

Fernandez, Xavier@Waterboards

From: Edin Goolan <sir.edin@comcast.net>
Sent: Wednesday, October 19, 2016 10:37 AM
To: Fernandez, Xavier@Waterboards
Subject: Dutra Haystack asphalt plant project

Dear Xavier Fernandez

please reject any applications from Dutra regarding the Asphalt plant project in Haystack landing. We as the residents of Petaluma have been fighting this issue for more than six years. Dutra is not a reliable company and have bad track records from their operations of their other facilities in San Rafael California and in Florida. We are worried that this plant will change the quality of life of our seventy thousand man, women and children in this town. We are worried that the quality of our air, river water will change when pollutants from the factory is released in to the environment. We are worried that the only highway (Hway 101) will be jammed twenty four hours a day when Dutra trucks driving at five miles an hour coming in and out of the plant. We are also concerned about families with small children and businesses would change their minds about moving to petaluma because of the smell of asphalt and the loud noise of the plant operation. I can go on and on with details and facts but I am not going to take your time. please come and bring your family and take a walk in Shollenberger park and have some lunch in our downtown and meet some of our friendly people of Petaluma before the November 8th., thanks.
sincerely Edin Goolan, 1040 addison circle petaluma ca, 94952 707-778-8198

Fernandez, Xavier@Waterboards

From: kathleen kestelyn <kkestelyn@gmail.com>
Sent: Friday, October 28, 2016 5:00 PM
To: Fernandez, Xavier@Waterboards
Subject: Dutra Haystack Alternatives

Dear Mr. Xavier,

After reading the 23 page report, I'm not sure what has changed in reviewing this project. Perhaps, I misunderstood this review, but it says, that after multiple other places in Petaluma, where considered, the only place for this asphalt plant is the original proposal.

I can't see how an asphalt plant near a wetland, only miles from family homes, children's schools and open spaces for recreation and shopping, is not an environmental hazard for our local community.

Would you live nearby this plant?

It appears to be too close to our water and city. I strongly recommend that another location out side of Petaluma be reviewed.

Respectfully,
Kathleen Kestelyn
338 Keller St. Apt A
Petaluma, Ca. 94952-2898

Fernandez, Xavier@Waterboards

From: Adrienne Bell <adrienneleebell@gmail.com>
Sent: Thursday, October 27, 2016 10:54 AM
To: Fernandez, Xavier@Waterboards
Subject: Haystack landing site/opposition

Dear Xavier,

I am writing my second letter to you, opposing the development/use of of land for an asphalt project. As a resident and family member of business owner of Petaluma, I strongly oppose this project. Any pollution, or contamination would directly affect my health and business. I am also concerned about the air quality for my children and the children of future generations. The plants, animals and people of this area thrive on the health of our air and water. Please do not let this project move forward, and please let me know if there are more ways to oppose this project.

Sincerely,

Adrienne Argyle

Fernandez, Xavier@Waterboards

From: Josh Argyle <joshargyle@gmail.com>
Sent: Tuesday, October 25, 2016 10:13 AM
To: Fernandez, Xavier@Waterboards
Subject: Dutra Haystack Alternatives Analysis Available for Review

Dear Xavier,

As a resident and business owner of Petaluma. I strongly oppose this project. Any pollution, or contamination would directly affect my health and business. My business rels on the air and river be clean from pollution. Please do not let this project move forward.

Best regards,

Josh

On Tuesday, October 18, 2016, Fernandez, Xavier@Waterboards <Xavier.Fernandez@waterboards.ca.gov> wrote:

Dear Interested Parties:

The San Francisco Bay Regional Water Quality Control Board (Water Board) received a 404(b)(1) Alternatives Analysis (Alternatives Analysis) as part of the application for a Clean Water Act Section 401 Water Quality Certification for the Dutra Haystack Asphalt Plant Project (Project). The proposed Project would construct an asphalt plant facility and associated conveying system on the approximately 35-acre Haystack Landing site, located at 3355 Petaluma Boulevard South. The Alternatives Analysis is available for public review at

http://www.waterboards.ca.gov/sanfranciscobay/public_notices/#section401. Comments on the Alternatives Analysis will be accepted by the Water Board for 21 days, and may be submitted via email to: Xavier.Fernandez@waterboards.ca.gov, or by sending hardcopies to: 1515 Clay St., Oakland, CA, Suite 1400, to the attention of Xavier Fernandez. Comments on the Application must be submitted no later than November 8, 2016.

If you have any questions or concerns, please contact Xavier Fernandez via phone at 510-622-5685 or email at Xavier.Fernandez@waterboards.ca.gov.

Regards,

Xavier Fernandez

Environmental Scientist

San Francisco Bay Regional Water Quality Control Board

Fernandez, Xavier@Waterboards

From: Suzanne Clarke <sjclarke232@gmail.com>
Sent: Friday, October 21, 2016 7:36 AM
To: Fernandez, Xavier@Waterboards
Subject: Dutra Haystack Asphalt Plant Project

San Francisco Regional Water Quality Control Board
1515 Clay Street, Ste 1400
Oakland, CA 94612

RE: Application by Dutra Haystack Asphalt Plant Project, Petaluma, for
Water Quality Certification under Section 401 of the Clean Water Act.

Dear Mr. Fernandez:

I am asking for your help in protecting the Petaluma River, wetlands, fish and wildlife, and public investments including Shollenberger Park from devastation for the proposed and widely opposed Dutra Asphalt Plant on our river. I am concerned that the pollution of our public resources and assets by this commercial project is not being sufficiently scrutinized under the above Public Notice for a Sec. 404 Permit.

I am a volunteer with the Petaluma Wetland Alliance. We bring third grade students to Shollenberger Park and tell them about the importance of the wetlands, by acting as:

- * a natural filter and that purifies surface water,
- * a sponge and thus provides flood control to protect the lands near the river,
- * a source for infusing nutrients into the water for a healthy diet for marine life,
- * a nursery for young fish, amphibians, and reptiles, by providing shelter in their early lives,
- * a safe refuge for migrating bird life in a world where natural habitats are increasingly more scarce.
- * a place within our city where young and old alike can walk, sit, or relax in a beautiful, natural habitat.

In other words, unlike most other habitats, wetlands directly improve other ecosystems. Because of its many cleansing benefits, wetlands have been compared to kidneys. This is a very apt analogy since wetlands and kidneys both help control water flow and cleanse the system. Understanding these facts, how could I possibly explain to these third graders any rational justification that now, in the 21st Century, anyone would ever consider installing an asphalt plant right across from our precious Petaluma wetlands at Shollenberger Park? Surely, this sort of action is exactly the opposite of what we should be doing?

The project continues to be opposed strongly by the City of Petaluma, a number of non-profit and community organizations, and thousands of residents, businesses, educators and visitors.

Its construction and operation would severely damage and degrade wetlands and river restoration projects directly across the river from the proposed site, which have been funded with millions of public dollars in recent years. The Dutra project would undo that work and reindustrialize this area with a noxious and polluting asphalt factory. Alternative sites should be thoroughly examined.

I strongly urge you to raise the level of federal review for the Dutra project to a full Environmental Impact Statement under NEPA, including a more accurate and complete project and alternatives description, wetlands, avian and fish impacts analysis, avoidance and mitigation proposals.

The current Public Notice for Sec. 404 available for review and comment is insufficient to address the multiple substantial problems associated with this project. Impacts of this project to on-site and adjacent wetlands are understated and must be corrected.

The project's barge and tug traffic will likely interfere with safety of other commercial and recreational users of the Petaluma, and stacked moored barges will intrude into the Corps' 100' navigational channel. This project would require construction and operation of a conveyor belt over twin 12" PG&E high-pressure gas lines and SMART passenger rail tracks, with potentially disastrous results.

This project's location, construction and operations will diminish the wetlands and tarnish permanently the allure of Petaluma as a healthy place. It is proposed directly across the Petaluma River from the City's most popular park, Shollenberger Park, which is visited by over 150,000 people every year,.

I urge the San Francisco Regional Water Quality Control Board to deny this application.

Sincerely,
Suzanne Clarke
215 5th Street
Petaluma, CA 94952
707-364-6298

Fernandez, Xavier@Waterboards

From: CYNTHIA MADDALENA <nckrmadd@sbcglobal.net>
Sent: Thursday, October 20, 2016 10:07 PM
To: Fernandez, Xavier@Waterboards
Subject: Dutra Asphalt Plant in Petaluma

Mr. Fernandez,

We are Petaluma residents and wanted to write and let you know we are **AGAINST** the proposed Dutra Plant. It will interfere with the wetlands and river restoration at Shollenberger Park.

Millions have been spent to restore the park and now an asphalt plant is planned to be built there! Why did we waste all that money to have it thrown away on a plant that will pollute the marsh and surrounding area?

No Dutra Plant!

Thank you,
Ron and Cyndi Maddalena

Fernandez, Xavier@Waterboards

From: Jenny Christensen <jmtc@comcast.net>
Sent: Thursday, October 20, 2016 6:44 PM
To: Fernandez, Xavier@Waterboards
Subject: Dutra Haystack Asphalt Plant Project

Xavier Fernandez

San Francisco Regional Water Quality Control Board

1515 Clay Street, Ste 1400

Oakland, CA 94612

Re: Application by Dutra Haystack Asphalt Plant Project, Petaluma, for Water Quality Certification under Section 401 of the Clean Water Act.

Dear Mr. Fernandez:

I am writing to ask your help in protecting the Petaluma River, wetlands, fish and wildlife, and public investments including Shollenberger Park. I am concerned that the likely degradation of these public resources and assets by the proposed Dutra asphalt factory project is not being sufficiently scrutinized under the above Public Notice.

The project continues to be opposed strongly by the City of Petaluma, a number of non-profit and community organizations, and thousands of residents, businesses, educators and visitors.

This project's location, construction and operations will harm the wetlands, is poorly mitigated, and will tarnish permanently the allure of Petaluma as a healthy place. It is proposed to be sited directly across the Petaluma River from the City's most popular park, Shollenberger Park, which is visited by over 150,000 people every year for recreation, exercise, bird watching, and contemplation.

Dutra's construction and operation would severely damage and degrade wetlands and river restoration projects directly across the river from the proposed site, which have been funded with millions of public dollars in recent years. The introduction of a heavy industrial and pollutant-emitting asphalt manufacturing project into the northern extent of the Petaluma Marsh goes against over 50 years of protection, restoration and reclamation work around the San Pablo and San Francisco Bays.

The Dutra project would undo that hard work and progress, and reindustrialize this area with a noxious and polluting asphalt factory. Alternative sites should be thoroughly examined, particularly as this factory is not water-dependent, given no known agreements for unloading Dutra's barges at Shamrock's dock and e-crane.

I urge the San Francisco Regional Water Quality Control Board to deny this application.

Sincerely,

Jenny Christensen

2 Marlie Lane

Petaluma CA 94952

707-762-3692

--

Jenny Christensen
jmtc@comcast.net

Fernandez, Xavier@Waterboards

From: Nate Seltenrich <nate.selt@gmail.com>
Sent: Thursday, October 20, 2016 4:34 PM
To: Fernandez, Xavier@Waterboards
Subject: Application by Dutra Haystack Asphalt Plant Project, Petaluma, for Water Quality Certification under Section 401 of the Clean Water Act

Re: Application by Dutra Haystack Asphalt Plant Project, Petaluma, for Water Quality Certification under Section 401 of the Clean Water Act

Dear Mr. Fernandez:

I am writing to ask your help in protecting the Petaluma River, wetlands, fish and wildlife, and public investments including Shollenberger Park. I am concerned that the degradation of these public resources and assets by the proposed Dutra asphalt factory project is not being sufficiently scrutinized under the above-named Public Notice.

The project continues to be opposed strongly by the City of Petaluma, a number of non-profit and community organizations, and thousands of residents, businesses, educators and visitors.

