA
PERMIT COUNTER

My sister was born in a hospital in New Mexico that no longer exists, it being consumed by what is now known as "The Glory Hole." My concern is the negative impact on the surrounding community.

A friend who once lived in Mountain Gate recently paid a visit. Her comment was "What in the world is going on in Mountain Gate? She was referring to the denuded strips of land now very evident. I had been very concerned about the ugliness of it as well. When I used to view Mt. Shasta from the freeway in Anderson, it could take my breath away. Now when traveling up the freeway, I feel a great sadness that a beautiful scene has been marred by strip mining (or so it appears). Now the bare spots are enlarging. This is becoming more evident when traveling north on Old Oregon Trail toward Interstate 5. My concern is the aesthetics of our region. We are so fortunate to have such a beautiful environment in which to live. It would be next to criminal to destroy it…and 100 years? Even my great-grandchildren will not live long enough to see it restored to its natural beauty, if ever.

I am not opposed to most quarries and was surprised that Shasta County already had so many, but the Moody Flats Quarry is too big and too invasive.

Olenda Findley

Mr. Walker

NO To The Moody Flats Quarry LLC. It's a enviro-mental disaster for S.L.C. and the City of Redding. I don't need a report to tell me that.
We will lose as many Jobs that would be gained. There is a cement plant & Two Quarry in the area now. They can't compete with 3-M Corp.
The Tax revenue will probaly, and promise of jobs, buy most of the local Repulicans. I hope not but it almost like the G.O.P's Pipeline.

C. Freiley

RECEIVED
SHASTA COUNTY

FEB 08 2012

DEPT OF RESOURCE MGMT
PLANNING DIVISION

Charles Freiley
667 Washington Ave.
Shasta Lake, CA 96019-9763

REDDING CA 960

07 FEB 2022 PM 1 T

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Shasta County Dept. of Resource Mangt.
ATTN Bill Walker
1855 Placer St. Suite 103
Redding Ca. 96001

96001+1753

From: Georgia Haddon [gardenfriends@att.net]
Sent: Wednesday, February 01, 2012 1:15 PM
To: Bill Walker
Subject: MOODY CREEK EIR - COMMENTS

I am writing to comment on the proposed Moody Creek project in the Mountain Gate Area. At present we have a cement plant and a quarry in this area. I understand the cement plant has cut back on its operations due to the downturn in the economy. If this is the case, why do we need another plant that produces the same product in Mountain Gate?

My seond and more important comment is: Mountain Gate Meadows is a very scenic and beautiful area in the spring, and has been designated as Suburban Residential for a good reason. It lends itself well to development for upper-end homes with large lots. Let's hold out for this type of development and not spoil the area with another quarry.

Georgia Haddon (former Mountain Gate resident)
4510 Trinity Street
Shasta Lake CA 96019

From: abbie barnes [redreddinghood6@yahoo.com]
Sent: Tuesday, January 24, 2012 2:51 PM
To: Bill Walker
Subject: Fw: Shanty Town...quarry town now....

To Ever This May Concern and Bill Walker

I have lived on Lake Blvd for over 30 years and own a little over 10 acres near the dam. Actually i live on the other side of the foot hill where Digger Bay is located.

I can not believe that again...someone had decided that we are Shanty Town Residents and therefore we dont have an IQ over ten!

First it was Knuaff and guess what they are here! And since 2004 I have had health problems that I and others think could be related to that plant being so close to my home. Then there was the Jackson Baker's asphalt plant trying to go in off of Lake Blvd, thank goodness it was stopped. Now as well as fiber glass in out air space we will have noise and more dust...then we really need to attend with...especially with our property values such as they are in this economic time...this would be devastating.

Thinking that i live in a semi rural area and easily going to the grocery store in the town that use to be Central Valley from Summit City where I actually live, the three miles to the store I and every one in Summit City can drive to the store and the few businesses in Shasta Lake Central. How ever I can tell you that if I have to worry about gravel trucks, in a hurry pulling out on to Shasta Dam Blvd I will not enter Shasta Lake at all. I will do my bank in Redding and buy groceries and trade at business on Lake Blvd and Hilltop.

Why would a residential area be turned in to industrial. I noticed once it was completed and all gravel was taken out become a reservoir when would that be, 100 years from now? I have watched that mountain in Mountain Gate decrease in size year after year. Another thing I would like to bring up. I was on the Shasta Lake on a House boat for several years, several days a week. We would dock it near Shasta Dam at night sleep there and pick up people during the day...the 24/7 noise on the Lake is just wrong, The noise would bother the house boat tourist business, and that Road down to Digger Bay Docks is so dangerous, would be so dangerous for anyone wanting to dock their boats with all those gravel trucks coming back and forth on that road.

My conclusion is this, this is not the spot to put a noisy quarry, it is not a place to put a quarry when we are the gateway to the Shasta Trinty National Parks, it is not for a intersection from Digger Bay Rd and Shasta Dam with that large nice mobile home park across the street from with residents that have worked all their lives and now retired and wanting a nice rural area to retire.. We do not need more pollutions noise and particles in our air. We have a nice community now that is getting over the stigma and reputation of being a shanty town, we have a community that we can start being proud of please please lets keep it that way.

Sincerely

Norma Tahash
POBox 5056
Summit City CA 96089

From: Rose Flame [mysecretfires@gmail.com]
Sent: Tuesday, February 14, 2012 11:59 PM
To: Bill Walker; ecassano@shastalake.com; colleenleavitt@aol.com
Subject: 3M Moody Flats EIR Public Comment
Dear Mr. Walker,

Thank you for your kindness at the Scoping Meeting. I found you to be both attentive and polite.

I have only a few questions.

1 Where will the water supply come from? Which water district is 3M in negotiations with that can provide enough water for the entire operation of this project?

2. How much water will this project require in its entire full build out? Please break down the amount by each separate building site.

3. Where will the waste water from manufacturing go to? Please describe the amount to be processed, the method of process and the impact on local wildlife habitat.

4. Will the project utilize water from the Bureau of Reclamation or will a "pre-1914 water right" be invoked/utilized in order to avoid triggering an EIS (Environmental Impact Statement). Use of Centerville water (a pre-1914 water right holder) helped Knauf Fiber Glass (aka Knauf Insulation) from having to undergo a federal EIS back in 2001.)

Rcd@ PC 3/8/12

March 8, 2012

To whom it may concern:

My name is Robert Sampley. I am 55 years old and have lived in the Redding area most of my life. My wife Sheryl and I currently have five generations living in the Redding area. We own our home on 2 acres on Flintstone Ave. in Mt. Gate which borders the 3M property where the proposed Moody Flats Quarry would be located. There are nine other homes on Flintstone Ave. and hundreds of homes in the area. The proposed 3M plant would be right behind our home to the West, and the haul road would parallel Flintstone Ave. just yards from our homes. This property is zoned residential. We should not have to live with a huge plant in our backyards. We should not have to lay in our beds at night and listen to heavy equipment take down the mountains behind us. We should not have to breath the dust and diesel fumes or smell the asphalt plant. We should not have to tolerate our home shaking due to blasting. There are currently no R.R. crossings between Shasta Lake City and Mt. Gate. The trains don't blow their horns here very often. With the proposed plant, added crossings, staging areas, and additional trains the horns would blow day and night. Saddle Back Mountain is a local landmark. If this plant is allowed every place in the Redding area with a view of Mt. Shasta will have a view of a permanent 900 vertical foot scar up the side of Saddle Back Mountain. There is no shortage of aggregate products in Shasta County. The 28 existing plants are struggling waiting for the market to rebound, and have more than enough reserves to meet future demands. The existing gravel plants in close proximity to residential areas are strictly regulated on the hours and days they can operate. We should not have to live with this proposed plant, much less 24 hours a day 7 days a week. This is too much to impose on the people who live in the area. Please ask yourself, would you want this in your backyard?

Yours Truly,

Rob & Sheryl Sampley

From: Sky Scholfield [skyscholfield11@gmail.com]
Sent: Tuesday, February 14, 2012 5:01 PM
To: Bill Walker
Subject: Moody Flats EIR Comment

Attachments: EIR FINDINGS.gif
Hello Bill,

My name is Sky Scholfield I am writing on behalf of Michelle Radcliff Garcia, Art Garcia, Nick Garcia, Vanessa Scholfield, Radley Davis, Jonothan Freeman, Kapuahiloa Freeman, and Miki'ala Catalfano. Each of us are a part of the Wintu tribe.

We would like the County of Shasta Lake to deny the permits to Moody Flats Quarry, LLC due to the attached findings in the EIR.

We have been informed by Bob Burns of Hayfork that the area was previously under construction but shut down by monitors due to cultural artifacts found on site. Relatives and friends have also stated that there are numerous Wintu village sites in the area which we would like to see investigated further.

I have journalism training and would be more then willing to help with that investigation.

Thank you for your time,

Sky Scholfield
Winnemem Wintu
skyscholfield11@gmail.com
530 515 0153

From: Terri Soto [tsoto@stimpel.net]
Sent: Monday, February 06, 2012 2:51 PM
To: Bill Walker
Subject: EIR - Moody Flats Quarry, LLC

Mr. Walker,

I have been a resident of Shasta Lake City (Central Valley) on and off all my life. I have just recently purchased my home in Shasta Lake City, at the end of Eugene St. I have been living there for over 5 years. One of the things I love about my home is the away from the the noise and city atmosphere I have. I work for the Mountain Gate Quarry. I know first hand how loud a crushing plant is. Running 24/7, noway!! Not to mention the blasting. You can here it for miles and the vibrations can be felt for miles as well. As you may have guessed I am totally against the Moody Flats Quarry, and it has nothing to do with the company I work for. Moody Flats will not impact our clientel in anyway. This is strictly a personal thing. I love where I live and I do not want the noise of a quarry, as well as running off the wild life we have in our area. A quarry of the size and scope that is being attempted will ruin the area.

I hope you at least consider my comments.

Sincerely,
Theresa Soto
625 Eugene St
Shasta Lake, CA 96019

From: Debbi Mynatt [gotdaddysear@yahoo.com]
Sent: Friday, February 10, 2012 10:36 PM
To: Bill Walker
Subject: Moody Quarry EIR

Bill Walker
Senior Planner
Shasta Dept. Of Resource Management
Planning Division
1855 Placer Street Suite 103
Redding, CA 96001

February 10, 2012

Dear Mr. Walker,

I attended the EIR meeting concerning the proposed Moody Quarry in Shasta Lake City in January.

The gentleman from DeNovo Planning group had in his information that we have until February 14, 2012 to voice our concerns and ask for other items to be considered in the EIR and that we were to submit them to you.

I am an 8+ year resident in Mountain Gate, residing very near the proposed quarry site and am in hearing distance of the blasting at the existing quarries in the area.

My concerns and the items I would like considered and studied in the EIR are:

1. All chemicals and explosives to be used at, in or transported to and from the quarry site and their possible effects on the people/animals/plants in the area to be affected by the proposed plant.

2. What effect the blasting (40,000 tons per week) itself and subsequent dust and particulate would have on our water wells and quality of water.

3. What effects the dust and particulate has had at other quarries and surrounding cities and will have here in size

comparison to those quarries. Also the amount of dust and particulate that is anticipated to be produced here daily.

4. I would like the decibel levels of noise measured at my house and nearby on Bass Drive, because we already have higher freeway and train noises than other areas in Mountain Gate (i.e. compared to the east side of the freeway). We seem to have a reverberation off of the mountain behind us.

5. What effect the levels of dust, chemicals and particulate in the air from the blasting, asphalt plant and diesel fumes from the trucks and train engines will have on our lung and body health and that of the young children's developing lungs and bodies at Northwoods school on Bass Drive.

6. What effect the initial and ongoing 100 years of blasting may have on the existing earthquake fault lines - one of which runs under Shasta Dam.

