

MEMORANDUM

TO:	Ross Campbell, Materials Division Manager The Dutra Group	FROM:	Geoff Reilly, Sr. Environmental Planner WRA, Inc.
DATE:	March 1, 2023		
SUBJECT:	Haystack Landing Project – Reduced Footprint Layout 3355 Petaluma Boulevard South, Petaluma Assessor’s Parcels 019-320-023 PLP04-0046		

This memo is a more detailed update to my January 12, 2023 memo prepared in response to your request for an independent analysis of the minor changes to the Haystack Project as a result of the regulatory permitting process, and whether those minor changes would trigger a new or updated California Environmental Quality Act (CEQA) analysis. For the reasons described below, and mainly because none of those changes present increased or new significant environmental impacts, no new or updated CEQA analysis is required.

I was retained by the County of Sonoma as the independent Project Manager for the Dutra Haystack Landing Asphalt and Recycling Facility Project Environmental Impact Report (EIR) that was prepared pursuant to CEQA. The Final EIR was certified and the Project was approved by the County on December 14, 2010 and included two Summary Reports dated November 20, 2009 and September 24, 2010 that revised the Project description included in Draft EIR dated January 2008. The revisions to the Project description included but were not limited to the elimination of both the on-site crushing of recycled material and the on-site barge off-loading facility. Summary Report II also addressed the impacts of aggregate transfer from the Landing Way Depot aggregate distribution facility to the Project site and the new US101 interchange adjacent to the site which included Caltrans’ removal of a heron rookery at the site.

I have reviewed the January 26, 2021 Reduced Footprint Project submittal which includes January 2020 Reduced Project Footprint Improvement Plans and the January 2021 Wetland Restoration and Enhancement Plan (WREP) prepared for the Project in comparison to the environmental topics analyzed in Section V (Environmental Impact Analysis) of the 2010 Final EIR and the two Summary Reports for the purpose of determining if any additional analysis under CEQA is warranted for the Reduced Project Footprint and WREP. In comparison to the Project analyzed in the 2010 Final EIR and the two Summary Reports, the Reduced Project Footprint and WREP avoid impacts to all jurisdictional wetlands and therefore the Project no longer requires authorizations under Sections 401 and 404 of the Clean Water Act. The WREP is an update to and supersedes the Wetland Mitigation and Monitoring Plan (WMMP) included in the 2010 Final EIR and enhances and restores 23 acres of wetlands compared to 19 acres proposed by the WMMP. The Reduced Project Footprint was identified through the Corps’ Least Environmentally Damaging Practicable Alternative (LEDPA) process, in compliance with County Conditions of Approvals (COAs) 39, 91, 93 and 94 for the Project. The Project footprint has been reduced in size from 35.33 acres to 7.35 acres and the conveyor and covered feed hopper located on the Landing Way Depot site have been shortened and moved to the east, eliminating the need to fill wetlands on that site. The Reduced Project Footprint would convey all aggregate from the Landing Way Depot to the Project site, and does not change the asphalt batch plant’s maximum production capacity of 225,000 tons per year, or

the aggregate and sand distribution facility's maximum annual export capacity of 345,425 tons, as analyzed in the 2010 Final EIR. The Reduced Project Footprint also moves a landscaped berm slightly to avoid wetland impacts while retaining its visual screening functions.

CEQA Standards

CEQA requires the preparation of a subsequent or supplemental EIR where "substantial evidence in the light of the whole record" shows one or more of the following:

- (1) Substantial changes are proposed in the project which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
- (2) Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or
- (3) New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete or the negative declaration was adopted, shows any of the following:
 - (A) The project will have one or more significant effects not discussed in the previous EIR or negative declaration;
 - (B) Significant effects previously examined will be substantially more severe than shown in the previous EIR;
 - (C) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or
 - (D) Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

(Cal. Pub. Res. Code, § 21166; CEQA Guidelines § § 15162-15163.)

Comparison of Impacts Analyzed in the 2010 Final EIR and Summary Reports with the Reduced Project Footprint and WREP

Aesthetics

The new US101 interchange included widening and realigning of the highway, the removal of on- and off-ramps for Petaluma Boulevard South in both directions, and a new interchange complete with a grade-separated bridge which required removal of trees and other vegetation which fronted the Project site. Aesthetics impacts under the Reduced Project Footprint would be less than

those disclosed in the 2010 FEIR and the two Summary Reports given the reduction in the footprint from 35.33 acres to 7.35 acres, as well as the shorter conveyor from the Landing Way Depot. In a letter to Gary Helfrich of the County dated December 31, 2019, visual simulations of the Reduced Project Footprint were included in a side by side comparison to the visual simulations for the 2010 approved Project that illustrate the reduced aesthetics impacts. Mitigation measures for aesthetic impacts as prescribed in the Final EIR and approved Project permit will continue to be implemented.