This project's location, construction and operations will harm the wetlands, is poorly mitigated, and will tarnish the allure of Petaluma as a healthy place. It is proposed to be sited directly across the Petaluma River from the City's most popular park, Shollenberger Park, which is visited by over 150,000 people every year for recreation, exercise, bird watching, and quiet contemplation.

Dutra's construction and operation would damage and degrade wetlands and river restoration projects directly across the river from the proposed site, which have been funded with millions of public dollars in recent years. The introduction of a heavy industrial and pollutant-emitting asphalt manufacturing project into the northern extent of the Petaluma Marsh goes against more than 50 years of protection, restoration and reclamation work around the San Pablo and San Francisco Bays.

The Dutra project would threaten that hard work and progress, and reindustrialize this location with a noxious and polluting asphalt factory. Alternative sites should be thoroughly examined, particularly as this factory is not water-dependent, given no known agreements for unloading Dutra's barges at Shamrock's dock and e-crane.

I urge the San Francisco Regional Water Quality Control Board to deny this application.

Thank you,

Jocelyn Seltenrich
221 Purrington Road
Petaluma, CA 94952
707-228-9855

Fernandez, Xavier@Waterboards

From: Bob Prichard <APreschool@comcast.net>
Sent: Wednesday, October 19, 2016 9:40 PM
To: Fernandez, Xavier@Waterboards
Subject: Dutra and our Waterways

Dear Mr. Fernandez,

It seems that our local government (county) have ignored many of our concerns. Shollenberger Park opened to the public in 2009 at the same time Dutra began seeking the county's agreement with it's project. This is something the Regional Water Quality Control Board should realize would be detrimental to the marshland known as "the Petaluma Wetlands." The river traffic AND air quality will impact the Shollenberger Park habitat area, as well as, our neighborhood. Dutra's history of violations in Petaluma and misrepresentations about their hours of operation (not 24/7 unless it's a state contract, i.e. most of their business) should be a major concern which extend way beyond our waterways. Just because Dutra has partnered with Shamrock for their aggregate materials, they will still have to be barged to their plant.

Please do not allow Dutra to move forward with their plans.

Thank you,
Bob Prichard

Fernandez, Xavier@Waterboards

From: coburn laron <cobywanspeed@yahoo.com>
Sent: Thursday, November 03, 2016 11:37 AM
To: Fernandez, Xavier@Waterboards
Subject: Opposed to DUTRA Asphalt Plant

Hello.

As a Petaluma resident and father of 3 that live in Petaluma, I am opposed to the Dutra asphalt plant at Haystack Landing. I do not believe that there are economic benefits to such a plant, that is at the expense of health and wellness of my children, their friends and all residents of Petaluma.

Coburn Larson
Final 4 of SSN: 7098
Zip: 94952

Fernandez, Xavier@Waterboards

From: sandstoneone@aol.com
Sent: Friday, November 04, 2016 11:29 AM
To: Fernandez, Xavier@Waterboards
Subject: Dutra plant in Retaluma

Dear Mr. Fernandez,

I am writing to urge you to reject the Dutra Corporation's plan to locate an asphalt plant on the Petaluma river. This plant is to be located on an environmentally sensitive river and adjacent to sensitive wetlands and poses a great threat to them. If this plant were needed, it might be acceptable but it is not needed. There are plenty of sources of asphalt in the area and none are adjacent to water or similarly sensitive sites. The community of Petaluma is remarkably unified in opposition to this plant as they recognize, among other things, the health risks that this plant poses. The small particles it will admittedly emit penetrate the human lung deeply and will increase the risks of asthma in children and pulmonary and brain cancer in adults in the future. There are other sites that do not threaten a communities environmental integrity and health as this plant does. Please reject this permit and the dangerous, greedy and poorly planned plant it would create.

Thank you for your consideration.

Sincerely,

Jack E Miller MD

Fernandez, Xavier@Waterboards

From: Erik Chipchase <echipchase@mercenarygraphics.com>
Sent: Friday, November 04, 2016 11:29 AM
To: Fernandez, Xavier@Waterboards
Subject: RE: Application by Dutra Haystack Asphalt Plant Project, Petaluma, Alternatives Analysis

Dear Mr. Fernandez and LTC John C. Morrow, Commander, USACE San Francisco District:

I am writing to ask your help in protecting the Petaluma River, wetlands, fish and wildlife, and public investments including Shollenberger Park. I am concerned about the likely degradation of these public resources and assets that will be caused by the proposed Dutra asphalt factory.

I urge you to scrutinize Dutra's misinformation and false parameters contained in Dutra's Sec. 404 Permit application.

Please consider my comments on Dutra's "Alternatives Analysis" and reject their application for a 404 Permit.

- 1) Dutra's parcels are part of a sensitive wetlands ecosystem and the Project will harm the public's use of Shollenberger Park and the Petaluma River.
- 2) Alternative sites, not on the water, should be considered, as asphalt production does not require proximity to water transport.
- 3) The Project will impact the Petaluma River with toxic air pollution, lights disrupting wildlife and humans, noise, diesel emissions, and storm water runoff.
- 4) Dutra's proposed mooring of barges and tugs will block the federal, dredged Navigable Waterway of the Petaluma River.
- 5) There is no evidence in the public record that Dutra can even use Shamrocks e-crane for unloading sand and aggregate next door for Dutra's supplies, so the proposed Petaluma location may not even be possible for the asphalt factory,
- 6) An excess of permitted operating asphalt production facilities (Syar & BoDean) is up and running in the service area proposed by Dutra. The proposed factory is duplicative and unnecessary to serve the region's needs.

Sincerely,

Erik Chipchase
echipchase@mercenarygraphics.com

Fernandez, Xavier@Waterboards

From: Alan Spiro <ulq@comcast.net>
Sent: Friday, November 04, 2016 11:22 AM
To: Fernandez, Xavier@Waterboards; John.C.Morrow@usace.army.mil;
John.C.Morrow@usace.army.mil
Cc: joancooper115@gmail.com
Subject: Dutra Plant

Dear Mr. Fernandez and LTC John C. Morrow, Commander, USACE San Francisco District:

I am writing to ask your help in protecting the Petaluma River, wetlands, fish and wildlife, and public investments including Shollenberger Park. I am concerned about the likely degradation of these public resources and assets that will be caused by the proposed Dutra asphalt factory.

I urge you to scrutinize Dutra's misinformation and false parameters contained in Dutra's Sec. 404 Permit application.

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- 4) Dutra's proposed mooring of barges and tugs will block the federal, dredged Navigable Waterway of the Petaluma River.
- 5) There is no evidence in the public record that Dutra can even use Shamrocks e-crane for unloading sand and aggregate next door for Dutra's

supplies, so the proposed Petaluma location may not even be possible for the asphalt factory,

- 6) An excess of permitted operating asphalt production facilities (Syar & BoDean) is up and running in the service area proposed by Dutra. The proposed factory is duplicative and unnecessary to serve the region's needs.

I spend a lot of time at Shollenberger and my family and I would be very disappointed if the air quality or the smell from the plant impacted our enjoyment.

Sincerely,

Alan Spiro

1856 Adobe Creek Drive

Petaluma, CA 94954

Fernandez, Xavier@Waterboards

From: Joan Nettler <joannettler@hotmail.com>
Sent: Friday, November 04, 2016 11:11 AM
To: John.C.Morrow@usace.army.mil; Bryan.T.Matsumoto@usace.army.mil; Fernandez, Xavier@Waterboards
Cc: joancooper115@gmail.com
Subject: RE: Application by Dutra Haystack Asphalt Plant Project, Petaluma, Alternatives Analysis

Dear Mr. Fernandez and LTC John C. Morrow, Commander, USACE San Francisco District:

I am writing to ask your help in protecting the Petaluma River, wetlands, fish and wildlife, and public investments including Shollenberger Park. I am concerned about the likely degradation of these public resources and assets that will be caused by the proposed Dutra asphalt factory.

I urge you to scrutinize Dutra's misinformation and false parameters contained in Dutra's Sec. 404 Permit application.

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- 6) An excess of permitted operating asphalt production facilities (Syar & BoDean) is up and running in the service area proposed by Dutra. The proposed factory is duplicative and unnecessary to serve the region's needs.

Very truly yours,
Joan Nettler
Petaluma resident

Fernandez, Xavier@Waterboards

From: Julie Compton <julielou@yaboogie.com>
Sent: Friday, November 04, 2016 11:38 AM
To: John.C.Morrow@usace.army.mil; Bryan.T.Matsumoto@usace.army.mil; Fernandez, Xavier@Waterboards
Cc: joancooper115@gmail.com
Subject: RE: Application by Dutra Haystack Asphalt Plant Project, Petaluma, Alternatives Analysis

Dear Mr. Fernandez and LTC John C. Morrow, Commander, USACE San Francisco District:

I am writing to ask your help in protecting the Petaluma River, wetlands, fish and wildlife, and public investments including Shollenberger Park. I am concerned about the likely degradation of these public resources and assets that will be caused by the proposed Dutra asphalt factory.

I urge you to scrutinize Dutra's misinformation and false parameters contained in Dutra's Sec. 404 Permit application.

Please consider my comments on Dutra's "Alternatives Analysis" and reject their application for a 404 Permit.

- 1) Dutra's parcels are part of a sensitive wetlands ecosystem and the Project will harm the public's use of Shollenberger Park and the Petaluma River.
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- 5) There is no evidence in the public record that Dutra can even use Shamrocks e-crane for unloading sand and aggregate next door for Dutra's supplies, so the proposed Petaluma location may not even be possible for the asphalt factory,
- 6) An excess of permitted operating asphalt production facilities (Syar & BoDean) is up and running in the service area proposed by Dutra. The proposed factory is duplicative and unnecessary to serve the region's needs.

Please, please be on the side of the residents of this beautiful place and help us preserve the wetlands and beautiful river front we all love.

Sincerely,

Julie Compton

185 H St B, Petaluma, CA 94952

Fernandez, Xavier@Waterboards

From: Karen Collum <karencollum@gmail.com>
Sent: Friday, November 04, 2016 10:52 AM
To: John.C.Morrow@usace.army.mil; Bryan.T.Matsumoto@usace.army.mil; Fernandez, Xavier@Waterboards; Joan Cooper
Subject: Application by Dutra Haystack Asphalt Plant Project, Petaluma, Alternatives Analysis

I am writing to ask your help in protecting the Petaluma River, wetlands, fish and wildlife, and public investments including Shollenberger Park. I am concerned about the likely degradation of these public resources and assets that will be caused by the proposed Dutra asphalt factory.

I urge you to scrutinize Dutra's misinformation and false parameters contained in Dutra's Sec. 404 Permit application.

Please consider my comments on Dutra's "Alternatives Analysis" and reject their application for a 404 Permit.

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- 6) An excess of permitted operating asphalt production facilities (Syar & BoDean) is up and running in the service area proposed by Dutra. The proposed factory is duplicative and unnecessary to serve the region's needs.

Thank you for your consideration.

Sincerely,

Karen Collum and John Roberts
4850 Bodega Ave
Petaluma, CA 94952

Fernandez, Xavier@Waterboards

From: Gabrielle Swanberg <g_swanberg@hotmail.com>
Sent: Friday, November 04, 2016 10:50 AM
To: John.C.Morrow@usace.army.mil; Bryan.T.Matsumoto@usace.army.mil; Fernandez, Xavier@Waterboards
Cc: joancooper115@gmail.com
Subject: RE: Application by Dutra Haystack Asphalt Plant Project, Petaluma, Alternatives Analysis

11/4/16

ATTENTION: Xavier Fernandez at the RWQCB

ATTENTION: LTC John C. Morrow, Commander, USACE San Francisco District

RE: Application by Dutra Haystack Asphalt Plant Project, Petaluma, Alternatives Analysis

Dear Mr. Fernandez and LTC John C. Morrow, Commander, USACE San Francisco District:

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- 6) An excess of permitted operating asphalt production facilities (Syar & BoDean) is up and running in the service area proposed by Dutra. The proposed factory is duplicative and unnecessary to serve the region's needs.