7. Study of all standing water in the 1900 acres during the rainy season and the hydrophilic plants that grow there.

8. If there are higher exterior noises allowed in MR zones, how does that apply to/effect the residental zones nearby?

9. Have there been any epidemiology studies on the people/animals/plants done in and around rock quarries and what have they shown?

10. All runoff water, especially during storms.

I am sure that my questions/concerns may have in whole or in part duplicated others, but where they have not, in whole or in part, I wish them to be addressed.

Thank you very much.

Debra L. Mynatt
14654 Bass Drive
Redding, CA 96003-7301

From: Diane Allen [dads8486@yahoo.com]
Sent: Sunday, February 05, 2012 4:47 PM
To: Bill Walker
Subject: Moody Flats Quarry

Attention:Bill Walker Senior Planner Shasta County

I am writing concerning the Moody Flats Quarry. We live on Bass Drive in Mt Gate. Our main concern about the quarry is the time of operations.We live in a rural setting to enjoy the peace and QUIET of the area. If this quarry is allowed to operate from 6am to 10 pm will our peace and Quiet be destroyed? We spend considerable time outside at night during the summer. Will we hear blasting ? We do not hear noise from the other quarries in our area what are they permitted for? Personally we would rather see a quarry than housing in this area but the times of operation are too extensive for our neighborly liking. Also we feel that a 100 year permit is much to long to keep the concerns of the community on the fore front. I recall when Calaveras went in, it was promised to the Shasta Cascade group that the appearance of the mountain on I-5 would not not be altered. Seems as the older people who these promises were made to died the promise was forgotten and not enforced. Giving a 100 year permit for this activity would certainly open for the door for promises made now to be long forgotten and violated in the future. Please consider these concerns as you proceed further on this project. Seems that Shasta County is fast losing its farming and rural lands is that what we really want. ?

Respectfully Diane Allen and Don Streetman

P.S. I propose that all planners of parking lots in our county (especially our cities) drive half ton or larger trucks, wear knee braces and go shopping every day for one month. Do we really need such small parking places. We do not all drive compact cars. Please pass this on to your cohorts in the city planning departments!

From: Gary Fodge [gandjfodge@att.net]
Sent: Wednesday, January 18, 2012 4:59 PM
To: Bill Walker
Subject: Moody Flats Quarry,LLC.

To: Mr. Bill Walker, January 17, 2012 We live at 3920 La Mesa Ave. Shasta Lake , Ca. We do not wont this Moody Flats Quarry put in. As it is we have the wood mill and the fiberglass plant in our back yard and it is hard to breath as it is. The dust or what ever you wont to call it comes into our house and is all over our truck everyday. I have COPD so I dont need the extra dust that a cement plant will put in the air. If you put this plant in it will be an eye sore and very dusty. I am not the only person that has problems breathing but you can bet there are many more people who have the same problem. you are taking some of the prettest property and are going to turn it into a pit. what about the creeks and the lake near by? where do you think all the dust and the water from your wash plant are going to go? Right into the creeks and the lake. how about the fish , birds and other wildlife. they get to breath and eat that too, until they all die from the pollution that this cement plant will be putting in our water way and air. We will be at your meeting on January 26,2012 at The John Beaudet Community Center. Please do'nt pass this it is not good for anyone in the city of Shasta Lake. Mr. and Mrs. Gary W. Fodge

From: Gienapp, Gordon R [GGienapp@usbr.gov]
Sent: Friday, January 27, 2012 12:57 PM
To: Bill Walker
Subject: Moody Quarry

I own 2 parcels that will only be some 200 to 300 feet from the south boundary line to the Moody project. I've lived there for over 20 yrs. And in the city for over 30. To the point, noise, dust, blasting and the effect this project could have on ground water. Both of my properties are on a well, this is a real concern. Dust is going to be a real issue as the north wind blows a good part of the time and the end of the valley it is like a boxed canyon, this will put the dust plume right over my properties. I don't believe the corporations when they will say this is a controllable situation by wetting the roads or what-ever. Blasting right in our back yard, what a joke. Remember when you could here the government blowing up old ordinance from Susanville. Ask any of the old timers they should remember the rumble around 2-45 on some days. Should we check our foundations now for the law suites, or am I jumping the gun. The train is a distance from our location but some times when the atmosphere is just right the noise travels like it's in the living room of the house. Is this the twenty four seven you are talking about loading the cars and trucks. I'am also totally against the re-zoning, my answer is NO. This zoning change would affect my families life and quality of life for generations to come, DON"T buy into it. We need the jobs what we don't need is the environmental package the comes with this project. It will be negative. I have more to say and it's against the project so you can call me at 530-275-6429 or write at Gordon Gienapp 501 Mussel Shoals Shasta Lake 96019. My other address is 495 Black Canyon. Hope you read this with an open mind and have not come to a conclusion. Thanks Gordon G.

February 14, 2012
(HAND DELIVERED)

Mr. Bill Walker, Senior Planner
Shasta County Department of Resource Management
Planning Division
1855 Placer Street, Suite 103
Redding, CA 96001

RECEIVED
FEB 14 2012
COUNTY OF SHASTA
PERMIT COUNTER

RE: Moody Flats Quarry, LLC - Scope of EIR Report

Dear Mr. Walker:

I attended the EIR Scoping Meeting held on January 26, 2012 and have an additional request concerning the scope of the report to be made by the De Novo Planning Group.

I'm not sure which "piece" of this request falls within the scope of the EIR report or is more a matter falling under the jurisdiction of Homeland Security, but I would like to know what type of environmental effects (emergencies) there would be if

1.) One-two truckloads of the types of chemicals proposed to be transported in through Digger Bay Road and used on-site were to be diverted and dumped into Shasta Lake itself, i.e. the toxicity of the water for human or animal consumption and how far and how long these effects would impact Shasta Lake, its immediate environment, and the agricultural lands that are served through this water source via the Sacramento River and Central Valley levy system, and

2.) One-two truckloads of the types of explosives proposed to be transported in through Digger Bay Road and used on-site were to be diverted and used directly on the structure of Shasta Dam itself, i.e. what damage would the amount of these explosive materials cause and would this damage be enough to cause a rupture of the dam. And if so, what type of flood event might impact the cities of Redding, Anderson and the rest of the areas which are served by the Sacramento River and levies that normally carry water from this water source through the central valley of California.

I feel these concerns are not exaggerated given that the quarry proposes to use the Digger Bay Road as the main "employee" entrance for the transporting of large amounts of chemicals and explosives onto the site, which borders the federal lands surrounding the lake. (I believe someone at the meeting said approximately 30-40 truckloads per day would be going through this back-entrance of the quarry site as well as employees and their vehicles.) It is also proposed that there will be no security gate, fencing, or security/background monitoring of the people, materials or trucks that will be entering the quarry through this county road, which is the sole point of ingress and egress to second closest boat launch on the lake and *the closest Marina facility* to this major California/Federal infrastructure, Shasta Dam.

Sincerely,

Melody Hasher

Melody Hasher (14275 Lake Blvd., City of Shasta Lake, CA)

Attention Bill Walker

Senior Planner

Shasta County dept. of Resource Management

RECEIVED
SHASTA COUNTY
JAN 24 2012
DEPT OF RESOURCE MGMT
PLANNING DIVISION

Mr. Walker my name is Clifford Jacoby, I am a disabled retired member of the operating engineers local 3, I also am a home owner in the city of Shasta Lake . I have spent a great deal of my life working in hard rock quarries and sand gravel operations all over northern calf., including Syars lake herman quarry in Solano county.

I recently received a letter from the city, informing us of the upcoming scoping meeting for an environmental impact report on proposed General Plan Amendment 09-013.After reading this , and knowing what I know of rock quarries, this has left me with great concern. I am hoping you could supply me with answers to my concerns.

My first issue would be the green zone between the city and the quarry, this will need to be a vast area. No. 2 is the length of the permit 100 years is extreme. No. 3 noise ,this will be a problem. no.4 air pollution ,from different sources (I know they will have a plan for air pollution , but with all quarries it will not address barren ground dust problems which will have a great impact on this city and the north end of Redding.) No. 5 and probably the one that bothers me most is the blasting process. Shasta Lake city has some very old foundations under their buildings and from past experiences this will cause problems . I have a neighbor who lives in a 71 year old log cabin , this process will cause him problems as it will for most of the rest of the older buildings in town. No. 6 Drainage from the wet side of the crushing operation, drainage for the entire quarry. No.7 Pollutants from the asphalt plant into surface water, the smell from the hot plant when the north wind blows will be overpowering. No.8 Overburden fills,areas not properly placed and re-compacted can cause real problems. No.9 Waste pits (where unused, over ordered concrete is dumped and mixer trucks wash out at) I have seen this be an issue in the past. These are some of the main issues , the city of Shasta Lake and the county of Shasta should take a very close look at before any Amendments are changed or use permits issued.

It is my opinion, that if this project is permitted as is, it would in a short number of years, deposited over this city a layer of rock dust, it would also do damage to foundations and underground utilities.

That being said, California is in need of a large hard rock quarry, as this state grows it will need building materials. It would be a feather in Shasta counties cap to permit one. As I stated I have spent years working for union and non- union contractors, if Shasta county where to permit, I would hope that it would be operated by responsible, reliable, professionals who have the background and training to do the job the way it should be done, after all this is a large scale operation. I have found these

people in local 3 operating engineers, that are why I became a member. I would appreciate any and all in-put, as I am very interested in this matter.

Thank You

Clifford Jacoby

4950 Red Bluff st.

Shasta Lake City CA. 96019

Clifford Jacoby
1-21-2012

TO WHOM IT MAY CONCERN

Clifford and Karen Jacoby rented a house from us in Redding from October 1993 to July 1996. The rent was always received on time, sometimes a little early, and the house and garden were kept and left in immaculate condition.

We were extremely sorry to see them go and highly recommend them as being stable, responsible and totally dependable.

Dawn Harding
33 Karen Lane
Walnut Creek, CA 94598

510 932 2518

DEPARTMENT OF FISH AND GAME
601 LOCUST STREET
REDDING, CA 96001
(916) 225-2300

June 15, 1994

Mr. Clifford Jacoby
1052 Camelot Court
Redding,96002 California

Dear Mr. Jacoby:

I would personally like to thank you for helping the local City and State Police apprehend the person suspected of burglarizing our Redding office.

Because you took the time to report your suspicions to the police, they were able to recover the majority of the stolen items before they were disposed of. Our tight budget situation would have made it impossible to replace those items for many years.

In a time when many people are reluctant to get involved in such matters it is indeed refreshing to know that some people, such as yourself, are still willing to assist law enforcement officers. If you happen to get into our office sometime please stop by and introduce yourself. I would be very pleased to meet you.

Sincerely,

R.E. Nagel
Regional Administrative Officer

REN:

RE: MOODY FLATS QUARRY

MR. BILL WALKER
SENIOR PLANNER
SHASTA CO. DEPT. OF RESOURCE MANAGEMENT,
PLANNING DIVISION,
1855 PLACER ST. SUITE 103, RDG. CA 96001

FEB. 5, 2012

ERIN TARVIS
4181 CONICO ST.
SHASTA LAKE, CA 96001

RECEIVED
FEB 06 2012
COUNTY OF SHASTA
PERMIT COUNTER

TO MR. BILL WALKER,
AS A HOMEOWNER & RESIDENT OF THE CITY OF SHASTA LAKE SINCE 2002, I ABSOLUTELY & WHOLEHEARTEDLY OPPOSE THE MOODY FLATS QUARRY PROPOSAL! I MOVED MY FAMILY FROM THE BAY AREA TO REDDING IN 1993 TO GET AWAY FROM THE CITIES & CONGESTION, CRIME ETC.... & FROM REDDING IN 2001 TO SHASTA LAKE FOR THE SAME REASONS. WE LOVE THIS RECREATIONAL AREA & UTILIZE ALL IT HAS TO OFFER OVER THE PAST 10 YRS. BIKING, HIKING, BOATING, SWIMMING, HORSEBACK RIDING, COMMUNING WITH NATURE & JUST ENJOYING THE PRISTINE AREA IN WHICH WE RESIDE. AIR QUALITY INCLUDED!