Air Quality

Air quality and greenhouse gas (GHG) emissions would be less during the construction phase of the Reduced Project Footprint given less grading would be required compared to the approved Project. There would be no increase in operational air quality and GHG emissions under the Reduced Project Footprint as the operational characteristics would be similar to the approved Project.

Biological Resources

Biological resources impacts under the Reduced Project Footprint would be less than those disclosed in the 2010 FEIR and the two Summary Reports given the reduction in the footprint. The Reduced Project Footprint and WREP avoid impacts to all jurisdictional wetlands and therefore the Project no longer requires authorizations under Sections 401 and 404 of the Clean Water Act. The Corps and SFRWQCB have confirmed the Project does not require Clean Water Act authorizations. The WREP enhances and restores 23 acres of wetlands compared to 19 acres proposed by the 2010 FEIR WMMP. The conveyor and covered feed hopper located on the Landing Way Depot site have been shortened and moved to the east, eliminating fill within the wetlands on that site. Caltrans removed the egret/heron colony trees during construction of Caltrans' Highway 101 Widening Project; accordingly, Mitigation Measures BIO-4a through BIO4e from the 2010 FEIR, which anticipated that the colony trees could be removed, have been satisfied.

Cultural Resources

The potential to encounter unknown archaeological resources on-site is less than those disclosed in the 2010 FEIR and the two Summary Reports given the reduction in the footprint. As such, the Reduced Project Footprint does not increase cultural resources impacts beyond those disclosed in the 2010 FEIR and the two Summary Reports.

Geology and Soils

The Reduced Project Footprint reduces Project grading by eliminating fills within jurisdictional waters and grading within Area D. Accordingly, impacts related to geology and soils from the Reduced Project Footprint would be slightly less than under the approved Project.

Hazards and Hazardous Materials

The Reduced Project Footprint reduces Project grading by eliminating fills within jurisdictional waters which may reduce the potential for accidental spills of hazardous materials to on-site waters. As such, the Reduced Project Footprint does not increase hazards and hazardous materials impacts beyond those disclosed in the 2010 FEIR and the two Summary Reports.

Hydrology and Water Quality

The Reduced Project Footprint reduces impacts to hydrology and water quality by slightly reducing impermeable surfaces and eliminating fills and grading activities within jurisdictional waters. By eliminating fills and grading activities within jurisdictional waters, the project no longer requires

authorizations under Section 404 and 401 of the Clean Water Act, as confirmed by the Corps and SFRWQCB. Similar to the approved Project, the Reduced Footprint achieves zero net fill within the 100-year flood inundation level. Eliminating fills within jurisdictional waters may reduce the potential for accidental spills of hazardous materials to on-site waters.

Land Use

The Reduced Project Footprint does not change any impacts pertaining to any conflict with applicable land use plans, policies, or regulations compared to the impacts disclosed in the 2010 FEIR and the two Summary Reports. However, land use compatibility impacts to residential uses under the Reduced Project Footprint would be less as the on-site residential land uses have been removed since the certification of the 2010 FEIR.

Noise

Noise would be less during the construction phase of the Reduced Project Footprint given less grading would be required compared to the approved Project. The Reduced Project Footprint involves two noise-related features to ensure that the minor layout changes would not result in unanticipated noise impacts. These features include a second noise barrier, made up of concrete blocks between the asphalt plant and free span of the sound wall. A supplemental noise analysis was prepared for the Reduced Footprint on August 14, 2019 by RGDL Acoustics, Inc. that concludes “the calculated Project generated noise level at R1 was 1 dBA below the County Standard and with the slight increase in noise from the relocation of the asphalt plant would still not exceed the County Standard.” Also, no construction or operational noise impacts would occur to on-site residential uses and those have been removed since the certification of the 2010 FEIR. Also, noise receptors R3-R5 are no longer present.

Transportation/Traffic

As the annual maximum production and export capacity would not change under the Reduced Project Footprint, it would not result in any new Project transportation/traffic impacts compared to those analyzed in the 2010 FEIR and the two Summary Reports. Summary Report II also addressed the impacts of aggregate transfer from the Landing Way Depot aggregate distribution facility to the Project site and the new US101 interchange adjacent to the site.

Conclusion

The Reduced Project Footprint and WREP would not result in any new significant impacts and instead would result in a reduction in the impacts analyzed in the 2010 Final EIR and the two Summary Reports. The Reduced Project Footprint and WREP are consistent with the mitigation measures required by the 2010 FEIR as well as the County’s COAs for the approved Project. Therefore, the Reduced Project Footprint and WREP does not trigger the requirement for a supplemental or subsequent EIR under Section 15162 or 15163 of the CEQA Guidelines. We also point out that the Reduced Project Footprint also does not require an addendum to the 2010 FEIR because no “changes or additions” to the 2010 FEIR are necessary.