Sincerely,
Gabrielle Swanberg
1649 Lancaster Dr
Petaluma CA 94954

Fernandez, Xavier@Waterboards

From: Karen Brigando <karenbrigando@comcast.net>
Sent: Friday, November 04, 2016 10:47 AM
To: John.C.Morrow@usace.army.mil; Bryan.T.Matsumoto@usace.army.mil; Fernandez, Xavier@Waterboards
Cc: joancooper115@gmail.com
Subject: Application by Dutra Haystack Asphalt Plant Project, Petaluma, Alternatives Analysis

RE: Application by Dutra Haystack Asphalt Plant Project, Petaluma, Alternatives Analysis

Dear Mr. Fernandez and LTC John C. Morrow, Commander, USACE San Francisco District:

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- 6) An excess of permitted operating asphalt production facilities (Syar & BoDean) is up and running in the service area proposed by Dutra. The proposed factory is duplicative and unnecessary to serve the region's needs.

Sincerely,

Karen Brigando
707-773-1683
karenbrigando@comcast.net

Fernandez, Xavier@Waterboards

From: chris@salamandersound.com <chris.salamandersound@gmail.com>
Sent: Thursday, November 03, 2016 2:39 PM
To: Fernandez, Xavier@Waterboards
Subject: re: Dutra asphalt plant

Dear Mr Xavier Fernandez. I am a taxpaying Petaluma resident, and am opposed to the Dutra asphalt plant located in Petaluma. I already have asthma, as do my children.. There are too many pollutants in the air already. We don't need more.. We don't REALLY NEED a plant here in Petaluma either. Please don't let this happen here. The air already stinks like cow manure at certain times of the year... we don't need any more stink, or dust, or trucks or toxic chemicals especially next to our beautiful and healthy watery wetlands.

Let this one pass.

peace,

Chris

cmanning@skysound.com
www.salamandersound.com

Fernandez, Xavier@Waterboards

From: Jim Thomas <jeemz@sonic.net>
Sent: Friday, November 04, 2016 11:08 AM
To: John.C.Morrow@usace.army.mil; Bryan.T.Matsumoto@usace.army.mil; Fernandez, Xavier@Waterboards
Subject: RE: Application by Dutra Haystack Asphalt Plant Project, Petaluma, Alternatives Analysis

ATTENTION: Xavier Fernandez at the RWQCB

ATTENTION: LTC John C. Morrow, Commander, USACE San Francisco District

Dear Mr. Fernandez and LTC John C. Morrow, Commander, USACE San Francisco District:

I am writing to ask your help in protecting the Petaluma River, wetlands, fish and wildlife, and public investments including Shollenberger Park. I am concerned about the likely degradation of these public resources and assets that will be caused by the proposed Dutra asphalt factory.

I urge you to scrutinize Dutra's misinformation and false parameters contained in Dutra's Sec. 404 Permit application.

Please consider my comments on Dutra's "Alternatives Analysis" and reject their application for a 404 Permit.

- 1) Dutra's parcels are part of a sensitive wetlands ecosystem and the Project will harm the public's use of Shollenberger Park and the Petaluma River.
- 2) Alternative sites, not on the water, should be considered, as asphalt production does not require proximity to water transport.
- 3) The Project will impact the Petaluma River with toxic air pollution, lights disrupting wildlife and humans, noise, diesel emissions, and storm water runoff.
- 4) Dutra's proposed mooring of barges and tugs will block the federal, dredged Navigable Waterway of the Petaluma River.
- 5) There is no evidence in the public record that Dutra can even use Shamrock's e-crane for unloading sand and aggregate next door for Dutra's supplies, so the proposed Petaluma location may not even be possible for the asphalt factory,
- 6) An excess of permitted operating asphalt production facilities (Syar & BoDean) is up and running in the service area proposed by Dutra. The proposed factory is duplicative and unnecessary to serve the region's needs.

Sincerely,

James B. Thomas

76 Raymond Heights
Petaluma, California
94952
707/364-5970-c
jeemz@sonic.net

Fernandez, Xavier@Waterboards

From: Stephanie Grubaugh <steph.grubaugh@gmail.com>
Sent: Saturday, November 05, 2016 2:21 PM
To: John.C.Morrow@usace.army.mil; Bryan.T.Matsumoto@usace.army.mil; Fernandez, Xavier@Waterboards
Cc: joancooper115@gmail.com
Subject: ATTENTION: Application by Dutra Haystack Asphalt Plant Project, Petaluma, Alternatives Analysis

Dear Mr. Fernandez and LTC John C. Morrow, Commander, USACE San Francisco District:

I am writing to ask your help in protecting the Petaluma River, wetlands, fish and wildlife, and public investments including Shollenberger Park.

I urge you to scrutinize Dutra's misinformation and false parameters contained in Dutra's Sec. 404 Permit application.

Please consider my comments on Dutra's "Alternatives Analysis" and reject their application for a 404 Permit.

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2) Alternative sites, not on the water, should be considered, as asphalt production does not require proximity to water transport.

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4) Dutra's proposed mooring of barges and tugs will block the federal, dredged Navigable Waterway of the Petaluma River.

5) There is no evidence in the public record that Dutra can even use Shamrocks e-crane for unloading sand and aggregate next door for Dutra's

supplies, so the proposed Petaluma location may not even be possible for the asphalt factory,

6) An excess of permitted operating asphalt production facilities (Syar & BoDean) is up and running in the service area proposed by Dutra. The proposed factory is duplicative and unnecessary to serve the region's needs.

Sincerely,
Stephanie Grubaugh
307 Sunnyslope Ave.
Petaluma, CA 94952

Fernandez, Xavier@Waterboards

From: Eleanor Hodge <eshodge5@yahoo.com>
Sent: Saturday, November 05, 2016 2:08 PM
To: John.C.Morrow@usace.army.mil; Bryan.T.Matsumoto@usace.army.mil; Fernandez, Xavier@Waterboards
Subject: Dutra Haystack Asphalt Plant Project, Petaluma

ATTENTION: Xavier Fernandez at the RWQCB
ATTENTION: LTC John C. Morrow, Commander, USACE San Francisco District

Dear Mr. Fernandez and LTC John C. Morrow, Commander, USACE San Francisco District:

Please read and carefully consider the form letter I have copied below. The letter states the case perfectly. It was provided by a wonderful group of my neighbors here in Petaluma who have spent years trying to prevent the construction of an asphalt factory that would cause the degradation of our local wetlands, wildlife sanctuary, and air quality. This factory is not even necessary for the region's needs.

"I am writing to ask your help in protecting the Petaluma River, wetlands, fish and wildlife, and public investments including Shollenberger Park. I am concerned about the likely degradation of these public resources and assets that will be caused by the proposed Dutra asphalt factory.

I urge you to scrutinize Dutra's misinformation and false parameters contained in Dutra's Sec. 404 Permit application. Please consider my comments on Dutra's "Alternatives Analysis" and reject their application for a 404 Permit.

- 1) Dutra's parcels are part of a sensitive wetlands ecosystem and the Project will harm the public's use of Shollenberger Park and the Petaluma River.
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- 6) An excess of permitted operating asphalt production facilities (Syar & BoDean) is up and running in the service area proposed by Dutra. The proposed factory is duplicative and unnecessary to serve the region's needs."

Sincerely,

Eleanor Hodge
5 Buckeye Ct.
Petaluma, CA 94952
eshodge5@yahoo.com

Fernandez, Xavier@Waterboards

From: Pamela Tambe <ptambe@inverness-research.org>
Sent: Saturday, November 05, 2016 1:58 PM
To: John.C.Morrow@usace.army.mil; Fernandez, Xavier@Waterboards
Cc: joancooper115@gmail.com; Bryan.T.Matsumoto@usace.army.mil
Subject: RE: Application by Dutra Haystack Asphalt Plant Project, Petaluma, Alternatives Analysis

Dear Mr. Fernandez and LTC John C. Morrow, Commander, USACE San Francisco District:

I am a concerned citizen who has lived in Petaluma for decades. I'm writing to ask your help in protecting the Petaluma River, wetlands, fish and wildlife, and public investments including Shollenberger Park. I am concerned about the very likely degradation of these public resources and assets that will be caused by the proposed Dutra asphalt factory.

This is an urgent matter and I respectfully ask you to scrutinize Dutra's misinformation and false parameters contained in Dutra's Sec. 404 Permit application. This is a matter that is extremely important to the people who live in and around Petaluma. We want to preserve the Shollenberger Park.

Please consider my comments below on Dutra's "Alternatives Analysis" and reject their application for a 404 Permit.

- 1) Dutra's parcels are part of a sensitive wetlands ecosystem and the Project will harm the public's use of Shollenberger Park and the Petaluma River.
- 2) Alternative sites, not on the water, should be considered, as asphalt production does not require proximity to water transport.
- 3) The Project will impact the Petaluma River with toxic air pollution, lights disrupting wildlife and humans, noise, diesel emissions, and storm water runoff.
- 4) Dutra's proposed mooring of barges and tugs will block the federal, dredged Navigable Waterway of the Petaluma River.
- 5) There is no evidence in the public record that Dutra can even use Shamrocks e-crane for unloading sand and aggregate next door for Dutra's supplies, so the proposed Petaluma location may not even be possible for the asphalt factory,
- 6) An excess of permitted operating asphalt production facilities (Syar & BoDean) is up and running in the service area proposed by Dutra. The proposed factory is duplicative and unnecessary to serve the region's needs.

Sincerely,

Pamela Tambe, 11 Batchelor Terrace, Petaluma, CA

Fernandez, Xavier@Waterboards

From: Robert Kelly <robwkellyjr@gmail.com>
Sent: Saturday, November 05, 2016 12:05 PM
To: John.C.Morrow@usace.army.mil; Fernandez, Xavier@Waterboards
Cc: Bryan.T.Matsumoto@usace.army.mil; joancooper115@gmail.com
Subject: Application by Dutra Haystack Asphalt Plant Project, Petaluma, Alternatives Analysis

Dear Xavier Fernandez and LTC John C. Morrow, Commander, USACE San Francisco District:

I am writing to ask your help in protecting the Petaluma River, wetlands, fish and wildlife, and public investments including Shollenberger Park.

I am concerned about the likely degradation of these public resources and assets that will be caused by the proposed Dutra asphalt factory.

I urge you to scrutinize Dutra's misinformation and false parameters contained in Dutra's Sec. 404 Permit application.

Please consider my comments on Dutra's "Alternatives Analysis" and reject their application for a 404 Permit.

1. Dutra's parcels are part of a sensitive wetlands ecosystem and the Project will harm the public's use of Shollenberger Park and the Petaluma River.
2. Alternative sites, not on the water, should be considered, as asphalt production does not require proximity to water transport.
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5. There is no evidence in the public record that Dutra can even use Shamrock's e-crane for unloading sand and aggregate next door for Dutra's supplies, so the proposed Petaluma location may not even be possible for the asphalt factory.
6. An excess of permitted operating asphalt production facilities (Syar & BoDean) is up and running in the service area proposed by Dutra. The proposed factory is duplicative and unnecessary to serve the region's needs.

Sincerely,

Rob Kelly
Petaluma, CA

Fernandez, Xavier@Waterboards

From: Emma Gardner <emma.celia.gardner@gmail.com>
Sent: Saturday, November 05, 2016 4:10 PM
To: Fernandez, Xavier@Waterboards
Subject: Objection to Dutra Plant (a plea for Warm Asphalt Technology and a more remote location for the plant)

Dear Mr. Fernandez,

I am writing to register my objection to having the Dutra plant at the proposed site at the south end of Petaluma.