THE LAST THING WE WANT HERE OR ANYWHERE NEAR US, IS A ROCK QUARRY, AGGREGATE CRUSHING, SCREENING & WASHING PLANT, ASPHALT & CONCRETE PLANTS, RECYCLING PLANTS AS WELL AS 24-7 RAIL & TRUCK ACTIVITY. THIS SITUATION WOULD TAKE AWAY OUR QUALITY OF LIFE. THE AIR, NOISE & VISUAL POLLUTION ARE INCOMPREHENSIBLE.
THE ACTIVITY JUST NORTH OF US OFF I-5, OVER THE PAST 20 YRS THAT I'VE BEEN HERE, IS NOTEABLE FROM ANYWHERE YOU ARE. A HUGE EYESORE. FOLKS, MOUNTAINS DON'T GROW BACK!

ANYONE WHO LOVES & WANTS TO PRESERVE OUR WILDERNESS AREAS, CRYS EVERY-TIME THEY THEY LOOK AT WHAT HAS BEEN DONE TO THAT MOUNTAIN! OUR VISUAL RECREATIONAL & WILDERNESS AREAS ARE WHY WE LIVE HERE! RESIDENTIAL BUILDING IS ONE THING - ROCK QUARRYS & ASSOCIATED PLANTS ARE QUITE ANOTHER. I PRAY THAT THIS PROPOSAL IS GIVEN WAY MORE CONSIDERATION AS THE ENVIRONMENTAL CONCERNS WILL GREATLY IMPACT OUR QUALITY OF LIFE.
RESPECTFULLY SUBMITTED
ERIN DIANA HARRIS

From: Jay Schell [jayschell313@hotmail.com]
Sent: Tuesday, February 14, 2012 4:27 PM
To: Bill Walker
Subject: Moody Flats Quarry
Mr. Walker,
I am writing to inform you of my opposition to the Moody Flats Quarry proposed north of Shasta Lake City. I have many concerns, some I will speak of specifically, that I feel are important to the local people that live near this area. The three most obvious are the additional noise and traffic added to the area, the air quality from dust and other pollutants, and the affect on the local property values in the immediate area. After all, who would knowingly want to buy a home near a quarry with rock crushing and blasting going on continually, not to mention the smell associated with an asphalt batch plant nearby and up wind from them.
Additionally, I feel that the most major income generator in this area, Shasta Lake, would be affected in a very negative manner. This would, in my opinion, potentially affect the tourism and recreational money generated by our beautiful lake. It would be affected not only visually and aesthtically, but the possible additional dust, dirt and other pollutants generated by the Quarry could affect many species of wildlife in a negative way.
After reading all 46 pages of the Quarry EIR Proposal, I have a number of specific concerns:

1. Under section 4.3 Air Quality, it states that a formal HRA (Health Risk Assessment) "is not included within the scope of this work." I feel that it is imperative that a formal HRA be required in the EIR to assess any additional risks posed to the public, particularly those that live nearby.

2. Under section 4.5 Cultural Resources, it states that in addition to the 3 previousely recorded pre-historic archeological sites, upon an inventory survey they discovered 8 more historic AND pre-historic sites. These areas must be specified and addressed as to what is going to be done to preserve and protect them, including NOT allowing this project to move forward.

3. Under 4.4 Biological Resources, it must be required to address specifically the potential to impact the fall run Chinook Salmon known to spawn in Stillwater Creek which Moody Creek is a tributary to. They are protected by the Endangered Species Act, and in addition Stillwater Creek is within the Central Valley Steelhead Evolutionarily Significant Unit.
Also within this section it states that 666 acres of woodland trees and vegetation will be cut down. This will also have a negative impact, falling within the GHG area.

4. Under section 4.8 Hazards and Hazerdous Materials, it states in the first sentance that " the proposed project has the potential to create hazards to the public and the environment through the routine use, transport and storage of hazardous materials. The project is also located in a very high fire hazard zone, and the project operations could expose people, structures and surrounding areas to risks associated with wildland fires.

5. Finally and very disturbing, is Task % preparation of Administrative Final EIR, under section labeled 'public review/comments', it states..."..escessively long comment letters, OR those that are complicated and require a significant effort and/or additional analyisis to respond to are considered outside the scope of work and cost estimate." This statement is absurd. It implies that only easy to answer, simple or stupid comment letters will be addressed, and that any real issues or comments raised by the public will be ignored due to lack of money? You need to address this as it implies that letters like this one will largely be ignored, and I feel that the issues I have brought up are very important and need to be addressed in the EIR.

Thank you for your time Mr. Walker, and I hope you take these issues under consideration.
As a local citizen that lives next to the North boundary of Shasta Lake City, I am AGAINST the project known as Moody Flats Quarry and would like it not to be allowed to continue.

Sincerely,

Jay C. Schell
4185 Red Bluff St.,
Shasta Lake, CA 96019
jayschell313@hotmail.com

From: Kim Downing [kdowning1054@gmail.com]
Sent: Wednesday, February 08, 2012 3:19 PM
To: Bill Walker
Subject: Moody Flats Quarry

Attn:Bill Walker
As a Homeowner in Mountain Gate , my husband and I are very opposed to the Moody Flats Quarry. I stress VERY OPPOSED.
We built our retirement home on a hill facing the proposed quarry property; approximately 1/2 mile east of I-5 How could this plan possibly pass any kind of environmental impact rule? No one will ever convince me that it could ever begin to pass.
The wind blows in this area all the time day and night. This is much different than Redding or Shasta Lake. The dust from blasting will cover our community entirely† in short order. This will make it impossible for anyone or anything to breathe.Anyone with COPD† will have† to move from this wonderful Wonderland. The noise from the constant blasting will affect ever man, woman. child, and animal in the area. We will all end up† Battle† Fatigue victims. The thought of 400 plus† trucks one way†† per day is terrifying. The noise and the dust and the traffic jam is unimaginable. What community could tolerate such an invasion of their privacy? The main reason people enjoy living in this peaceful community is the lack of noise and confusion that is in other areas.Is there no noise ordnance in Mountain Gate?
In this dire recession† - is there no way to protect what little property value is left on homes? Think about how this will impact every home and farm within 20 miles. What about the blasting impact on Shasta† Dam? Will this have any structural effect? No - who really knows.
We need to consider the wild life that has called† Mountain Gate home for centuries. This whole project will devastate our ecosystem. We need to keep this Heavenly valley with its rolling hills, wild life, beautiful† sunsets and leisurely† way of life.
VOTE NO ON MOODY FLATS QUARRY

Wilbur Downing
Kim Downing
Jeanne Nordtvedt
14355† Sea Biscuit Ct.
Redding.\, CA 96003
530† 275-6886

January 27, 2012

Bill Walker (Senior Planner)
Shasta County Department of Resource Management
Planning Division
1855 Placer Street,
Suite 103
Redding, California 96001

RECEIVED
SHASTA COUNTY

JAN 31 2012

DEPT OF RESOURCE MGMT
PLANNING DIVISION

Dear Sir,

I would like to address the proposed General Plan Amendment 09-002, proposed Zone Amendment 09-013, the Proposed Use Permit 09-018, and proposed Reclamation Plan on property in Mt. Gate California.

Not only is this a huge operation proposed, it will have a significant impact on the surrounding properties. A good neighbor is someone who doesn't devalue the homes of others. Not only making it difficult to live nearby, sell one's property, or cause dust, noise, smell, and traffic. I have lived in Mt. Gate for 34 years and feel it isn't right to change the general plan, or zoning to accommodate one business. Yes, it will provide a few jobs but also it will devalue the property values in the surrounding areas. When a home site is purchased that is probably the most important thing you are looking at, what is in the general vicinity. Blasting and trucks coming and going from 6am-10pm 7 days a week, and 6 am to 3 pm on Saturday's is not a normal business. I am concerned with an increase in Asthma, and other breathing problems in the Northern end of this valley. I ask that the planning commission consider the impact to everyone's lives and health living here. We already have several main arteries running through the Redding area, Interstate 5, highway 44, and 299 causing pollution to the valley. Can this valley handle anymore dust and smoke without impacting everyone's lives..

Susan Kuykendall

Susan Kuykendall

19732 Sweetwater Trail
Redding, California 96003
530-275-8165

From: Lisa Grill [wdgrills@charter.net]
Sent: Tuesday, February 14, 2012 6:12 PM
To: Bill Walker
Cc: 'Carole Martinez'; 'Cherrel Kirkland'
Subject: Moody Flats Quarry

Hello Mr. Walker,

I understand that you are taking initial comments for the Moody Flats environmental impact report. I would like to express my strong concern regarding the possible impact an operation of this type and size could have on the surrounding area and the city of Shasta Lake's residents.

I have lived in Shasta Lake the greatest portion of my life. My husband and I have built 3 homes and currently reside in the last one we built about five years ago. We plan to remain here during our retirement. We also own several rental properties in Shasta Lake. We are heavily committed to the area and wish to see it continue to improve and become a better place to live. There are several reasons that we believe having a large quarry adjacent to the city boundaries would wreck havoc rather than enhance civic improvement.

Our concerns include the following:

<u>Air pollution</u> – If you have ever visited the community of Mountain Gate, I'm sure you are aware that many of the northern residences are often covered with a layer of rock dust. I would imagine that it is created by crushing rock for gravel, etc. and possibly other reasons I am not aware of. Not only does it just make a general mess and cover houses, cars, and plants with fine dust, I would think that it is a health hazard as well, particularly for those residents who already suffer with any kind of breathing problems such as asthma or COPD. I have been a health clerk at local high schools for the past twenty years. Between 10 to 15 percent of students suffer from asthma. There are several schools in Shasta Lake and one in particular that is located just south of the proposed quarry. My sister also lives in Shasta Lake. She has some breathing problems and is allergic to dust. I think that adding more particulate matter to the air would lower our air quality. I'm sure that you are much more aware than I that we sit at the head of a natural bowl formed by the mountains to the east, north, and west. Air pollution seems to be trapped at the head of this bowl where Shasta Lake is located. Adding more air pollution would be detrimental for the health of the residents and would certainly make our area less attractive to tourists which could in turn have a detrimental effect on the local economy. We are further concerned that it would lower our property values, also having a negative impact on the residents. I would guess that there are more air pollution concerns beyond just the issues with dust. I am wondering how much more pollution would be caused by the trucks going in and out, the heavy equipment being run, not to mention what kinds of air pollution are caused by an asphalt plant.

Noise pollution ***– I live approximately a half to one mile from the Sierrra Pacific Lumber Mill. Their operation runs all night. The current noise level is tolerable, but adding any additional noise would be a cause for concern and would detract from the relative peace and quiet that we currently enjoy. This does not even take into account the kind of noise and impact issues created by blasting. Once again, I believe that the potential noise pollution could be detrimental to our health and well-being and would also lower our property values as well as be a deterrent to attracting tourism.***

Water pollution ***– I have heard that some aspects of the operation would also lead to concerns about pollution draining into the local tributaries which eventually drain into the Sacramento River. Can the Sacramento River afford to have any more toxic garbage dumped into it? I thought we were trying to improve the water quality for people downstream from us as well as the salmon runs and I'm wondering what effects there may be on other types of fish and water creatures.***

I know that at one point in time several years ago a new housing development was being considered for an area adjacent to the proposed quarry (the Perry Project). I can't imagine that anyone would want to try to develop housing near an operation like this. I believe that given the choice between a housing development and a quarry, the housing development would make much more sense for all the reasons I have listed above. It may not be something that will happen in the next few years, but even if it is ten years down the road when the economy is recovered, it would be well worth the wait.