In addition to noise, traffic, ugliness, use of existing wetlands, compromise of Schollenberger Park and air pollution, I am very concerned about possible leaks into the water supply.

I understand that Dutra contends that this spot is the Least Environmentally Damaging, but that argument largely rests on their having to mix the asphalt hot. However, there is much evidence to suggest that warm mix asphalt is the way of the future.

If Dutra just switched to Warm Asphalt Technology the asphalt can be hauled farther and applied at lower temperature. That technology also requires significantly less energy to prepare, thus creating significantly less emissions (both toxic emissions and GHG related to natural gas).

A study of this technology by the Federal Highway Administration in 2007 discusses this http://www.warmmixasphalt.org/submissions/68_20080223_FHWA-PL-08-007.pdf

Since then, it seems the technology, which was introduced here in 2002 from Europe where it's widely used, the use of warm asphalt has gained traction for several extremely important reasons. I don't see why it shouldn't be considered in this case, and especially in a state that rightly prides itself on its cutting-edge environmentalism.

From [WarmMixAsphalt.org](http://www.warmmixasphalt.org) (<http://www.warmmixasphalt.org/AboutWma.aspx>):

Warm-mix asphalt allows the producers of asphalt pavement material to lower the temperatures at which the material is mixed and placed on the road. Reductions of 50 to 100 degrees Fahrenheit have been documented. Such drastic reductions have the obvious benefits of cutting fuel consumption and decreasing the production of greenhouse gases.

In addition, research at the [National Center for Asphalt Technology](#) and elsewhere has shown that lowering the production temperature can drastically reduce the production of emissions. By cutting emissions, warm-mix asphalt improves conditions for workers and enhances relationships with neighbors.

NAPA first brought warm-mix technology to the United States from Europe in 2002, spurring intense interest among hot-mix asphalt producers, contractors, researchers, and government agencies. Since that time, new technologies have been developed in the United States.

I strongly urge you to consider this information and to bring it to the decision-makers before next week's deadline.

Thank you very much for listening.

Kindly,

Emma Gardner

Petaluma resident since 2010

Fernandez, Xavier@Waterboards

From: Grubaugh & Seifert <gsviolin@sonic.net>
Sent: Saturday, November 05, 2016 11:41 AM
To: Fernandez, Xavier@Waterboards
Subject: RE: Application by Dutra Haystack Asphalt Plant Project, Petaluma, Alternatives Analysis

Though you can see I have just copied / pasted this, you also need to know that this means an awful lot to me. I love Shollenberger Park and the wildlife that it supports and hope that a new less impactful site to locate Dutra's plant be found. Yes, I drive on roads and know that asphalt is necessary but PLEASE Not so close !!!

RE: Application by Dutra Haystack Asphalt Plant Project, Petaluma, Alternatives Analysis

Dear Mr. Fernandez and LTC John C. Morrow, Commander, USACE San Francisco District:

I am writing to ask your help in protecting the Petaluma River, wetlands, fish and wildlife, and public investments including Shollenberger Park. I am concerned about the likely degradation of these public resources and assets that will be caused by the proposed Dutra asphalt factory. I've been a home owner in Petaluma since 1980 !!!

I urge you to scrutinize Dutra's misinformation and false parameters contained in Dutra's Sec. 404 Permit application.

Please consider my comments on Dutra's "Alternatives Analysis" and reject their application for a 404 Permit.

1) Dutra's parcels are part of a sensitive wetlands ecosystem and the Project will harm the public's use of Shollenberger Park and the Petaluma River.

2) Alternative sites, not on the water, should be considered, as asphalt production does not require proximity to water transport.

3) The Project will impact the Petaluma River with toxic air pollution, lights disrupting wildlife and humans, noise, diesel emissions, and storm water runoff.

4) Dutra's proposed mooring of barges and tugs will block the federal, dredged Navigable Waterway of the Petaluma River.

5) There is no evidence in the public record that Dutra can even use Shamrocks e-crane for unloading sand and aggregate next door for Dutra's

supplies, so the proposed Petaluma location may not even be possible for the asphalt factory,

6) An excess of permitted operating asphalt production facilities (Syar & BoDean) is up and running in the service area proposed by Dutra. The proposed factory is duplicative and unnecessary to serve the region's needs.

Sincerely,

Joseph Grubaugh

307 Sunnyslope Avenue, Petaluma, CA 94952

Fernandez, Xavier@Waterboards

From: Sigrun Seifert <sseifert55@gmail.com>
Sent: Saturday, November 05, 2016 11:40 AM
To: Fernandez, Xavier@Waterboards
Subject: RE: Application by Dutra Haystack Asphalt Plant Project, Petaluma, Alternatives Analysis

Though you can see I have just copied / pasted this, you also need to know that this issue means an awful lot to me. I love Shollenberger Park and the wildlife it supports and hope that a new less impact laden location for the Dutra's plant be used. I understand that asphalt for roads is necessary but PLEASE NOT! at the proposed location!

Dear Mr. Fernandez and LTC John C. Morrow, Commander, USACE San Francisco District:

I am writing to ask your help in protecting the Petaluma River, wetlands, fish and wildlife, and public investments including Shollenberger Park. I am concerned about the likely degradation of these public resources and assets that will be caused by the proposed Dutra asphalt factory. I've been a home owner in Petaluma since 1980 !!!

I urge you to scrutinize Dutra's misinformation and false parameters contained in Dutra's Sec. 404 Permit application.

Please consider my comments on Dutra's "Alternatives Analysis" and reject their application for a 404 Permit.

- 1) Dutra's parcels are part of a sensitive wetlands ecosystem and the Project will harm the public's use of Shollenberger Park and the Petaluma River.
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- 5) There is no evidence in the public record that Dutra can even use Shamrocks e-crane for unloading sand and aggregate next door for Dutra's supplies, so the proposed Petaluma location may not even be possible for the asphalt factory,

6) An excess of permitted operating asphalt production facilities (Syr & BoDean) is up and running in the service area proposed by Dutra. The proposed factory is duplicative and unnecessary to serve the region's needs.

Sincerely,
Sigrun Seifert
307 Sunnyslope Ave.
Petaluma, CA 94952-4138

From: Beverly Kavanaugh <bevkavanaugh@comcast.net>
Sent: Saturday, November 05, 2016 11:04 AM
To: Fernandez, Xavier@Waterboards
Subject: Application by Dutra Haystack Asphalt Plant Project, Petaluma, Alternatives Analysis

**Dear Mr. Fernandez and LTC John C. Morrow, Commander,
USACE San Francisco District:**

I am writing to ask your help in protecting the Petaluma River, wetlands, fish and wildlife, and public investments including Shollenberger Park. I am concerned about the likely degradation of these public resources and assets that will be caused by the proposed Dutra asphalt factory.

I urge you to scrutinize Dutra's misinformation and false parameters contained in Dutra's Sec. 404 Permit application.

Please consider my comments on Dutra's "Alternatives Analysis" and reject their application for a 404 Permit.

1) Dutra's parcels are part of a sensitive wetlands ecosystem and the Project will harm the public's use of Shollenberger Park and the Petaluma River.

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4) Dutra's proposed mooring of barges and tugs will block the federal, dredged Navigable Waterway of the Petaluma River.

5) There is no evidence in the public record that Dutra can even use Shamrocks e-crane for unloading sand and aggregate next door for Dutra's supplies, so the proposed Petaluma location may not even be possible for the asphalt factory,

6) An excess of permitted operating asphalt production facilities (Syar & BoDean) is up and running in the service area proposed by Dutra. The proposed factory is duplicative and unnecessary to serve the region's needs.

**Sincerely,
Beverly Kavanaugh**

Fernandez, Xavier@Waterboards

From: Faye Reddecliff <freddecliff@juno.com>
Sent: Saturday, November 05, 2016 9:26 AM
To: Fernandez, Xavier@Waterboards; John.C.Morrow@usace.army.mil
Cc: joancooper115@gmail.com
Subject: Application by Dutra Haystack Asphalt Plant Project, Petaluma, Alternatives Analysis

Dear Mr. Fernandez and LTC Morrow;

I am writing to ask your help in protecting the Petaluma River, wetlands, fish and wildlife, and public investments including Shollenberger Park. The River and Park are a very important part of my life. They provide the peace and refreshment of wonderful views, trails for walking and biking, and the relaxation and renewal those provide. I constantly see people of all ages enjoying the park. I am concerned about the likely degradation of these valuable public resources and assets that will be caused by the proposed Dutra asphalt factory.

I urge you to scrutinize Dutra's misinformation and false parameters contained in Dutra's Sec. 404 Permit application.

Please consider the following comments on Dutra's "Alternatives Analysis" and reject their application for a 404 Permit.

- 1) Dutra's parcels are part of a sensitive wetlands ecosystem and the Project will harm the public's use of Shollenberger Park and the Petaluma River.
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- 5) There is no evidence in the public record that Dutra can even use Shamrocks e-crane for unloading sand and aggregate next door for Dutra's

supplies, so the proposed Petaluma location may not even be possible for the asphalt factory,

- 6) An excess of permitted operating asphalt production facilities (Syar & BoDean) is up and running in the service area proposed by Dutra. The proposed factory is duplicative and unnecessary to serve the region's needs.

Thank you for your consideration.

Sincerely,

Faye Reddecliff

25 A Myrtle Court

Petaluma, CA 94952

Fernandez, Xavier@Waterboards

From: Sandy Kelly <traxmom@gmail.com>
Sent: Saturday, November 05, 2016 12:03 PM
To: John.C.Morrow@usace.army.mil; Fernandez, Xavier@Waterboards
Cc: Bryan.T.Matsumoto@usace.army.mil; Joan Cooper
Subject: Application by Dutra Haystack Asphalt Plant Project, Petaluma, Alternatives Analysis

Dear Xavier Fernandez and LTC John C. Morrow, Commander, USACE San Francisco District:

I am writing to ask your help in protecting the Petaluma River, wetlands, fish and wildlife, and public investments including Shollenberger Park.

I am concerned about the likely degradation of these public resources and assets that will be caused by the proposed Dutra asphalt factory.

I urge you to scrutinize Dutra's misinformation and false parameters contained in Dutra's Sec. 404 Permit application.

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5. There is no evidence in the public record that Dutra can even use Shamrock's e-crane for unloading sand and aggregate next door for Dutra's supplies, so the proposed Petaluma location may not even be possible for the asphalt factory.
6. An excess of permitted operating asphalt production facilities (Syar & BoDean) is up and running in the service area proposed by Dutra. The proposed factory is duplicative and unnecessary to serve the region's needs.

Sincerely,

Sandy Kelly
Petaluma, CA

Fernandez, Xavier@Waterboards

From: Kini i <kinigirl1983@yahoo.com>
Sent: Friday, November 04, 2016 8:28 PM
To: Fernandez, Xavier@Waterboards
Cc: joancooper115@gmail.com; John.C.Morrow@usace.army.mil;
Bryan.T.Matsumoto@usace.army.mil
Subject: Dutra Haystack Asphalt Plant Project, Petaluma

ATTENTION: Xavier Fernandez at the RWQCB
ATTENTION: LTC John C. Morrow, Commander, USACE San Francisco District

RE: Application by Dutra Haystack Asphalt Plant Project, Petaluma, Alternatives Analysis
Dear Mr. Fernandez and LTC John C. Morrow, Commander, USACE San Francisco District:
I am writing to ask your help in protecting the Petaluma River, wetlands, fish and wildlife, and public investments including Shollenberger Park. I am concerned about the likely degradation of these public resources and assets that will be caused by the proposed Dutra asphalt factory.

I urge you to scrutinize Dutra's misinformation and false parameters contained in Dutra's Sec. 404 Permit application.
Please consider my comments on Dutra's "Alternatives Analysis" and reject their application for a 404 Permit.