During my youth, I spent many days on foot and later by horseback exploring the area being considered for the quarry. I know that there are several places of significance to the local Native Americans. It is easy to find arrowheads and beads made by the Native Americans in the not so distant past. I know there are some campsites and believe that they are some burial and spiritual sites as well that are located in the area under consideration for the quarry. I would guess the local Native Americans must have some concerns and hopefully have been approached to give their opinions regarding the proposed quarry as well. I will make it a point to find out if that is happening.

I guess I would hope that Shasta County is looking to the future and taking into consideration the huge impact that an industry of this nature in an inappropriate location could have on the local area and all of Shasta County for future generations. While I am in favor of bringing clean industry to our area to create jobs for local citizens, the trade-off for job creation and tax revenue is not worth the potential negative impact that a development like this would bring to the community of Shasta Lake and Shasta County. I will repeat that I think a quarry of this magnitude would produce an unacceptable amount of various kinds of unhealthy pollution which in turn will have a negative impact on people, animals, forests, the water supply, and finally, our property values. I am pledging to do everything within my power to prevent this project from being approved. Please include my comments and concerns in the environmental impact report.

Sincerely,

Lisa Grills

From: Marcy [caldwell@snowcrest.net]
Sent: Friday, February 03, 2012 10:09 AM
To: Bill Walker
Subject: MoodyFlats

Dear Mr. Walker,

I write to express my grave concern regarding the possibility of 3M's desire to create a huge quarry in the Mt. Gate ares. I object strongly to this as it would spoil our lovely area with noise and pollution.. I fear the dust would create health problems for many and who would want to buy property close by to such a large business? The length of the permit, should they prevail, is ridiculous. Permits should not be issued for this disturbing plan.

Thanks, Marcy Caldwell caldwell@snowcrest.net

(1)

2/13/12

Dear Bill Walker,

We are 30 year residents of Shasta Lake City. My husband is a retired teacher and I am a retired social worker. We Both have 30 35 year careers in Shasta Co. behind us and are looking forward to our retirement years. The idea of having a Quarry too close to our home is causing us some grave concerns:

I. Air Quality Control:

A. The Air quality of our entire region could be adversely affected. Shasta Co. is in a valley surrounded by Mountains. Air inversions trap Smog in our entire valley and cause higher levels of ozone. How will a quarry with more toxic dust and fuel emmissions damage our air quality? Dust and air pollution equal disease.

II. Noise pollution:

A) It is well known that noise pollution is a real health hazard to any population exposed to it - causing numerous stress related diseases. How will exposure to constant noise from blasting, grinding and transportation noise affect humans & all living organisms in our area?? (over)

B. the vibrations alone, from blasting, could have an adverse affect on our nervous systems and again all living organisms with reach. Will these vibrations damage the structural foundations of our homes? How will vibrations + exposure to noise affect the long-term quality of life in our area?? Badly!

III. Environmental Concerns about the actual digging of a quarry.

a.) Will there be drainage problems?

B.) Will there be toxic substances leaching into our water + soil?

c.) Will we be adding another toxic environmental disaster similar to the Iron mtn. mine to our locale??

d.) What about the future safety of our water supply in the years ahead.

IV. Concerns about species of animals, insects, birds, amphibians, plants, trees, native grasses -

a) What will be the impact on hundreds of species a native wild organisms that live on this land?

b.) There are 100 yr. old fig trees in the area, what will happen to these historic Trees?

(2)

V. Cultural Concerns:

a) there are ancient Indian burial grounds and archeologically significant Indian campgrounds in this area. What will be done to preserve this cultural heritage?

VI. Aesthetic impact on our entire region

a.) The sheer obscene ugliness of digging an immense pit - (which will be permanent) - in some of our most beautiful, rural landscapes defies the imagination. What will be done to preserve our natural, rural beauty??

Finally, it seems to us that producing an ugly, toxic, environmentally polluted situation in our beautiful rural area is not the way to build prosperity for our citizens. At best it is short-sighted - at worst it could mean yet another toxic waste site in our lovely Shasta Co. Sincerely, Bob + Eveann McGill

Mr Robert L McGill
873 Mussel Shoals Ave
Shasta Lake CA 96019-9751

REDDING CA 960

13 FEB 2012 PM 1 T

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SHASTA COUNTY
FEB 14 2012
DEPT OF RESOURCE MGMT
PLANNING DIVISION

Attn: Bill Walker
Dept of Resource Mgmt.
1855 Placer St. Suite 103
Redding Ca. 96001

96001$1755

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SHASTA COUNTY

FEB 03 2012

DEPT OF RESOURCE MGMT
PLANNING DIVISION

Mr. Mrs. W. R Vonder Mehden
P. O. Box 5357
Shasta Lake, CA 96089
2-1-12

Mr. Bill Walker
Senior planner
Shasta County Dept. of Resource Managment,
planning Div.
1855 Placer ST. #103
Redding, CA 96001

Dear Sir:

In regard to the project site for a quarry north of Shasta Lake City and east of Digger Bay Rd. a few things come to mind as inappropriate and in conflict with our fledgling, growing community.

a. The micro-dust it will create - already we have Knauf to the south - that has been occasionally in violation and we have quarries already established north of this proposed one that add dust - also the rail cars would spread it up & down their route.

b. blasting could be unpleasant - not only audibly, but vibratory earth motion also - We live one property + Ranchero Rd - between our house + the railroad tracks and never fail to feel the earth vibrations when a train goes by.

c. We do not see a positive factor in placing a quarry so close to a residential area; wanting to expand?

over —

We hope you will consider This as an unhealthy proposition.

Sincerely yours,

Wilbur Vander Mehden

Theresa Vander Mehden

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JAN 24 2012

DEPT OF RESOURCE MGMT
PLANNING DIVISION

Bill Walker
Senior Planner
Shasta County Department of Resource Management
Planning Division
1855 Placer Street, Suite 103
Redding, CA 96001

January 21, 2012

Dear Mr. Walker,

I oppose the proposed rock quarry in the City of Shasta Lake. I retired here in 2003 and have enjoyed the serenity and beauty of the area. It is a relatively quiet and peaceful place and I want it to stay that way.

The quarry will only bring noise and pollution to the area and that is not welcome. I am afraid that the operation of the quarry will bring health problems to our residents if there is contamination of our water supply. Dust from the operation could worsen the health of people who have breathing problems. Also, I believe that the market value of our homes will suffer.

I understand that the quarry operation will create some jobs. We need jobs here, but not at the expense of our residents' health and their property values.

A quarry is more suited for an urban area where noise levels are already high, where it can blend in with the existing noise. Let's keep the City of Shasta Lake serene, peaceful and beautiful.

Thank you

Sincerely,

Richard Molinar

Richard Molinar
City of Shasta Lake
(530) 275-0792

PAMELYN ANNE MORGAN
P.O. BOX 5013
SHASTA LAKE, CA 96089

RECEIVED
FEB 14 2012
COUNTY OF SHASTA
PERMIT COUNTER

February 14, 2012

Shasta County
Resource Management Dept.
Planning Division
1855 Placer St.
Redding, CA 96001

RE: Moody Flats Quarry Project

To Whom it May Concern:

After listening to the presentation by the company doing the initial EIR, I have many concerns regarding this project. They are listed below:

1. Noise. Noise carries for quite a distance in this area of Shasta County. We live close to the railroad tracks and at night we can hear them quite well. I realize the blasting will only be done during the day, but the plant operations; rock crushing, asphalt, etc. are set to operate 24hrs a day.

2. Dust. Dust from blasting, processing and trucking through our area will be quite extensive. This dust will settle in the waterways as well in people's lungs. We have a lot of elderly people that live up here that this could cause difficulties with.

3. Jobs. During the presentation the gentleman mentioned that the quarry would generate between 25 and 50 jobs. Would the people be hired from our local community or would the company bring in their own people??

4. Traffic and Roads. I understand that there would be 24/7 trucking on Interstate 5 and also a lot of traffic on what is called Digger Bay Road. This road would have to have major upgrades to handle any more traffic other than the residents. I have driven up Digger Bay Road recently and I do not see how that road could be used by anyone other than the residents and users of Digger Bay resort. That road is barely a one lane road, much less wide enough for delivery trucks. Also the gentleman stated that it is possible that explosives would be transported on that road, which means that those vehicles would be traveling through town and/or by schools in the area.

5. Blasting. What damages will occur from the vibrations caused by blasting? We have several homes that are old and some sit on pier blocks. The noise of blasting will carry and disturb everyone living close or even not too close. What effect will the blasting have on the deer, foxes, and other animals in the area???

6. Native American Considerations. What happens if while blasting, digging, etc Native American sites or artifacts are found?? I realize that some of our tribes are not federally recognized, but they are in this area.

These are just some of my concerns. I hope that these and any others that have been received by others regarding this project will be taken into consideration.

Thank you for your time and attention to these concerns.

Sincerely,

Pamelyn Anne Morgan

PAMELYN ANNE MORGAN
530-275-1788

From: Terry Bradford [vtxdood@gmail.com]
Sent: Wednesday, January 18, 2012 3:50 PM
To: Bill Walker
Subject: Moody Flats Quarry

Russell Cycle Products Inc.

4917 Shasta Dam Blvd
Shasta Lake, Ca.
Ph. 530 275 4851

1-18-12

I'am writing in concerns of this proposed plan to create a Quarry, known as the Moody Flats Quarry. I presently own a Business in Shasta lake along with 2 properties. This project will depreciate values deeper than the current downfall. This project will dirty the air, create excessive noise.and harm the quality of life we enjoy in this small and quite community. Any blasting done will echo and rattle this whole valley.The asphalt plant will stench the air down to Redding and beyond. There are plenty of areas for this sort of project but not in this city limits, or any heavily populated area.

I therefor submit this letter in protest of this project.

Sincerely,

Terry Bradford

From: Cary Keogh [carykeogh@yahoo.com]
Sent: Tuesday, January 31, 2012 4:27 PM
To: Bill Walker
Subject: Opposed To Moody Flats

Dear Mr. Walker,

I am writing to let you know that I am fearful of increased air pollution that will undoubtedly be the result of a rock quarry operation.

Thank you for the opportunity to make my comment heard.

Carolyn Keogh
1205 Bonhurst Drive
Redding, CA 96003

From: hswriter@frontiernet.net
Sent: Monday, February 13, 2012 9:16 PM
To: Bill Walker
Subject: questions regarding the 3M/Moody Flats Quarry.
Dear Mr. Walker,

As you can read in my fax to Katrina Chow of the BLM, it is clear that the proposed 3M Quarry intends to supply the aggregate to the Dam raising project.

I would appreciate your answering the questions I have raised from the county's prospective.

Gratefully,

Heidi Strand
hswriter@frontiernet.net

Monday Feb 13th, 2012

Katrina Chow
Project Manager
Shasta Lake Water Investigation
Preliminary Draft E.I.S.

Dear Ms. Chow,

The proposed 3M Quarry is a central part of the project to raise Shasta Dam.

I am deeply concerned to find the proposed 3M/Moody Flats Quarry tucked away in a dank, dark corner (plate 25) of the Bureau's preliminary E.I.S. Identified only by it's proximity to the Pacific Railroad line and called a “Potential Commercial Borrow Site.”

No existing local quarry can supply the quantities of aggregate required for this project.

Would 3M be pursuing this huge project at a time of historic downturns in new construction if they weren't confident they would be supplying the dam project? Where else would they sell such large quantities of aggregate when small local quarries complained they were struggling at the 3M scoping meeting?

3M has not contacted local water agencies though they would need millions of gallons a year. If they have been promised water from the BLM, that is a federal action, and the 3M Quarry must complete a E.I.S. at minimal. Since the project is infeasible without the 3M quarry, and they would be the biggest environmental impact of the project, they should be the focus of the Shasta Lake Water Investigation

E.I.S
3M is proposing a Construction and Demolition Plant on-site. Why? Construction and Demolition in the U.S. are at depression levels. There is no need for a C&D plant unless they are anticipating a contract with the BLM.