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- 5) There is no evidence in the public record that Dutra can even use Shamrocks e-crane for unloading sand and aggregate next door for Dutra's supplies, so the proposed Petaluma location may not even be possible for the asphalt factory,
- 6) An excess of permitted operating asphalt production facilities (Syar & BoDean) is up and running in the service area proposed by Dutra. The proposed factory is duplicative and unnecessary to serve the region's needs.

Sincerely,

*Jenny Christensen
2 Marlie Lane
Petaluma, CA 94952*

Fernandez, Xavier@Waterboards

From: Edin Goolan <sir.edin@comcast.net>
Sent: Friday, November 04, 2016 8:18 PM
To: Fernandez, Xavier@Waterboards
Cc: joan Cooper
Subject: Please deny durra's sec. 404 permit application

Dear Mr. Fernandez

The following information is true in a sense that the people of Petaluma have been working on this issue for nearly six years proving (fighting Dutra) and proving that Shollenberger is not the right place for a asphalt plant. We love to live in this town and raise our children because there is no heavy industries. We walk, run ride our bikes, have lunch, read our book, have our birthday parties, bring children here from all over to study birds and use the river for rafting, sit outside the restaurants for dinner or family get together, all of that will be gone in a short time if Dutra sets up their Asphalt plan here and pollute our air and water. please deny their sec. 404 permit application, the people of petaluma an Sonoma county will never forget your name and your legcy. Thank you , Edin Goolan. 707-778-8198 707-688-4992

RE: Application by Dutra Haystack Asphalt Plant Project, Petaluma, Alternatives Analysis

Dear Mr. Fernandez and LTC John C. Morrow, Commander, USACE San Francisco District:

I am writing to ask your help in protecting the Petaluma River, wetlands, fish and wildlife, and public investments including Shollenberger Park. I am concerned about the likely degradation of these public resources and assets that will be caused by the proposed Dutra asphalt factory.

I urge you to scrutinize Dutra's misinformation and false parameters contained in Dutra's Sec. 404 Permit application.

Please consider my comments on Dutra's "Alternatives Analysis" and reject their application for a 404 Permit.

- 1) Dutra's parcels are part of a sensitive wetlands ecosystem and the Project will harm the public's use of Shollenberger Park and the Petaluma River.
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6) An excess of permitted operating asphalt production facilities (Syar & BoDean) is up and running in the service area proposed by Dutra. The proposed factory is duplicative and unnecessary to serve the region's needs.

Sincerely,

Fernandez, Xavier@Waterboards

From: Diana Holmes <dianaonboard@gmail.com>
Sent: Friday, November 04, 2016 7:03 PM
To: John.C.Morrow@usace.army.mil; Bryan.T.Matsumoto@usace.army.mil; Fernandez, Xavier@Waterboards
Cc: joancooper115@gmail.com
Subject: Application by Dutra Asphalt Plant Petaluma

Dear Mr. Fernandez and LTC John C. Morrow, Commander, USACE San Francisco District:

I am writing to ask your help in protecting the Petaluma River, wetlands, fish and wildlife, and public investments including Shollenberger Park public resources and assets that will be caused by the proposed Dutra asphalt factory.

I urge you to scrutinize Dutra's misinformation and false parameters contained in Dutra's Sec. 404 Permit application.

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- 5) There is no evidence in the public record that Dutra can even use Shamrocks e-crane for unloading sand and aggregate next door for Dutra's supplies, so the proposed Petaluma location may not even be possible for the asphalt factory,
- 6) An excess of permitted operating asphalt production facilities (Syar & BoDean) is up and running in the service area proposed by Dutra. The proposed

Sincerely,

Diana Holmes

Fernandez, Xavier@Waterboards

From: Elaine Woodriff <ew0220@sonic.net>
Sent: Friday, November 04, 2016 6:19 PM
To: Fernandez, Xavier@Waterboards
Subject: Application by Dutra Haystack Asphalt Plant Project, Petaluma, Alternatives Analysis

Dear Mr. Fernandez and LTC John C. Morrow, Commander, USACE San Francisco District:

I am writing to ask your help in protecting the Petaluma River, wetlands, fish and wildlife, and public investments including Shollenberger Park. I am concerned about the likely degradation of these public resources and assets that will be caused by the proposed Dutra asphalt factory.

I urge you to scrutinize Dutra's misinformation and false parameters contained in Dutra's Sec. 404 Permit application.

Please consider my comments on Dutra's "Alternatives Analysis" and reject their application for a 404 Permit.

- 1) Dutra's parcels are part of a sensitive wetlands ecosystem and the Project will harm the public's use of Shollenberger Park and the Petaluma River.
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- 6) An excess of permitted operating asphalt production facilities (Syar & BoDean) is up and running in the service area proposed by Dutra. The proposed factory is duplicative and unnecessary to serve the region's needs.

Sincerely,

Elaine Woodriff, 717 N. McDowell Blvd., #307, Petaluma CA 94954 ew0220@sonic.net

Fernandez, Xavier@Waterboards

From: Kay Hardy <kaynh@yahoo.com>
Sent: Friday, November 04, 2016 8:46 PM
To: Fernandez, Xavier@Waterboards; John.C.Morrow@usace.army
Cc: Bryan.T.Matsumoto@usace.army.mil
Subject: Application by Dutra Haystack Asphalt Plaant Project Petaluma, Alternatives Analysis

Dear Mr. Fernandez and LTC John C. Morrow, Commander, USACE San Francisco District:

I am writing to ask your help in protecting the Petaluma River, wetlands, fish and wildlife, and public investments including Shollenberger Park. I am worried about the likely damage the proposed Dutra asphalt factory can do to our river resources and wildlands.

I request that you consider Dutra's misinformation and false parameters contained in Dutra's Sec. 404 Permit application and reject their application for a 404 Permit.

- 1) Dutra's parcels are part of a sensitive wetlands ecosystem and the Project will harm the public's use of Shollenberger Park and the Petaluma River.
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Sincerely,

Kathryn L. Hardy
130C Graylawn Ave., Petaluma, CA 94952

Fernandez, Xavier@Waterboards

From: Barbara Lapidus <b.lapidus@yahoo.com>
Sent: Friday, November 04, 2016 4:41 PM
To: Fernandez, Xavier@Waterboards; John.C.Morrow@usace.army.mil;
Bryan.T.Matsumoto@usace.army.mil
Cc: joancooper115@gmail.com
Subject: RE: Application by Dutra Haystack Asphalt Plant Project, Petaluma, Alternatives Analysis

Dear Mr. Fernandez and LTC John C. Morrow, Commander, USACE San Francisco District:

I am writing to ask your help in protecting the Petaluma River, wetlands, fish and wildlife, and public investments including Shollenberger Park. I am concerned about the likely degradation of these public resources and assets that will be caused by the proposed Dutra asphalt factory.

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Sincerely,

Barbara Lapidus
1911 Norfolk
Petaluma, Ca 94954

Fernandez, Xavier@Waterboards

From: iwing7@comcast.net
Sent: Friday, November 04, 2016 4:19 PM
To: John.C.Morrow@usace.army.mil; Bryan.T.Matsumoto@usace.army.mil; Fernandez, Xavier@Waterboards
Subject: RE: Application by Dutra Haystack Asphalt Plant Project, Petaluma, Alternatives Analysis

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Sincerely,
Deanna Issel
43 Burlington Drive
Petaluma, CA 94952

Fernandez, Xavier@Waterboards

From: Sheila Joshi <sheilajoshi@earthlink.net>
Sent: Friday, November 04, 2016 4:11 PM
To: John.C.Morrow@usace.army.mil; Fernandez, Xavier@Waterboards;
Bryan.T.Matsumoto@usace.army.mil
Cc: joancooper115@gmail.com
Subject: RE: Application by Dutra Haystack Asphalt Plant Project, Petaluma, Alternatives Analysis

ATTENTION: Xavier Fernandez at the RWQCB

ATTENTION: LTC John C. Morrow, Commander, USACE San Francisco District

RE: Application by Dutra Haystack Asphalt Plant Project, Petaluma, Alternatives Analysis

Dear Mr. Fernandez and LTC John C. Morrow, Commander, USACE San Francisco District:

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Sincerely,

Sheila Joshi, PhD
123 Westridge Drive
Petaluma, CA 94952

Fernandez, Xavier@Waterboards

From: Jason Davies <jasond1@mac.com>
Sent: Friday, November 04, 2016 1:24 PM
To: John.C.Morrow@usace.army.mil; Bryan.T.Matsumoto@usace.army.mil; Fernandez, Xavier@Waterboards
Cc: joancooper115@gmail.com
Subject: RE: Application by Dutra Haystack Asphalt Plant Project, Petaluma, Alternatives Analysis

Dear Mr. Fernandez and LTC John C. Morrow, Commander, USACE San Francisco District:

I am writing to ask your help in protecting the Petaluma River, wetlands, fish and wildlife, and public investments including Shollenberger Park. I am concerned about the likely degradation of these public resources and assets that will be caused by the proposed Dutra asphalt factory.

I urge you to scrutinize Dutra's misinformation and false parameters contained in Dutra's Sec. 404 Permit application.

Please consider my comments on Dutra's "Alternatives Analysis" and reject their application for a 404 Permit.

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Sincerely,

Jason E. Davies

1226 B Street, Petaluma, CA 94952
707-981-8650

Fernandez, Xavier@Waterboards

From: Sandra Ducoff Garber <sanducgarb@yahoo.com>
Sent: Friday, November 04, 2016 4:49 PM
To: John.C.Morrow@usace.army.mil; Bryan.T.Matsumoto@usace.army.mil; Fernandez, Xavier@Waterboards
Subject: RE: Application by Dutra Haystack Asphalt Plant Project, Petaluma, Alternatives Analysis

Dear Mr. Fernandez and LTC John C. Morrow, Commander, USACE San Francisco District:

Please help in protecting the Petaluma River, wetlands, fish and wildlife, and public investments including Shollenberger Park. The proposed Dutra asphalt factory will likely cause degradation of these public resources and assets.

I urge you to scrutinize Dutra's Sec. 404 Permit application which contains misinformation and false parameters. Please consider my comments on Dutra's "Alternatives Analysis" and reject their application for a 404 Permit.

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- An excess of permitted operating asphalt production facilities (Syar & BoDean) is up and running in the service area proposed by Dutra. The proposed factory is duplicative and unnecessary to serve the region's needs.

The community of Petaluma needs healthy open space parks like Shollenberger for recreation and, California having lost over 90% of its wetlands, such a resource is precious for wildlife, too.

Sincerely,

Sandra Ducoff Garber
320 Smith Dr.
Petaluma, Ca.94952

Fernandez, Xavier@Waterboards

From: Sim Schwartz <simeonschwartz@comcast.net>
Sent: Friday, November 04, 2016 12:55 PM
To: John.C.Morrow@usace.army.mil; Bryan.T.Matsumoto@usace.army.mil; Fernandez, Xavier@Waterboards
Cc: joancooper115@gmail.com
Subject: my objections to the Dutra Alternative Sites study

RE: Application by Dutra Haystack Asphalt Plant Project, Petaluma, Alternatives Analysis

Dear Mr. Fernandez and LTC John C. Morrow, Commander, USACE San Francisco District:

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Sincerely,

Sim Schwartz
Petaluma CA

Fernandez, Xavier@Waterboards

From: Dale Axelrod <dalea@sonic.net>
Sent: Friday, November 04, 2016 12:44 PM
To: John.C.Morrow@usace.army.mil
Cc: Bryan.T.Matsumoto@usace.army.mil; Fernandez, Xavier@Waterboards
Subject: RE: Application by Dutra Haystack Asphalt Plant Project, Petaluma, Alternatives Analysis

RE: Application by Dutra Haystack Asphalt Plant Project, Petaluma, Alternatives Analysis

Dear Mr. Fernandez and LTC John C. Morrow, Commander, USACE San Francisco District:

I write again to ask your help in protecting the Petaluma River, wetlands, fish and wildlife, and public investments relevant to Shollenberger Park.