The fact that a public document refers to a quarry as a 'potential commercial borrow site' feels as if the quarry's involvement in the project is being hidden. Perhaps, the proposed quarry's impact is so significant that if it was considered (as it must be) as part of dam raising project, the project would have to be abandoned?
I would truly appreciate your thoughts on this issue.

Gratefully Yours,

Heidi Strand
Box 172,
Whitmore, CA 96096
hswriter@frontiernet.net

From: Mike Bradford [bradfords08@sbcglobal.net]
Sent: Sunday, February 05, 2012 9:02 PM
To: Bill Walker
Subject: please no quarry!

Hi my name is Mike Bradford. I lived in Mountain Gate my whole life and live in Shasta Lake now. I am vice president at Russell Cycle Products in Shasta Lake city. I can speak for all 13 employees there that they would hate another quarry so close to home as we already have quarry that blows up mountains. This quarry/dump/recycling center will ruin the beauty that everyone experiences as the travel I-5 north to Shasta Lake. Can't even believe that this would even be an option so close to national forest land. KEEP SOUTHERN CALIFORNIA DOWN SOUTH. Mountain Gate is the gateway to recreation, camping, enjoying great outdoors. Utilizing the land is going to happen soon but lets keep in mind why people even visit Shasta Lake, we should have a park there with bike paths to the lake or hiking trails to the top of saddleback mountain, etc. Please keep the greatest part of Shasta County green with trees and grass and mountains. not a huge landfill that will remind you of the Anderson Dump. I know i can't handle the stinch of asphalt, running of trains that would be 80% more, forest dead, mountains blown, animals killed, mother nature demolished.

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SHASTA COUNTY

JAN 25 2012

DEPT OF RESOURCE MGMT
PLANNING DIVISION

Attention Bill Walker

To Whom It May Concern:

This letter is to address our concerns about the potential environmental impact of the proposed Moody Flats Quarry project in Mt. Gate, CA. My wife and I own our home on two acres at 19304 Flintstone Avenue in Mt. Gate. Our property borders the 3M property and our home is one of the closest homes to the proposed Moody Flats Quarry site. I have worked in the mining industry for many years and I am very much aware of the impact a plant of this magnitude would have on our neighborhood and surrounding areas. We are not opposed to mining in general, but we don't believe the proposed location for the Moody Flats Quarry is right for the surrounding communities. The access to the proposed site from Wonderland Blvd. in Mt. Gate which our property borders, is currently zoned Interim Rural Residential. Rezoning this property to Mineral Resource would lower our property values and restrict our ability to sell our property at its current and future value.

My concerns for living by the proposed Moody Flats Quarry project include: **Air Quality** such as dust, diesel fumes, blasting fumes, asphalt plant fumes and smell, **Noise Pollution** from mining and plant equipment, machinery, truck traffic, additional trains, **Seismic Activity** from blasting operations, **Traffic**, and rock debris on the roadways and Interstate 5, **The Water Table**, **Pollution** to the streams in the area and downstream, **Defacing the Mountain**, we don't need another permanent scar to our mountains to look at, and most of all the 24 hour a day 7 day a week operation of the proposed plant would give the surrounding communities no relief from the above listed concerns. Therefore we are very much opposed to the Moody Flats Quarry project in Mt. Gate, CA.

Yours Truly,

Rob & Sheryl Sampley

PS we will be at the meeting

February 8th 2012

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FEB 08 2012

COUNTY OF SHASTA
PERMIT COUNTER

Bill Walker,
Department of Resource Management,

Dear Bill,

Right now you are the person to whom the fate of the entire 3M Quarry project lies. It is up to you and your agency if this project goes forward or is stopped. I realize a project of this magnitude has a lot of money involved and the interests behind the project may wish to treat the public's scoping period as a technicality; A procedure to be swiftly completed as they steam roll the project into existence before the public truly understands the 'scope' of the project and its full impacts.

I want to thank you in advance for safe-guarding your neighbors and friends near the proposed project. For not allowing private interests to rush you through what should be a long, drawn out scoping process to ensure the effected public has time to receive well researched answers to their questions per SEQA guidelines and feel they have been respected and were allowed meaningful participation.

AGGREGATE CRUSHING, SCREENING AND WASHING PLANT

The Sacramento Air Quality District Describes an Aggregate Crushing, screening and washing plant as:

The processing of sand and gravel for a specific market involves the use of different combinations of washers, screens, and classifiers to segregate particle sizes; crushers to reduce oversized material; and storage and loading facilities. The various types of equipment used in these plants include: hoppers, belt conveyors, screens, scrubbers, pumps, storage bins, crushers, jigs, screws, front end loaders, scrapers, trucks, engines, and generators.

*ALL PARAGRAPHS IN TREBUCKET MS FONT ARE QUOTES.

In order for the SACD to make an informed decision regarding a potential project, they require the following information: Form G100: Form G101:Form BA100: Form HRA 100: (these forms are used by the District to characterize the type of process, size, flow rates, abatement devices, and exhaust stacks of the system)

Please provide the same information for the proposed aggregate, crushing, screening and washing plant proposed to run along the border of Shasta Lake City.

The SACD states:

The following forms must be completed and submitted by the applicant when applying for an Authority to Construct and/or Permit to Operate any aggregate and rock crushing equipment:

Application for Authority to Construct and/or Permit to Operate

General Information Form

Baghouse

Health Risk Assessment Information

A separate Form G100 is required for an APC baghouse unit. 4.

Additional Information

Site plan and plot plan, with dimensions, showing location of equipment.

If required because of initial health risk screening, submit a risk reduction strategy. Information needed to evaluate the proposed risk reduction measure(s) shall include, but not limited to -- equipment layout with dimensions and location of process equipment; specification of the ventilation system (type of ventilation, rated air flow rate, exhaust stack diameter and stack height), and location of exhaust stack. PC Baghouses and IC Engines

When an aggregate and rock crushing process is permitted with an APC baghouse or IC engine, a separate application for Authority to Construct is required for these types of equipment.

California Health & Safety Code, Part 6 (commencing with section 44300) -- Air Toxics "Hot Spots Information and Assessment Act of 1987:

Facilities subject to this requirement must identify and quantify emissions of toxic air contaminants. Facilities posing a potential health risk to the public must prepare a health risk assessment and if required, notify the public and implement a risk reduction plan."

I imagine 3M received assurance they qualify for a PSD permit before conducting a scoping meeting and pursuing a E.I.R. So, I am assuming the above information is available. This information is what citizens were looking for at the scoping meeting. Could I have one copy of all this information? I will be responsible for disseminating it to other concerned citizens.

If all this information is not available at this time, concerned citizens at minimal require a copy of the plot plan showing the location of equipment, and a copy of the 'initial health risk screening' as required. As well as the 'proposed risk reduction measures' for the crushing plant. Without these, there can be no meaningful citizen participation and the scoping meeting is a mere technicality to be checked off the list.

California Health & Safety Code §42301.6 -- Permit Approval: Powers & Duties of APCO:
Prior to approving an application for a permit to construct or modify a source which emits hazardous air pollutants, which source is located within 1,000 feet from a school site, the District must prepare a public notice. The notice must be sent to parent or guardians of children enrolled in any school located within 1/4 mile of the source and to each address within a radius of 1,000 feet of the source at least 30 days prior to taking final action on the application.

Is the Aggregate plant within 1,000 feet of a school site? If so, is the notification already prepared?

Asbestos Airborne Toxic Control Measure for Construction, Grading, Quarrying, and Surface Mining Operations Title 17, CCR Section 93105:
The Asbestos ATCM for Construction, Grading, Quarrying, and Surface Mining Operations sets forth the requirements of an Asbestos Dust Mitigation Plan, and record keeping and reporting requirements for operations subject to this ATCM.
The Plan must be submitted to and approved by the District. Any fugitive dust mitigation measures specified in the Plan must be implemented and maintained throughout the duration of any quarrying or surface mining operation.

What is 3M's Asbestos Dust Mitigation Plan?
Is this BACT?
What are the recording and reporting requirements for their Aggregate plant emissions?
Where can the public view these records?
How can the public participate in the emissions testing?

STANDARDS & REQUIREMENTS

The following standards and/or requirements must be met in order to obtain an Authority to Construct and/or a Permit to Operate:

1.Regulation 4 -- Prohibitory Rules

a) Rule 401, Section 301: Visible emissions may not exceed No. 1 on the Ringelmann Chart or 20% opacity for more than three minutes in any one hour.

What agency will be testing 3M's aggregate plant visible emissions?

How often?

Where can the public inspect these tests?

What is the penalty for a violation?

How many violations over a year period before the aggregate plant would be closed?

How will the agency overseeing the aggregate plant ensure that any new pollution control technology is implemented?

b) Rule 402, Section 301: A person cannot discharge pollutants which cause injury, detriment, nuisance or annoyance to any considerable number of persons or which endanger the comfort, repose, health or safety of any such person, or which may cause damage to business or property.

This is of critical concern to the surrounding community. What agency does the community talk to if this occurs? What is that agencies authority if the problem is not rectified? If the aggregate plant is designated a gross polluter, what agency will shut it down?

c) Rule 403, Section 301: A person shall take every reasonable precaution not to cause or allow the emissions of fugitive dust from being airborne beyond the property line from which the emission originates, from any construction, handling or storage activity, or any wrecking, excavation, grading, clearing of land or solid waste disposal operation. Reasonable precautions shall include, but are not limited to:

301.1 Use, where possible, of water or chemicals for control of dust in the demolition of existing buildings or structures, construction operations, the construction of roadways or the clearing of land.

301.2 Application of asphalt, oil, water, or suitable chemicals on dirt roads, materials stockpiles, and other surfaces which can give rise to airborne dusts.
301.3 Other means approved by the Air Pollution Control Officer.
d) Rule 404, Section 301: Particulate matter concentration from any point source (i.e. stack) shall not exceed 0.1 grains per dry standard cubic foot of gas.
e) Rule 405, Section 301: A person shall not discharge into the atmosphere in any one hour from any source whatsoever dust or condensed fumes in total quantities in excess of the amount specified in the Rule. 2. 40CFR60 - NSPS

Is our local AQMD solely responsible for overseeing the aggregate plant, or are other agencies involved? What authority do these agencies have to enforce the regulations and to penalize the plant for any egregious behavior? Will these records be available to the public? Will it be possible to track any violations on-line?

Subpart OOO: - Non metallic mineral processing plants - For those affected facilities, a person shall not discharge into the atmosphere any stack emissions which contain particulate matter in excess of 0.022 gr/dscf and exhibit greater than 7 percent opacity, any transfer point fugitive emissions in excess of 10 percent opacity, any crusher at which a capture system is not used in excess of 15 percent opacity, any baghouse that controls storage bins in excess of 7 percent opacity, and no visible emissions from saturated materials in screening and other conveyance operations.

Citizens living directly around the plant would like to be a liaison with the Air Quality Management Officer supervising this facility. This way ongoing, comprehensive testing could occur at minimal time and expense to the county. Could the AQMD set up monitors at volunteers homes in Shasta Lake City, Redding and Mountain Gate? Could they have authority to check the site-specific monitors near the plant?

3. Nuisance - Toxics Review and T-BACT
The District has the authority and responsibility to protect the public from the discharge of air contaminants or other materials, which endanger health and safety. Hence, the Supplemental Risk Assessment Guidelines for New and Modified Stationary Sources was issued in December 2000.

Any new or modified stationary sources are evaluated if they emit toxic air contaminants included under:

1. All toxic air contaminants listed by the California Air Resources Board pursuant to California Health and Safety Code, Section 39662b.

2. Substances listed as hazardous air pollutants pursuant to subsection (b) of Section 12 of the Federal Act (42 U.S.C. Sec 7412(b)).

The District's Supplemental Risk Assessment Guidelines for New and Modified Stationary Sources [December 2000] provides health risk thresholds as shown below:

Excess Cancer Risk Action Required

≤ 0.1 per million Exempt from toxic review.

> 0.1 per million but ≤ 1 per milllion No significant risk; No action required.

> 1 per million but ≤ 10 per million Acceptable risk; Provide TBACT

> 10 per million but ≤ 100 per million Provide strategies beyond TBACT that will reduce the facility's potential risk to an acceptable level pursuant to SB 1731 [Risk Reduction Measures].

> 100 per million Denial of permit.

A new or modified aggregate processing facility is acceptable if the excess cancer risk associated with the crystalline silica emissions is less than or equal to 10 per million [10E-06] based on a lifetime exposure of 70 years and Toxic Best Available Control Technology (TBACT) has been applied. If the incremental cancer risk is greater than 10 per million but less than or equal to 100 per million and TBACT has been provided, the applicant shall propose a reasonable risk reduction strategy to reduce the potential risk to an acceptable level.

TBACT is similar to BACT, but applies to any new or modified source of toxic air pollutants which have health risks that exceed the specified levels above. There are no toxic pollutants of concern at this time for sand and gravel processing plants.

4.New Source Review (NSR)

a)Rule 202 - Best Available Control Technology

Best Available Control Technology (BACT) - Section 301 requires a new emissions unit or modification of an existing emissions unit to apply BACT if it would result in an increase in quarterly emissions and if the daily potential to emit meets or exceeds the levels specified in Section 302.1 and below:

Pollutant BACT Trigger Level lb/day

Reactive Organic Compound, ROC 10

Nitrogen Oxides, NOx 10

Sulfur Oxides, SOx 10

Particulate Matter, PM10 10

Carbon Monoxide, CO 550

BACT is defined as the most effective emission control device, emission limit, or technique which has been required or used for the type of equipment.

Acceptable control options may include:

1. Baghouse: Preferred control device (99.9+% control efficiency)
2. Water Spray System (Atomized and/or Conventional)
3. Cyclone
4. Water Scrubber
5. Enclosure of Transfer Points

The current District BACT standards for an Aggregate Plant are as follows:

Process Technologically Feasible

Crushers & 1. Enclosure and Vented to Screens Baghouse(s) w/ <0.01 gr/dscf.

Conveyors

Material 1. Enclosure and Vented to Transfer Points Baghouse(s) w/ <0.01 gr/dscf.

Storage Piles Water Spray w/ Chemical Suppressants. Water Spray w/ Chemical Suppressants.

Site Road

Surfaces

1. Enclosure and Vented to Baghouse(s) w/ <0.01 gr/dscf.

Achieved in Practice

1. Vented to Baghouse
2. Water Spray

BACT may change for various processes over time due to improvements in control equipment or the cost effectiveness of existing technologies that are considered feasible to apply to these processes. BACT for a new source or modified process is determined at the time the Authority to Construct is being evaluated.

What is the Best Available [pollution] Control Technology for this aggregate crushing, screening and washing plant? Shouldn't they go beyond that and apply <u>all</u> known pollution control technology so that they come in as clean as possible irregardless of expense? For example:

If a baghouse brings the plant down to an 'acceptable level',

Is it conscionable to stop there?

Perhaps a water scrubber, a second baghouse, a cyclone, enclosing the plant and/or limiting the hours of operation, etc. would lower the crystalline silica emissions by another 15%? Doesn't 3M have the moral responsibility to the surrounding environment and human population to come in as clean as possible. Isn't 'acceptable level' below what should be expected from a Blue Chip Corporation?

The public

b) Rule 202 - Emission Offsets

The source must provide emissions offsets for new or modified stationary sources where the cumulative emission increase for the facility exceeds the following levels (Rule 202, §302):

POLLUTANTS & POUNDS PER QUARTER

Reactive Organic Compounds (ROC) 5,000

Nitrogen Oxides (NOx) 5,000

Sulfur Oxides (SOx) 13,650

PM10 7,500

Carbon Monoxide (CO) 49,500

There was no discussion of emissions at the scoping meeting. Does 3M propose to exceed these limits? If so, what emission offsets are they proposing? Your neighbors and friends need the following information to evaluate the potential impacts of 3M's proposal; a list of any potentially hazardous discharges (including quantities) from the waste water, smoke stacks, pile formation particulate emissions from wind erosion from active and inactive storage piles, and any other source of potential risk to our health.

For the above information to be evaluated, we would need to know at what levels each of these impacts are considered safe and at what level would be an immediate danger to the environment surrounding the plant. How can the public comment on the potential environmental impacts of the project as you request without such basic and vital information?

PORTLAND CEMENT CONCRETE PLANT

Here are some finding regarding the health effects of Portland Cement Plants on humans and plants.

HEALTH HAZARDS OF CEMENT DUST

Sultan A. Meo., MBBS, Ph.D.,Department of Physiology, College of Medicine, King Saud University Riyadh, Kingdom of Saudi Arabia

Running title: Occupational risk of cement dust.

Key words: Occupational hazards, Cement dust, Lung function, Radiological findings

Table 1. Summary: Hazards of cement dust on different organs.

Cough and phlegm production, chest tightness, impairment of lung function, obstructive and restrictive lung disease, Pleural thickening, fibrosis, Gastro Intestinal system , Oral cavity emphysema, lung nodulation, pneumoconiosis and carcinoma of lung.

Mechanical trauma, mucosal inflammation, loss of tooth surface, periodontal disease, ntal Liver abrasion and dental caries.

Diffuse swelling and proliferation of sinusoidal (hepatic) lining cells, sarcoid type granulomas, perisinusoidal and portal fibrosis and hepatic , Central nervous system, Lymphatic system Miscellaneous lesions.

Stomach ache and cancer of stomach

Brain ,Headache and fatigue

Spleen,Diminished lymphatic tissue and splenic lesions

skin Irritation of eyes, runny eyes and conjunctivitis,

and bone

skin irritation, itching, skin boil and burn, osteonecrosis, lesion of the humerus, thinning of the cortex and reduction of epiphyseal cartilage.

Environmental effects from Portland Cement Concrete Plants (Wikipedia)

Portland cement manufacture can cause environmental impacts at all stages of the process. These include emissions of airborne pollution in the form of dust, gases, noise and vibration when operating machinery and during blasting in quarries, consumption of large quantities of fuel during manufacture, release of CO_2 from the raw materials during manufacture, and Portland cement manufacture can cause environmental impacts at all stages of the process. These include emissions of airborne pollution in the form of dust, gases, noise and vibration when operating machinery and during blasting in quarries, consumption of large quantities of fuel during manufacture, release of CO_2 from the raw materials during manufacture, and damage to countryside from quarrying.

> Epidemiologic Notes and Reports Sulfur Dioxide Exposure in Portland Cement Plants, from the Centers for Disease Control, states "Workers at Portland cement facilities, particularly those burning fuel containing sulfur, should be aware of the acute and chronic effects of exposure to SO_2 [sulfur dioxide], and peak and full-shift concentrations of SO_2 should be periodically measured."

"The Arizona Department of Environmental Quality was informed this week that the Arizona Portland Cement Co. failed a second round of testing for emissions of hazardous air pollutants at the company's Rillito plant near Tucson. The latest round of testing, performed in January 2003 by the company, is designed to ensure that the facility complies with federal standards governing the emissions of dioxins and furans, which are byproducts of the manufacturing process." [15] Cement Reviews' "Environmental News" web page details case after case of environmental problems with cement manufacturing.[16]

An independent research effort of AEA Technology to identify critical issues for the cement industry today concluded the most important environment, health and safety performance issues facing the cement industry are atmospheric releases (including greenhouse gas emissions, dioxin, NO_x, SO_2, and particulates), accidents and worker exposure to dust.[17]

Wikepedia discusses Portland Cement Plants burning toxic waste for fuel;

Due to the high temperatures inside cement kilns, combined with the oxidizing (oxygen-rich) atmosphere and long residence times, cement kilns are used as a processing option for various types of waste streams.

Waste materials used in cement kilns as a fuel supplement:

- Car and truck tires - steel belts are easily tolerated in the kilns
- Paint sludge from automobile industries
- Waste solvents and lubricants
- Meat and bone meal - slaughterhouse waste due to bovine spongiform encephalopathy contamination concerns
- Waste plastics
- Sewage sludge
- Rice hulls
- Sugarcane waste
- Used wooden railroad ties (railway sleepers)
- Spent Cell Liner (SCL) from the aluminium smelting industry (also called Spent Pot Liner or SPL)

Portland cement manufacture also has the potential to benefit from using industrial by-products from the waste-stream. These include in particular: Slag, Fly ash (from power plants), Silica fume (from steel mills) Synthetic gypsum (from desulfurisation)

Does 3M propose to burn toxic waste from other facilities in the Portland Cement plant?

If so, how would the highly toxic emissions and waste flow be safely handled?

"The latest round of testing[Rillito Portland Cement Plant] performed in January 2003 by the company, is designed to ensure that the facility complies with federal standards governing the emissions of dioxins and furans, which are byproducts of the manufacturing process." Why isn't the federal EPA the lead agency for this project?

The Rillito Plant is an example of what the public fears. The plant was non-compliant with *self-monitored* air samples. Were they shut down? Did the Arizona Air Quality Manager take over supervision of the testing until the plant was in compliance? No, they are going to do another round of self-monitoring.

What will you and other local agencies do to protect local citizens better than that? Citizens are eager to participate in the monitoring process. Please create a citizen liaison position at the AQMD with powers of enforcement.

A quarry operation digging below the water table has the potential to pollute groundwater and contaminate neighboring wells. What safeguards are in place to prevent that from happening to residents near the proposed project? This is a of crucial importance to citizens, so the more details you can give us on this issue the better.

ASPHALT CONCRETE PLANT

This plant is the one that concerns my family the most. We relocated to Shasta County in 1998 because my daughter, Laura contracted leukemia. My strong suspicion at the time was that her cancer was caused by the surrounding petroleum plants. It was validated a few years later when a leukemia cluster was identified. A few years after that, the headlines of the West Valley Times exclaimed that the local refineries were emitting twice the pollution they *self-reported.*

The crude oil in the production of asphalt releases a significant amount of benzene. That is the toxin that caused my daughter's leukemia.

BLUE RIDGE ENVIRONMENTAL DEFENSE LEAGUE:

Asphalt plants mix gravel and sand with crude oil derivatives to make the asphalt used to pave roads, highways, and parking lots across the U.S. These plants release millions of pounds of chemicals to the air during production each year, including many cancer-causing toxic air pollutants such as arsenic, benzene, formaldehyde, and cadmium. Other toxic chemicals are released into the air as the asphalt is loaded into trucks and hauled from the plant site, including volatile organic compounds, polycyclic aromatic hydrocarbons (PAHs), and very fine condensed particulates.

Asphalt Fumes are Known Toxins. The federal Environmental Protection Agency (EPA) states "Asphalt processing and asphalt roofing manufacturing facilities are major sources of hazardous air pollutants such as formaldehyde, hexane, phenol, polycyclic organic matter, and toluene. Exposure to these air toxics may cause cancer, central nervous system problems, liver damage, respiratory problems and skin irritation." [EPA]. According to one health agency, asphalt fumes contain substances known to cause cancer, can cause coughing, wheezing or shortness of breath, severe irritation of the skin, headaches, dizziness, and nausea. [NJDHSS] Animal studies show PAHs affect reproduction, cause birth defects and are harmful to the immune system. [NJDHSS] The US Department of Health and Human Services has determined that PAHs may be carcinogenic to humans. [DHHS]

What specif toxins would this proposed plant emit?

In what quantity?