The Sonoma County Democratic Party has previously passed two (2) resolutions strongly opposing the location of this asphalt plant at the currently proposed site, and recommending a more suitable alternative for reasons including:

The proposed location lies directly across from Shollenberger Park, a treasured Petaluma community resource comprising (partial list):

- **a wildlife refuge and natural habitat**, used by Petaluma schools as a valued field trip destination, and organizations such as the national Audubon Society which has declared it one of the top 4 new birding sites in the nation
- **a restored wetland parcel** allowing much needed public access to open space, used by thousands of Petaluma residents and visitors to Petaluma each week
- **an integral component of Petaluma's long-range economic plan** to attract tourism to Sonoma County by showcasing sustainable, environmentally-friendly city planning and operations (e.g., the Ellis Creek Project which combines natural wastewater treatment processes with human technologies).

The potential for catastrophically toxic runoff into the waters of the Petaluma River and adjacent wetlands poses an unmitigable hazard and threat to wildlife, as well as unnecessarily endangering the use and enjoyment of public open space, sensitive natural habitat, and navigable waterways.

Please bear in mind that asphalt production is NOT WATER DEPENDENT; in fact two existing local sources of asphalt in Santa Rosa - and most asphalt factories around the country - are not located anywhere near water transportation.

Please enter these comments into the record on behalf of the Sonoma County Democratic Party as objecting to the approval of Dutra's "Alternatives Analysis" and reject their application for a 404 Permit.

Sincerely,

Dale Axelrod
Sonoma County Democratic Party
Chair – Outreach, Advocacy, & Legislation Committee

Dale Axelrod
522 East D St
Petaluma CA 94952-3212

Phones (California, USA):

----- SF Voice Mail (24 hrs): 415-824-1549

----- Petaluma studio (7am-11pm): 707-762-4125

Email ----- dalea@sonic.net

----- www.cadem.org

Fernandez, Xavier@Waterboards

From: Maggie Hohle <maggietext@comcast.net>
Sent: Friday, November 04, 2016 12:23 PM
To: Fernandez, Xavier@Waterboards
Subject: Public Comment, Alternatives Analysis for Dutra Haystack Asphalt Plant Project. Warm mix asphalt recommended by Federal Department of Transportation for Highways.

Dear Mr. Fernandez,

Upon reviewing the Alternatives Analysis for the Dutra Haystack Asphalt Plant Project (UACE File no. 28104N), I see that the project assumes hot mix asphalt production, which demands that, "Access to the desired market area is limited to areas that are close enough to the plant to allow the delivered material to be at a high enough temperature to meet the specifications required to place the asphalt. ... If asphalt is allowed to cool below a certain point*, it loses its ability to be properly spread and compacted within State and local specification requirements and is no longer a useful product."
(source: p. 21, Dutra's AA report).

However, there is an increasingly and widely adopted technology that contradicts the applicant's claim: warm mix asphalt (WMA). How widely is it used? "As of the end of 2011, 47 states had adopted specifications or contract language allowing WMA on projects, and 20 states had set targets for future use of WMA."
(source: page 64, http://driveasphalt.org/assets/content/resources/QIP-125_Warm_Mix_Asphalt_3rd_edition.pdf).

Is it viable in California? Yes, and it has been for many years. "As of 2009, at least 14 State Highway Agencies (including California's) had adopted specifications to accommodate WMA. In addition, 22 different named WMA technologies are actively marketed in the US." In addition, the City of Santa Rosa, just up the road from Petaluma, has already completed three jobs with WMA.
(source: <http://www.fhwa.dot.gov/innovation/everydaycounts/edc-1/wma-faqs.cfm#where>)

Can WMA offer more flexibility in defining acceptable alternatives to the Haystack site? Yes. A more recent FHA Center for Accelerating Innovation document cites that with WMA, as compared to HMA "lower temperatures also permit more asphalt mix to be **hauled for longer distances**, reducing transportation costs."
(source: <http://www.fhwa.dot.gov/innovation/everydaycounts/edc-1/wma.cfm>)

Would WMA improve the environment as well as allow for longer haul distances? Yes. As the NAPA report above states in its summary on page 64, "Potential paving benefits include lower production temperatures, reduced fuel consumption, the extension of the paving season in cold climates, **longer haul distances**, longer storage times, and enhanced compaction." And, "On the environmental side, decreased production temperatures and reduced fuel consumption result in lower emissions at the plant and paving site. The decreased emissions include greenhouse gases, fugitive emissions, and fumes. In addition, working conditions at the plant and paving site are improved." The FHWA report concludes, "This green technology is increasing the quality of our roads and our environment."

Has WMA ever been tested in an area with similar conditions to ours here in Marin and Sonoma Counties? Indeed. Concerning **longer haul distances**, the following example was cited, beginning on page 39 of the NAPA report: "In 2008, the California Department of Transportation (Caltrans) [Dutra's main customer for the proposed plant] used WMA on four paving projects in Northern California to deal with a combination of long haul distances, cool weather, and polymer-modified binders (Barros 2009). Mix was hauled for one to three hours. WMA was used in both dense-graded and open-graded mixtures. Because of the cool weather and long hauls, a crust formed on the asphalt in the haul trucks; this crust broke up into chunks as the mix was dumped. For the two projects where a materials transfer vehicle was not used, some material was wasted to eliminate the chunks. Adequate workability was still observed. Temperature reductions of up to 25 degrees F were still possible and compaction was improved. Field performance to date has been good."

Has WMA pavement stood the test of time? Yes. This technology was developed in Europe and has been used there since 1999, and in the US since 2004. According to the same report (page 60, Long-term Performance), performance data was gathered in 2007 from some of the oldest WMA pavements in Europe (where temperature differences are much higher than in Northern California), and proved that "performance of WMA mixes appears to be the same as or better than the performance of conventional HMA (D'Angelo et al. 2007)."

Does WMA perform well enough to be used on heavily trafficked roads, like the 101? Yes. Not only does WMA perform better than HMA on areas exposed to heavy traffic (NCAT Test Track, 2005, 2006, 2009), but in 2007 CalTrans began WMA testing with their heavy vehicle simulator at the University of California Pavement Research Center, and found, "WMA can provide similar rutting performance as HMA (Jones, 2009)." This contradicts any argument that HMA is better suited to highways that experience heavy traffic, and thus the Dutra plant must be HMA, and therefore must be built extremely close to its intended market. (p. 60-61)

Is WMA common, or just a passing fad? It's been heavily endorsed by the market. According to the latest NAPA/FHWA survey, cited in the link above, "almost a third of all asphalt produced during the 2013 construction season was produced using warm-mix asphalt technologies."

(source: http://www.asphaltpavement.org/index.php?option=com_content&view=article&id=1010&Itemid=100303)

It's also been endorsed by the international construction industry. According to this NAPA link above, "In 2013, NAPA and FHWA were honored by the Construction Innovation Forum, earning a NOVA Award for their work promoting the uptake of WMA. In 2014, WMA tonnage in the US was estimated at about 114 million tons, a 7% increase from 2013 and a greater than 577% increase since 2009."

(source: <http://www.asphaltpavement.org/recycling>)

In conclusion, it is this citizen's comment that these technological advances in WMA require a mature asphalt production company like Dutra, operating in the environmentally conscientious state of California, to expand its review of sites that would be actually viable alternatives to the environmentally delicate Haystack Landing.

One of the applicant's core arguments for defining the Haystack site as the Least Environmentally Damaging Alternative (LEDPA) is its assumed need to rely on HMA in order to remain close enough to its market to keep its product viable. If WMA, clearly the wave of the future in paving, is accepted as a reasonable alternative, one that would significantly lower the environmental impact, and allow for longer hauling distances, Haystack would be in the clear of this dubious LEDPA distinction.

The Haystack site, on a wetlands-inclusive area, directly beside the Petaluma River, a tidal slough, and directly opposite of the Alman Marsh, a special, biologically sensitive place, home to several threatened and endangered species, includes several tidally influenced drainage ditches (pp. 5,6, Dutra's AA report) which are therefore subject to degradation and pollution that should be avoided at all costs. The San Francisco Bay Water Quality Review Board has the right and the responsibility to require the applicant to consider all viable, proven technologies in its mandate to protect our common waterways.

*Should the argument against the green technology of WMA be completely rejected by the applicant in the interests of profit, the Water Quality Review Board deserves to be provided with documentation that defines the temperatures and distances to which the applicant refers in its report as reasons for disqualifying any sites further away from its intended market. In addition, the applicant should be required to provide comparable HMA data from other plants in the area, and prove that they, too, operate in a tightly confined circle extremely close to their markets. The applicant should also be required to prove to the WQRB what average haul distances are, in actuality, of other hot mix asphalt producers in the area, since weather conditions are so important to asphalt production, hauling, and application. Without such data, it seems no one could look at this report and make an informed decision.

Sincerely,
Maggie Hohle
Resident, Petaluma, California
Contributor, Argus Courier, Petaluma360
Volunteer, Petaluma Small Craft Center
Member/volunteer, North Bay Rowing Club

Former Commissioner, Petaluma Recreation, Music, and Parks Commission

Fernandez, Xavier@Waterboards

From: William Rhoads <williamrhoads@sbcglobal.net>
Sent: Friday, November 04, 2016 11:39 AM
To: John.C.Morrow@usace.army.mil; Fernandez, Xavier@Waterboards
Cc: joancooper115@gmail.com
Subject: Application by Dutra Haystack Asphalt Plant Porject, Petaluma, Alternatives Analysis

Dear Mr. Fernandez and LTC John C. Morrow, Commander, USACE San Francisco District:

I am writing to ask your help in protecting the Petaluma River, wetlands, fish and wildlife, and public investments including Shollenberger Park. I am concerned about the likely degradation of these public resources and assets that will be caused by the proposed Dutra asphalt factory.

I urge you to scrutinize Dutra's misinformation and false parameters contained in Dutra's Sec. 404 Permit application.

Please consider my comments on Dutra's "Alternatives Analysis" and reject their application for a 404 Permit.

- 1) Dutra's parcels are part of a sensitive wetlands ecosystem and the Project will harm the public's use of Shollenberger Park and the Petaluma River.
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- 6) An excess of permitted operating asphalt production facilities (Syar & BoDean) is up and running in the service area proposed by Dutra. The proposed factory is duplicative and unnecessary to serve the region's needs.

Sincerely,

William L. Rhoads
611 North Fair Street
Petaluma, California 94952

[Click to view this email in a browser](#)

Fernandez, Xavier@Waterboards

From: nlaugust@comcast.net
Sent: Friday, November 04, 2016 12:59 PM
To: John.C.Morrow@usace.army.mil; Bryan.T.Matsumoto@usace.army.mil; Fernandez, Xavier@Waterboards
Cc: joancooper115@gmail.com
Subject: My objections to the Dutra Alternative Sites study

RE: Application by Dutra Haystack Asphalt Plant Project, Petaluma, Alternatives Analysis

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- 5) There is no evidence in the public record that Dutra can even use Shamrocks e-crane for unloading sand and aggregate next door for Dutra's supplies, so the proposed Petaluma location may not even be possible for the asphalt factory,

6) An excess of permitted operating asphalt production facilities (Syr & BoDean) is up and running in the service area proposed by Dutra. The proposed factory is duplicative and unnecessary to serve the region's needs.