The facilitator at the scoping meeting stressed the point repeatedly that he was not there to address human concerns, only environmental. Your position is more encompassing. Citizens would like your response to the following study by BREDL.

Health Impacts & Loss of Property Value. The Blue Ridge Environmental Defense League (BREDL), a regional environmental organization, has done two studies on the adverse impacts on property values and health for residents living near asphalt plants. A property value study documented losses of up to 56% because of the presence of a nearby asphalt plant. In another study, nearly half of the residents reported negative impacts on their health from a new asphalt plant. The door-to-door health survey found 45% of residents living within a half mile of the plant reported a deterioration of their health, which began after the plant opened. The most frequent health problems cited were high blood pressure (18% of people surveyed), sinus problems (18%), headaches (14%), and shortness of breath (9%).

Further, the BREDL states:

The EPA Worst Source model predicts that the acceptable ambient levels (AALs) would be exceeded 1.8 miles (3000 meters) from the plant Arsenic, a toxic heavy metal, would exceed AALs 2.17 miles (3,500 meters) from the plant.

Is a setback from residence, schools and community buildings being proposed as a mitigation for the toxic heavy metals which travel long distances as well as the constant flow of dust particulates?

Has 3M considered fencing the property adjacent to Shasta Lake and Mountain Gate to prevent wildlife and children from wondering onto the site operating heavy equipment, 1,000s of gallons of hot asphalt, open retention ponds,etc?

What site specific health-based air pollution modeling and monitoring is proposed for the asphalt plant?

Does 3M propose fully enclosing the load-out zones?

Is 3m's goal for the asphalt plant *total* containment of air pollutants?

If not, why not?

"fugitive emissions" are the release of Hazardous Air Pollutants (HAP's) as the asphalt is moved and stored. This source of emissions is neither regulated nor monitored, and depending on the size of the asphalt operation, can release up to 50 tons of toxic air emissions annually.
In addition to smokestack emissions, large amounts of harmful "fugitive emissions" are released as the asphalt is moved around in trucks and conveyor belts, and is stored in stockpiles. A small asphalt plant producing 100 thousand tons of asphalt a year may release up to 50 tons of toxic fugitive emissions into the air. [Dr. R. Nadkarni] Stagnant air and local weather patterns often increase the level of exposure to local communities. In fact, most asphalt plants are not even tested for toxic emissions. The amounts of these pollutants that are released from a facility are estimated by computers and mathematical formulas rather than by actual stack testing, estimates that experts agree do not accurately predict the amount of toxic fugitive emissions released and the risks they pose. According to Dr. Luanne Williams, a North Carolina state toxicologist, 40% of the toxins from asphalt plant smokestacks even meet air quality standards and for the other 60% of these emissions, the state lacks sufficient data to determine safe levels.

Once these 'fugitive' emissions from the refineries in the San Francisco Bay Area were monitored, it was revealed that were emitting twice what they were *self*-reporting. Certainly we can do better than that. How does the local AQMD plan to monitor these substantial 'fugitive' emissions to better serve the common good?

Chemicals released from asphalt plants and asphalt terminals

- Sulfur dioxide (SO2): Environmental Defense, U.S. Agency for Toxic Substances and Disease Registry.
- Hydrogren sulfide (H2S): Environmental Defense, U.S. Agency for Toxic Substances and Disease Registry.
- Volatile organic chemicals (VOCs): Environmental Defense, List of all known volatile organic chemicals.

The environmental and human health concerns regarding the proposed asphalt plant are grave. It is very hard to assess the dangers of such a plant without knowing the quantities of asphalt they plan to produce, how much crude oil they propose to use each year in the production of asphalt. Where will this crude oil be stored? Are there other dangers regarding this plant we should be aware of? Please give us all the information available on this plant so we can be meaningfully involved in it's licensing and operations.

RECYLED CONSTRUCTION MATERIALS PROCESSING PLANT (RCMP)

WISCONSIN DEPARTMENT OF NATURAL RESOURCES:

Materials to be recycled will come from projects within an identified service area primarily consisting of portions of Waukesha, Racine, Kenosha, and Walworth counties in Wisconsin, and the northern one -half of McHenry and Lake counties in Illinois. C&D materials will be subject to a certification and screening process for unauthorized materials prior to acceptance.

All processing will be performed on a seven- acre paved surface that will be constructed within the existing gravel pit area on the property. This site is subject to regulatory stormwater management and runoff controls. In addition, the BR Amon facility is subject to Tier 1 industrial stormwater permit requirements under NR 216 Wisconsin Administrative Code. The processing area will be located 1600 feet north of Potter Road adjacent to the existing BR Amon hot mix asphalt plant shingle recycling operation. Due to the outdoor operations, the facility will operate only from April through December.

Construction Materials Recycling, LLC anticipates that residential roofing shingles, which have been accepted at the BR Amon asphalt plant since September 2007, will account for more than 50 percent of the C&D materials accepted at their processing operation. Materials that cannot be recycled will be hauled to a licensed landfill. The estimated C&D materials acceptance rate at the site will be an average of 104 tons per day. The operation is subject to DNR approval and licensing under Chapter NR 502.08 Wisconsin Administrative Codes.

Would construction waste be subject to a certification and screening process prior to acceptance at this plant? What are the specifics of this process?

Would plant or government employees conduct the certification of waste to be accepted?

Would these certifications be available for public review?

If the waste certification is conducted by plant employees, would the overseeing agency conduct surprise inspections?

US ARMY CORPS OF ENGINEERS
CONCEPTS FOR REUSE AND RECYCLING OF CONSTRUCTION AND DEMOLITION WASTE: Technical Report 99/58 , June 1999

Lead-Based Paint
For lead-based paint (LBP) waste to be considered a hazardous waste, it must contain more than 5 parts per million (ppm) of leachable lead as determined by the TCLP test. While other hazardous substances, such as mercury as a fungicide, have been used in paint, lead presents the most serious problem due to its widespread use especially in pigments, which may comprise a major volume component of the paint film.

The site of C&D waste disposal has traditionally been either a landfill or backfill. With increased recycling, the final disposition for the material may still be fill, but may also be in the form of other building or consumer products. It is important to consider the final use or disposition of the wastes, particularly if the materials contain some hazardous or restricted materials. An example is the chipping or shredding of finished wood. Lead-based paint is considered a hazardous material, and reducing the wood to small particles make the lead more mobile in the environment. Using this material as mulch or landscape cover should actually increase the exposure of people to the lead than if the material were left in place. The same is true when the hazardous material is reduced to a small particle size; in such a case, the dissolution by prolonged exposure to moisture will increase the level of the material in ground water. Reduction of the waste may also increase the density of its toxic constituent, therefore making it relatively more hazardous.

Reducing wood coated in lead-based paint or mercury into small particles makes them more mobile in the environment. Before final disposition, would you require 3M to do a TCLP lead test?

What regulations regarding toxic materials apply to a California RCMP Plant?
What emissions are released from a RCMP smoke stack?

How much water does this plant require per year?

What pollutants can be found in their waste water stream?

What purification process will be implemented before this waste water is stored?

How would the waste water be stored?

What mitigation measures is 3M proposing to lessen the impact of their RCMP plant?

What regulatory stormwater management and runoff controls apply to this proposed plant?

Is there an additional industrial stormwater permit requirement for this plant?

What is the materials acceptance rate at the proposed site? The plant in Wisconsin is proposing 104 thousand pounds a day, so this is no small matter.

Will waste be accepted from outside the county?

The Wisconsin plant expects over 50% of it's waste to be roofing tiles. A significant portion of roofing is made of chemically treated wood, asphalt or asbestos. These are federally recognized toxins. Would 3M's proposed plant accept these wastes for disposal?

If so, what licensing would be required for the handling of toxic waste?

What agencies would be overseeing the proper handling of these wastes?

Does 3M propose to backfill this waste? If so, how will the air and water near the backfill be monitored to protect the groundwater and air?

Were would these records be accessible to the public?

The plant in Wisconsin is an 'outdoor operation' that operates from April through December. Is the proposed RCMP plant an outdoor operation?

If so, how can they limit their emissions to an acceptable level?

What are the dimensions of the proposed RCMP plant? What type of equipment such a Jaw Crusher, mobile Cone Crusher, mobile Impact Crusher, etc would be used?

If 104 thousand pounds of construction waste is brought to the proposed site a day, Will the area for sorting and storage be paved to prevent leaching into the ground?

This waste is brought in by private parties. What road would they use to access the plant?

How much private traffic does the plant expect on a daily basis?

What other precautions would be implemented to minimize impact to the surrounding area?

TRUCK AND RAILROAD LOADING FACILITy

The Draft Environmental Impact Statement for the Dewey Conveyor Project in Custer County, South Dakota gave the following estimate of haul truck traffic to a railroad loading facility. The Dewey project would process half the material proposed by the 3M project.

Alternative C would use 25-cubic yard haul trucks with 12 cubic yard double axle pup-trailers; containing a total of about 37 cubic yards of material per truck (or 48 tons per truck at 1.3 tons per cubic yard).
Therefore, it would require about 83 round trips per day to haul the anticipated 4,000 tons of limestone mined per day to the rail load-out facility (or approximately one truck every three minutes of an 8-hour haul day).

The 3M scoping flier states; "Processing, loading and hauling would occur up to 24 hours a day, 7 days per week." Calculating double the production of the Dewey Conveyor Project and averaging it over a 24 hour period, that would mean an average of one truck every 4/12 minutes to the load-out facility.

25% of the quarry's product would be carried by truck. Every sixteen minutes, twenty four hours a day, a semi-truck loaded with rock and pulling a trailer loaded with rock would be entering public roads. A public safety issue of major concern.

The roads these trucks plan to be using need to be clearly identified.

How is the issue of public safety being addressed?

fugitive dust emissions from so many trucks loading, unloading and driving on dirt is a major impact to vegetation, wildlife and your neighbors. The detrimental health impacts are well documented. What is 3M's proposal to reduce the impact from this emission source?

The exhaust from the semi-trucks every four and a half minutes is of an even deeper health concern. What mitigation measures are proposed to off-set this damage? What BACT is being applied?

WATER

Water is such a big issue, it can not begin to be addressed within the scoping deadline. Preliminary information on what entity would supply the water to 3M and the quantity to be supplied is critical for meaningful participation of the public in this process.

WASTE WATER

Looking at the rough estimates on the water use for just one of the four proposed plants, it is evident there would be a significant stream of waste water. What information can you provide regarding how this waste water would be treated and stored? Filtered? Chlorinated? Lined lagoons? IF so, how large and how many over time? Is the proposed lining strong enough for a plant licensed for 100 years? Would the ground water near the lagoon be tested regularly? What agency monitors this testing? What is the protocol if the lagoon has leached into the ground water and/or nearby wells? Would the lagoons be covered to protect local wildlife, birds and children?

NATIVE AMERICAN CONCERNS

Native American artifacts are known to exist on the proposed site. Has an extensive, site-specific evaluation of cultural resources been performed?

If so, which tribes were involved in this evaluation?

These sites are vulnerable if their location is divulged in public documents. How are these sites being protected?

If any additional sites are discovered during the construction and operation of this project, what is the protocol for proper notification procedures?

Is this procedure agreeable to the involved tribes?

ENDANGERED SPECIES/PLANTS

There is significant potential for sensitive species to be disturbed on this project site. After they are identified, such as the Northern Clarkia flower, will they be ignored or protected? If the answer is protected, how does 3M propose to do that? The community needs to be involved in this identification process. Local citizens can help locate species and plants native to the area. This would also foster trust in the outcome of the study.

FEDERAL AGENCIES SHOULD BE INVOLVED IN THE PROJECT

The proposed Liberty Quarry Project in Riverside County, Ca estimated they would use between 118 million and 128 million gallons of water per year. The equivalent use of 876 homes. The Liberty Quarry stated this was a conservative estimate. The Liberty Quarry is also a smaller project.