Sincerely,

Nancy August
Petaluma CA

Fernandez, Xavier@Waterboards

From: Lynn Woolsey <lynnwoolsey@gmail.com>
Sent: Monday, November 07, 2016 3:05 PM
To: Fernandez, Xavier@Waterboards
Subject: Re: Alternatives Analysis for Dutra Haystack Asphalt Plant Project, Sonoma County - CIWQS Place ID 767268, Corps File No. 28104N

On Nov 7, 2016, at 2:07 PM, Miriam Lang <mimilang2@gmail.com> wrote:

ATTENTION: Xavier Fernandez at the RWQCB
ATTENTION: LTC John C. Morrow, Commander, USACE San Francisco District

John.C.Morrow@usace.army.mil
Bryan.T.Matsumoto@usace.army.mil
xavier.fernandez@waterboards.ca.gov

RE: Alternatives Analysis for Dutra Haystack Asphalt Plant Project, Sonoma County - CIWQS Place ID 767268, Corps File No. 28104N

Xavier Fernandez, Environmental Scientist
California Regional Water Quality Control Board,
San Francisco Bay Region
1515 Clay Street, Suite 1400
Oakland, CA 94612
xavier.fernandez@waterboards.ca.gov

November 8, 2016

Dear Mr. Fernandez and LTC John C. Morrow, Commander, USACE San Francisco District:
The Petaluma River and Wetlands are important to the well being of our citizens and the regional ecosystem. During my ten terms in Congress I worked long and hard to preserve and protect this valuable asset and its water quality. I found funding to keep the Petaluma River dredged and the federal navigable channel open and working for all of my constituents.
It has come to my attention that an Alternatives Sites Assessment has been submitted by The Dutra Group in support of their 404 Application. I'm writing to ask you to scrutinize this application and hold the applicant to the highest standards of environmental protection.
Asphalt production is not a water dependent manufacturing process, and sufficient asphalt production capacity already exists in Sonoma and Marin Counties. Dutra Materials needs to expand its Alternative Sites study to include sites that will not impact our sensitive wetlands and waterways.
Access to water delivery of aggregate is simply a preference for Dutra materials, not a requirement for the manufacturing process. Two existing Sonoma companies, sources of hot mix asphalt are manufacturing asphalt located far from water accessible delivery (Syar and BoDean). They are supplying the region. Warm Mix Asphalt is now an environmental option that uses less energy and is able to expand delivery to a three-hour haul. Instead of heating the asphalt to 315 degrees the asphalt is heated to 280 degrees. BoDean, a local Sonoma Company has already invested in the equipment to manufacture Warm Asphalt, and has supplied it to The City of Santa Rosa (Hoen Avenue) with great success. This is the asphalt that will replace hot asphalt in the years to come and Alternative Sites for Dutra should have a much larger search radius than indicated in Dutra Group's study.
Additionally, Dutra's barges and tugs will block the federal, dredged Navigable Waterway, if they are allowed to dock at nearby Shamrock's facility.
Since no proof exists that docking at Shamrock will be allowed, Dutra may need to build another docking facility, leading to more degradation of the wetlands and riverbank.

The impact on the river's water quality, the wetlands, the federal navigable channel and the sensitive ecosystem and Shollenberger Park all point to this site as hardly worthy of designation as the LEDPA for this factory.

May I emphasize that it is in the public's best interest and a requirement of The Clean Water Act to identify the Least Environmentally Damaging Alternative (LEDPA). Please use all your knowledge and expertise to review this application and direct the applicant accordingly.

As both a former Congresswoman and a longtime resident of Petaluma I am concerned and plan to be watchful of the application process.

Sincerely,

Congresswoman Lynn C. Woolsey (Retired)

Petaluma, CA

<AlternativesAnalysisforDutraHaystackAsphaltPlantProjectSonomaCounty-CIWQSPlaceID767268CorpsFileNo.28104N (1).pdf>

Fernandez, Xavier@Waterboards

From: Willie McDevitt <willie@mcdevittconstruction.com>
Sent: Monday, November 07, 2016 3:30 PM
To: Fernandez, Xavier@Waterboards
Subject: FW: Dutra Petaluma Asphalt

Mr Fernandez

The proposed asphalt plant has met all regulatory and environmental approvals and should also be approved BARWQCB. It is designed with a series of mitigation measures including sand filters and bio-retention areas to exceed current storm water management guidelines. Meeting the storm water management guidelines will result in a project whose run-off is as clean, or likely cleaner, than the existing native site.

There are also intangible water quality benefits created by this project:

- It will drastically reduce truck trips related to paving projects in northern Marin & southern Sonoma Counties. Currently asphalt for these areas is supplied from San Rafael, Santa Rosa and occasionally Vallejo or Benicia. Each truck mile saved reduces road wear, tire wear & carbon emissions which can affect water quality.
- Aggregate material for the plant will be delivered by barge from San Rafael. This eliminates truck trips and related pollution runoff. In addition use of San Rafael aggregate replaces the need for aggregate sourced from the Russian River, remote Sonoma County quarries or British Columbia.

Barge unloading will occur at an existing permitted facility that uses an electrically operated stationary loader. This is the cleanest zero emission equipment for this task.

The greatest environmental benefits of this project are related to air quality & traffic reduction. Proposed location adjacent to Petaluma Blvd, within ¼ mile of Kastania Road freeway interchange and less than 1 mile from Hwy 116 is most logistically efficient site available in the North Bay.

I urge you to recommend to the Board approval of the Dutra Petaluma Asphalt Plant.

Willie McDevitt
McDevitt Construction Partners, Inc
3820 Cypress Drive
Petaluma, CA 94954

Phone 707-763-3000
Direct 707-766-1555
Fax 707-778-0386
Email willie@mcdevittconstruction.com

Fernandez, Xavier@Waterboards

From: robert brown <rlb8685@sbcglobal.net>
Sent: Monday, November 07, 2016 2:35 PM
To: John.C.Morrow@usace.army.mil; Bryan.T.Matsumoto@usace.army.mil; Fernandez, Xavier@Waterboards
Subject: Dutra plant on river.

RE: Application by Dutra Haystack Asphalt Plant Project, Petaluma, Alternatives Analysis

Dear Mr. Fernandez and LTC John C. Morrow, Commander, USACE San Francisco District:

I am writing to ask your help in protecting the Petaluma River, wetlands, fish and wildlife, and public investments including Shollenberger Park. I am concerned about the likely degradation of these public resources and assets that will be caused by the proposed Dutra asphalt factory.

I urge you to scrutinize Dutra's misinformation and false parameters contained in Dutra's Sec. 404 Permit application.

Please consider my comments on Dutra's "Alternatives Analysis" and reject their application for a 404 Permit.

- 1) Dutra's parcels are part of a sensitive wetlands ecosystem and the Project will harm the public's use of Shollenberger Park and the Petaluma River.
- 2) Alternative sites, not on the water, should be considered, as asphalt production does not require proximity to water transport.
- 3) The Project will impact the Petaluma River with toxic air pollution, lights disrupting wildlife and humans, noise, diesel emissions, and storm water runoff.
- 4) Dutra's proposed mooring of barges and tugs will block the federal, dredged Navigable Waterway of the Petaluma River.
- 5) There is no evidence in the public record that Dutra can even use Shamrocks e-crane for unloading sand and aggregate next door for Dutra's supplies, so the proposed Petaluma location may not even be possible for the asphalt factory,
- 6) An excess of permitted operating asphalt production facilities (Syar & BoDean) is up and running in the service area proposed by Dutra. The proposed factory is duplicative and unnecessary to serve the region's needs.

Sincerely,

Robert L. Brown
1946 Falcon Ridge Drive
Petaluma, CA 94954

Fernandez, Xavier@Waterboards

From: Richard Burke <rburke445@yahoo.com>
Sent: Monday, November 07, 2016 2:25 PM
To: Fernandez, Xavier@Waterboards
Subject: Dutra Asphalt plant on the Petaluma river.

Sirs these delays for the badly needed plant have gone on to long. I urge you to issue the necessary permits to get this project started. Dutra is a good company and a asset to Sonoma County business community. Thank You, Richard Burke

Richard Burke CA BRE 00459153 221 Petaluma Blvd. So Petaluma, CA 94952 707-769-9590
rburke445@yahoo.com

Fernandez, Xavier@Waterboards

From: Constance Peterson <bw-cp@sbcglobal.net>
Sent: Monday, November 07, 2016 12:32 PM
To: Fernandez, Xavier@Waterboards
Cc: John.C.Morrow@usace.army.mil
Subject: Subject: Proposed Dutra Asphalt Plant

RE: Application by Dutra Haystack Asphalt Plant Project, Petaluma, Alternatives Analysis

Dear Mr. Fernandez and LTC John C. Morrow, Commander, USACE San Francisco District:

I am writing to ask your help in protecting the Petaluma River, wetlands, fish and wildlife, and public investments including Shollenberger Park. I am concerned about the likely degradation of these public resources and assets that will be caused by the proposed Dutra asphalt factory.

I urge you to scrutinize Dutra's misinformation and false parameters contained in Dutra's Sec. 404 Permit application.

Please consider my comments on Dutra's "Alternatives Analysis" and reject their application for a 404 Permit.

- 1) Dutra's parcels are part of a sensitive wetlands ecosystem and the Project will harm the public's use of Shollenberger Park and the Petaluma River.
- 2) Alternative sites, not on the water, should be considered, as asphalt production does not require proximity to water transport.
- 3) The Project will impact the Petaluma River with toxic air pollution, lights disrupting wildlife and humans, noise, diesel emissions, and storm water runoff.
- 4) Dutra's proposed mooring of barges and tugs will block the federal, dredged Navigable Waterway of the Petaluma River.
- 5) There is no evidence in the public record that Dutra can even use Shamrocks e-crane for unloading sand and aggregate next door for Dutra's supplies, so the proposed Petaluma location may not even be possible for the asphalt factory,
- 6) An excess of permitted operating asphalt production facilities (Syar & BoDean) is up and running in the service area proposed by Dutra. The proposed factory is duplicative and unnecessary to serve the region's needs.

Sincerely,

Bernard R. Whitehill and Constance Peterson
Homeowners at Adobe Creek

1816 Falcon Ridge Drive, Petaluma, CA 94954

Fernandez, Xavier@Waterboards

From: Fiona Nolan <fionanolan@rocketmail.com>
Sent: Monday, November 07, 2016 11:03 AM
To: John.C.Morrow@usace.army.mil; Bryan.T.Matsumoto@usace.army.mil; Fernandez, Xavier@Waterboards
Subject: RE: Application by Dutra Haystack Asphalt Plant Project, Petaluma, Alternatives Analysis

Dear Mr. Fernandez and LTC John C. Morrow, Commander, USACE San Francisco District:
I am writing to ask your help in protecting the Petaluma River, wetlands, fish and wildlife, and public investments including Shollenberger Park. I am concerned about the likely degradation of these public resources and assets that will be caused by the proposed Dutra asphalt factory.

I urge you to scrutinize Dutra's misinformation and false parameters contained in Dutra's Sec. 404 Permit application.

Please consider my comments on Dutra's "Alternatives Analysis" and reject their application for a 404 Permit.

- 1) Dutra's parcels are part of a sensitive wetlands ecosystem and the Project will harm the public's use of Shollenberger Park and the Petaluma River.
- 2) Alternative sites, not on the water, should be considered, as asphalt production does not require proximity to water transport.
- 3) The Project will impact the Petaluma River with toxic air pollution, lights disrupting wildlife and humans, noise, diesel emissions, and storm water runoff.
- 4) Dutra's proposed mooring of barges and tugs will block the federal, dredged Navigable Waterway of the Petaluma River.
- 5) There is no evidence in the public record that Dutra can even use Shamrocks e-crane for unloading sand and aggregate next door for Dutra's supplies, so the proposed Petaluma location may not even be possible for the asphalt factory,
- 6) An excess of permitted operating asphalt production facilities (Syar & BoDean) is up and running in the service area proposed by Dutra. The proposed factory is duplicative and unnecessary to serve the region's needs.