Local water companies with pre-1914 water rights, the rights needed to prevent federal involvement (in regards to water) have expressed their unwillingness to contract with the 3M project. Pre-1914 water rights holders from outside the area would likely be both prohibitively expensive and controversial.

The Bureau of Reclamation appears to be the only likely source of water for the project. Water from this federal agency automatically triggers the necessity for an Environmental Impact Statement.

The federal Environmental Protection Agency should not only be involved, but the lead federal agency. First, because of the size, complexity and environmental impacts of the proposal.

Secondly, The Federal EPA has recognized Shasta Lake City as an Environmental Community and having just been introduced to this project, things already do not seem right.

The map of the 3M property line shows approximately 5 acres clearly within city limits. The map mailed to residents marked "project site" looks the same except the 5 acres in city limits disappeared. This gives the citizens the false impression they can't have any input in the project. "Nothing we can do. It's a county project."

The scoping facilitator mentioned the project intends to use Black Canyon Road to deliver explosives and gasoline to the project. Black Canyon Rd can only be accessed through Shasta Lake City. A continual stream of trucks filled with explosives and gasoline thundering down narrow residential side streets to Black Canyon Road (also a narrow residential street) to the quarry. This is clearly a Shasta Lake City project and therefor the City should be the lead agency.

The facilitator also mentioned 3M using Digger Bay Rd to access their property. The only access to Digger Bay Rd is to cross the entire width of Shasta Lake City. Once again, SLC should be the lead agency.

City residents received a plain folded piece of white paper addressed to 'postal patrons' from the Dept of Resource management. It looked like a piece of junk mail. Especially marked with a permit stamp rather than a first rate stamp. Inside, the font size is small and crowded. The map of the project is useless in it's vagueness. It mistakenly appears that the entire project is outside the city limit. A significant mistake in its implications.

Black Canyon Rd and the streets feeding to Digger Bay Rd are not clearly identified even though the facilitator said they intended to use them. *The location of the four plants and the railroad loading area are not on the map.*

The facilitator insisted throughout the meeting that the audience must limit its questions to the 'environment.' Human and environmental health issues are fused. If a mother is concerned about the toxic emissions from the plants, is her concern only valid if she is concerned for the creeks and not if her first concern is for her children? This severe limitation on the participants made the scoping process ineffective.

The unfair treatment of poor and/or minority communities is the reason Environmental Justice was enacted. In 1999, the the EPA Environmental Appeals Board remanded Knauf Fiberglass' PSD back to the Shasta County Air Quality Mgmt District for 'failure to provide an environmental justice analysis in the administrative record in response to comments raising the issue." Shasta Lake residents require this protection once again with this proposed project.

the property that 3M proposes to develop, is located in an area designated by The National Forest Service as a scenic highway. Certainly before the county considers rezoning the project site they need to verify it is not in violation with this designation. Northern California's prized recreational destination, Lake Shasta, is located only a mile or so from the project site! The National Forest Service has a significant role to play in this project.

The California Environmental Protection Agency (Cal/EPA or Agency) Environmental Justice is taking this issue very seriously. They have designated the Office of Environmental Health Hazard Assessment (OEHHA) to lead the development of what appears to be stricter guidelines than the federal ones. (Government Code Section 65040.12). They also need to be involved in this process.

RE-ZONING

Wikipedia

Theoretically, the primary purpose of zoning is to segregate uses that are thought to be incompatible. In practice, zoning is used to prevent new development from interfering with existing residents or businesses and to preserve the "character" of a community. Zoning is commonly controlled by local governments such as counties or municipalities, though the nature of the zoning regime may be determined or limited by state or national planning authorities [National Forest Service] or through enabling legislation...Zoning may include regulation of the kinds of activities which will be acceptable on particular lots (such as open space, residential, agricultural, commercial or industrial), the densities at which those activities can be performed (from low-density housing such as single family homes to high-density such as high-rise apartment buildings), the height of buildings, the amount of space structures may occupy, the location of a building on the lot (setbacks), the proportions of the types of space on a lot, such as how much landscaped space, impervious surface, traffic lanes, and whether or not parking is provided.

The project is so large, 3M needs to rezone 233.55 acres of rural residential property. It was zoned rural residential when businesses opened there, when families bought homes on a few acres down a country lane. The county, when considering a rezoning of this magnitude and this conflicting of use with well establish rural properties, should deny such a drastic request.

3M is also requesting the rezoning of another 512.7 acres from mineral resource and industrial to just mineral resource. Could you explain the difference and why they require this rezoning in order to operate?

What type of re-zoning is being proposed for the five acres within the Shasta Lake City limits?

Does the five acres within SLC fall within the city's authority regarding zoning?

If the five acres still falls within county designation regarding zoning. Do different rezoning laws apply since it falls within city limits?

It is hard to comment effectively regarding rezoning without the specifics of where each parcel they are asking to rezone is located on the project site. Could you provide a map that shows all the parcels involved in the project and specify which ones they propose to rezone?

The feeder roads to Digger Bay and Black Canyon Road (as well as portions of Black Canyon Rd.) are within SLC limits. 3M proposes to use these roads. Is it the city's or county's jurisdiction to rezone these roads for commercial traffic ?

Theoretically, the primary purpose of zoning is to segregate uses that are thought to be incompatible. In practice, zoning is used to prevent new development from interfering with existing residents or businesses and to preserve the "character" of a community.

The rezoning request is of such a drastic change, not for example rural residential to a higher density residential zoning to allow a two story apartment building. But from rural residential to heavy industry. This re-zoning request is of such extreme magnitude and impact, to authorize this rezoning would make a mockery of the zoning laws that residents and businesses relied on when buying their homes and businesses.

The cumulative impacts of such a large and complex project are a substantial concern and also could not be studied and addressed in such a short period. Any and all information you could provide on the cumulative impact in regards to the project as a whole would be greatly appreciated.

I appreciate this chance to have our preliminary questions answered so we can participate more knowledgeably once the E.I.R. Is released.

Thank you so much for your time and efforts,

Heidi Strand

Heidi Strand
P.O. Box 172,
Whitmore,CA 96096
hswriter@frontiernet.net

RECEIVED
SHASTA COUNTY
FEB 07 2012
DEPT OF RESOURCE MGMT
PLANNING DIVISION

Feb 6 2012

To: Mr Bill Walker

I wish to express deep concern and alarm involving the proposed Moody Flats Quarry. My concerns include the following:

1. Excessive noise and vibrations from blasting
2. Run-off into streams and various water ways.
3. Extreme amounts of dust and air pollution - and its effects on health
4. Pollutants and odors from proposed asphalt plant
5. Greatly increased traffic
6. All the above affecting local health, economy, tourism (Shasta Lake in particular) and property values

For these and other reasons, I feel the Moody Flats Quarry would NOT be good for our area.

Sincerely
Stephanie Thomas

RECEIVED
SHASTA COUNTY

FEB 07 2012

DEPT OF RESOURCE MGMT
PLANNING DIVISION

S. Thomas
1024 Mussel Shoals Ave.
Shasta Lake, CA 96019

REDDING CA 960
06 FEB 2012 PM 1 T

Shasta Co. Dept. of Resource Management
Planning Division
1855 Placer St. Suite 103
Redding Ca. 96001

attn: Bill Walker, Senior Planner

From: Toshadeva & Kamala Guhan [tosha@catalinaisp.com]
Sent: Tuesday, February 14, 2012 3:25 PM
To: Bill Walker
Cc: Toshadeva & Kamala Guhan
Subject: Proposed Moody Flats Quarry EIR

To: Bill Walker, Senior Planner
Dept. of Resource Management
Planning Division
1855 Placer St Suite 103
Redding, CA 96001

From: Toshadeva & Kamala Guhan
3304 Shasta Dam Blvd Spc 72
Shasta Lake, CA 96019

Re: Proposed Moody Flats Quarry EIR

Dear Sir,

This letter is from concerned local homeowners here in Shasta Lake.
We have three children and twelve grandchildren, sixth and seventh generation born Californians, all here in the Redding area. We recently purchased our first home, to retire in, here in Shasta Lake.

We are located in a 180-unit manufactured-home park for seniors 55 years and older, very near to the southern borders of the proposed quarry site. To qualify for residency one must agree to maintain the peaceful atmosphere, allowing others the 'quiet enjoyment' of their homes for the health and well-being of all residents. We are very concerned on numerous issues which would impact the environment here.

The general noise of the quarry operations and associated activities is of immediate concern, as is the greatly alarming prospect of the dust/particulate matter polluting our air, especially in a senior's park very close to and generally downwind of the proposed quarry site; the health of many is at risk here. These issues of concern are being expressed by others, so will not elaborate further at this time.

Another issue which is of main concern is the actual vibration from the blasting activities. Other people have mentioned the cumulative effects on foundations of buildings, but my concern is for the personal well-being of those of us suffering from stress-related health problems, i.e.: PTSD, panic attacks, etc.

Many times medication is able to help with the symptoms, but avoiding situations that create anxiety, and having a quiet home to retreat to is essential. The proposed quarry would have the environmental impact here in our residence of disturbing the peace in a jarring, jolting fashion. Unlike steady noises or vibrations like a train or freeway, this would be concussively staccato as in wartime bombardment, triggering the fight-or-flight response of adrenaline, fear, etc. with nowhere to run for escape and quiet.

All of these concerns are for the well being of many thousands of people in the Shasta Lake area. How can hundreds of acres of pristine environment being blasted to rubble outside our doors be mitigated? To suggest better insulating homes from the noise, as in the preliminary EIR, is without compassion. Are we then to be prisoners in our own homes, unable to enjoy nature in our yards and all about us?

The financial benefit of a few should not outweigh the destruction of the environment we all share.

Could someone could be so kind to acknowledge receipt of this email letter? Thank you.

Respectfully,

Toshadeva & Kamala Guhan
3304 Shasta Dam Blvd Spc 72
Shasta Lake, CA 96019

Richard & Georgia Tull
P.O. Box 5729
(17558 Linda Vista Drive)
Shasta Lake, CA 96089

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SHASTA COUNTY

FEB 07 2012

DEPT OF RESOURCE MGMT
PLANNING DIVISION

February 5, 2012

Mr. Bill Walker
Senior Planner
Shasta County Dept. of Resource Mgmt.
Planning Division
1855 Placer Street, Suite 103
Redding, CA 96001

Dear Mr. Walker:

We received the notice about the proposed quarry in the Mountain Gate area. We understand that this quarry, concrete plant, asphalt concrete plant, recycled construction materials processing plant, truck and railroad loading will operate from 6 a.m. to 10 p.m, Monday through Friday, and 6 a.m. to 3 p.m. on Saturdays. Processing, loading and hauling would occur up to 24 hours per day, 7 days per week.

We can easily hear the freeway (I-5), Lake Blvd., and Shasta Dam Blvd. from our house. We often hear the dam from our house. We can hear people talking who live acres away from us....and they can hear us talking when we are outside. These noises are unavoidable. The point is, noise pollution from a quarry would be substantial, carry quite a distance, and we already have enough noise around us.

We visited the company's website and in the 4.2 Objectives of the Project, it is stated that there will be hard rock mining activities, which include blasting and nighttime load out operations. It's bad enough that our house has lost half of it's value to the poor economy, we don't want to live with the noise that will be generated by a quarry. If we can hear I-5 already, there is a huge probability that we will hear the quarry activities.

There is also the matter of using Digger Bay Road for additional transport. That traffic will negatively impact Shasta Dam Blvd. as well.

In short, we object to the General Plan Amendment 09-002, Zone Amendment 09-013, Use Permit 09-018, and the Reclamation Plan 09-00.

Hopefully, our concerns will be taken seriously because, if not, this will not be the last objection sent.

Sincerely,

Richard & Georgia Tull

Richard and Georgia Tull