Sincerely,

Fiona Nolan
2336 Skillman Lane
Petaluma, CA 94952

Fernandez, Xavier@Waterboards

From: Broadway Catering & Events <broadwaycatering@vom.com>
Sent: Monday, November 07, 2016 10:15 AM
To: John.C.Morrow@usace.army.mil; Bryan.T.Matsumoto@usace.army.mil; Fernandez, Xavier@Waterboards
Cc: joancooper115@gmail.com
Subject: Dutra Haystack Asphalt Project

ATTENTION: Xavier Fernandez at the RWQCB

Dear Mr. Fernandez and LTC John C. Morrow, Commander, USACE San Francisco District:

I am writing to ask your help in protecting the Petaluma River, wetlands, fish and wildlife, and public investments including Shollenberger Park. I am concerned about the likely degradation of these public resources and assets that will be caused by the proposed Dutra asphalt factory.

I not only am writing this on my behalf, but on behalf of my Mom, who loved the Wetlands and worked hard during her life to protect them.

I urge you to scrutinize Dutra's misinformation and false parameters contained in Dutra's Sec. 404 Permit application.

Please consider my comments on Dutra's "Alternatives Analysis" and reject their application for a 404 Permit.

1) Dutra's parcels are part of a sensitive wetlands ecosystem and the Project will harm the public's use of Shollenberger Park and the Petaluma River.

2) Alternative sites, not on the water, should be considered, as asphalt production does not require proximity to water transport.

3) The Project will impact the Petaluma River with toxic air pollution, lights disrupting wildlife and humans, noise, diesel emissions, and storm water runoff.

4) Dutra's proposed mooring of barges and tugs will block the federal, dredged Navigable Waterway of the Petaluma River.

5) There is no evidence in the public record that Dutra can even use Shamrocks e-crane for unloading sand and aggregate next door for Dutra's

supplies, so the proposed Petaluma location may not even be possible for the asphalt factory,

6) An excess of permitted operating asphalt production facilities (Syr & BoDean) is up and running in the service area proposed by Dutra. The proposed factory is duplicative and unnecessary to serve the region's needs.

Sincerely,

Linda Gilbert

PO Box 178

Sonoma , Ca 95476

Fernandez, Xavier@Waterboards

From: Kitty Doyle <kittydoyle@sbcglobal.net>
Sent: Monday, November 07, 2016 10:11 AM
To: john.c.Morrow@usace.army.mil; bryan.t.Matsumoto@usace.army.mil; Fernandez, Xavier@Waterboards
Subject: Application by Dutra Haystack Asphalt Plant Project, Petaluma, Alternatives Analysis

Kitty Doyle

2040 Easton Drive

Petaluma, CA 94952

Cell: 415-254-2573

Home: 707-765-1623

kittydoyle@sbcglobal.net

November 7, 2016

ATTENTION: Xavier Fernandez at the RWQCB

ATTENTION: LTC John C. Morrow, Commander, USACE San Francisco District

RE: Application by Dutra Haystack Asphalt Plant Project, Petaluma, Alternatives Analysis

Dear Mr. Fernandez and LTC John C. Morrow, Commander, USACE San Francisco District:

I am writing to ask your help in protecting the Petaluma River, wetlands, fish and wildlife, and public investments including Shollenberger Park. I am concerned about the likely degradation of these public resources and assets that will be caused by the proposed Dutra asphalt factory.

I urge you to scrutinize Dutra's misinformation and false parameters contained in Dutra's Sec. 404 Permit application.

Please consider my comments on Dutra's "Alternatives Analysis" and reject their application for a 404 Permit.

- 1) Dutra's parcels are part of a sensitive wetlands ecosystem and the Project will harm the public's use of Shollenberger Park and the Petaluma River.
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Sincerely,

Kitty Doyle

2040 Easton Drive

Petaluma, CA 94952

Cell: 415-254-2573

Home: 707-765-1623

kittydoyle@sbcglobal.net

Fernandez, Xavier@Waterboards

From: Karen Saunders <karen.saunders@sbcglobal.net>
Sent: Monday, November 07, 2016 7:42 AM
To: Fernandez, Xavier@Waterboards
Cc: John.C.Morrow@usace.army.mil; Bryan.T.Matsumoto@usace.army.mil; joancooper115@gmail.com
Subject: Objection to the Dutra Haystack Asphalt Project

Please reject Dutra's application for a 404 permit. The proposed site is beside a popular walking, boating, and birding area that many people use every day and yet Petaluma's city council had no say in stopping this project. If you look into Dutra's attempts to get this project permitted, you will see many examples of where they have misled, misinformed and even outright lied about support for the project. For instance, claiming that they would use an existing dock at Shamrock for unloading when in fact, they had no such agreement with Shamrock. They gave false maps in a previous application to make it look as if the waterway is wide enough for their barges.

They have created the false idea that we need this plant, when in fact we have operating asphalt plants nearby. The runoff into the Petaluma river would be devastating to wildlife and probably lead to the need for more federal dredging. There is absolutely no reason that an asphalt plant should be on a waterway, please reject their application.

Thank you,
Karen Saunders

Fernandez, Xavier@Waterboards

From: Carrie Miller <finder2057@comcast.net>
Sent: Sunday, November 06, 2016 4:54 PM
To: John.C.Morrow@usace.army.mil; Fernandez, Xavier@Waterboards
Cc: Bryan.T.Matsumoto@usace.army.mil; 'mailto:joancooper115@gmail.com'
Subject: RE: Application by Dutra Haystack Asphalt Plant Project, Petaluma, Alternatives Analysis

Dear Mr. Fernandez and LTC John C. Morrow, Commander, USACE San Francisco District:

I am writing to ask your help in protecting the Petaluma River, wetlands, fish and wildlife, and public investments including Shollenberger Park. I am concerned about the likely degradation of these public resources and assets that will be caused by the proposed Dutra asphalt factory.

I urge you to scrutinize Dutra's misinformation and false parameters contained in Dutra's Sec. 404 Permit application.

Please consider my comments on Dutra's "Alternatives Analysis" and reject their application for a 404 Permit.

- 1) Dutra's parcels are part of a sensitive wetlands ecosystem and the Project will harm the public's use of Shollenberger Park and the Petaluma River.
- 2) Alternative sites, not on the water, should be considered, as asphalt production does not require proximity to water transport.
- 3) The Project will impact the Petaluma River with toxic air pollution, lights disrupting wildlife and humans, noise, diesel emissions, and storm water runoff.
- 4) Dutra's proposed mooring of barges and tugs will block the federal, dredged Navigable Waterway of the Petaluma River.
- 5) There is no evidence in the public record that Dutra can even use Shamrocks e-crane for unloading sand and aggregate next door for Dutra's

supplies, so the proposed Petaluma location may not even be possible for the asphalt factory,

- 6) An excess of permitted operating asphalt production facilities (Syar & BoDean) is up and running in the service area proposed by Dutra. The proposed factory is duplicative and unnecessary to serve the region's needs.

While I agree with the prepared statements above, I would like to add my personal observations from many hours spent enjoying the wetlands trails at Shollenberger Park on the Petaluma River: the operation Dutra proposes would severely degrade the years of wetlands restoration work done in the area. We all need to support more wetlands restoration, rather than duplicate and expand unnecessary industrial development in wildlife migratory corridors.

Sincerely,

Carrie Miller

3131 Sheffield Pl

Concord, CA 94518

Fernandez, Xavier@Waterboards

From: Robert Souza <souzaham1@att.net>
Sent: Monday, November 07, 2016 2:38 PM
To: Fernandez, Xavier@Waterboards
Subject: Dutra Petaluma Asphalt Plant

Please approve the alternative sites analysis:

- **The alternatives analysis verifies the proposed project site is the least environmentally damaging practical alternative.**
- **The proposed site will benefit the public through reduction in truck traffic and congestion as the raw materials used in the production of asphalt will be transported via barge.**
- **The project will utilize Best Management Practices (BMPs) and Best Available Control Technologies (BACTs) to protect storm water runoff and air resources. The BMPs and BACTs implemented will be the most up to date technologies and have been thoroughly vetted by the water boards and air district.**
- **Barges will utilize Shamrock's existing dock and offload facility and will not block the navigable channel.**

thank you
Robert Souza
Petaluma, CA resident

November 6, 2016

Dear Mr. Fernandez and LTC John C. Morrow, Commander, USACE San Francisco District:

Once again the San Rafael-based Dutra Dredging Co. (Dutra Group) Is asking they be allowed to circumvent the regulations established with regards to their constructing an asphalt plant on the Petaluma River adjacent to the Shollenberger wild Life Sanctuary, near schools, housing and business developments.

The Dutra Dredging Co. (Dutra Group) Is know for circumventing regulations once established, doing precisely what they want regardless of the impact on the community and environment. Often they chose to pay the penalty.

The Dutra Corp (Dutra Group) did have an asphalt plant in Petaluma. It was built without permits and produced a low grade asphalt which the city of Petaluma chose not to use.

Lawsuits

There have been many lawsuits against the Dutra Corp. August 17, 2006 San Rafael-based Dutra Dredging Co. (Dutra Group) agreed to pay \$735,000 in fines for ocean discharge violations between 1999 and 2003, according to the U.S. Environmental Protection Agency. The agency and the National Oceanic and Atmospheric Administration discovered the company "leaked or dumped" 200,000 cubic yards of dredged material from its disposal vessels while en route to a designated deep ocean disposal site 55 miles offshore of San Francisco, according to the EPA. They were caught dumping their dredging materials in the environmentally sensitive Farallones National Marine Sanctuary. The fine was pennies compared to the damage they created.

<http://www.marinij.com/general-news/20060817/dutra-dredging-fined-735000>

State of Florida sues Dutra Construction Co (Dutra Group) for illegal dumping of dredged material on sensitive wetlands and Coral Reefs.

In 1994 Dutra Construction Co. (Dutra Group) began contracted work with the Port of Miami, dredging a section of the shipping channel in Biscayne Bay, a "shallow subtropical lagoon with diverse habitat including mangroves, seagrass beds, and coral reefs. Manatees, crocodiles, sea turtles, and many important fish species also share the immediate marine environment with the port."¹ This "rich marine habitat"¹ was severely damaged by Dutra's illegal dredging and destruction of "3.5 acres of seagrass outside of the permitted dredging area."² "in violation of county, state, and federal laws."³ "This is the largest unauthorized sea-grass-destruction case ever investigated by DERM [Miami-Dade Department of Environmental Resources Management]," declared biologist Craig Grossenbacher, chief of DERM's coastal resources section. "At the very least there was gross negligence."³ Grossenbacher also stated that "We now know this illegal dredging occurred between 1995 and 1997."³ "To make matters worse, the excavation, funded by taxpayers, led to illegal dumping of the coral rock and dredge materials."² In 1997 Dutra stopped work and filed for bankruptcy.³

<http://www.sandandgravel.com/news/article.asp?v1=8893>

WHO'S MINDING THE SAN RAFAEL ROCK QUARRY?

The Dutra Rock Quarry has long been a problem for the residents of San Rafael as well as the negative impact on the environment. Attached is an PDF article noting all of the damages done. And once

again Dutra Corp (Dutra Group) ignored the regulations established. They really don't care.

“San Rafael Rock Quarry (SRRQ) (Dutra Group) by various departments of Marin County government. The investigation included examinations of the activities of: the Planning, Environmental Health Services and Code Enforcement divisions of the Community Development Agency; the Land Development Division of the Department of Public Works; the County Assessor; the County Counsel; and the Board of Supervisors.

Generally, the Grand Jury found a pattern of much talk, but little action, in response to a long history of complaints from the public about dust, noise, blasting and truck traffic created by quarry operations as well as various violations at SRRQ.”

Article

<http://www.marincounty.org/~media/files/departments/gj/reports-responses/2000/srrqrept.pdf>

Summary

The Dutra Group represent the worst kind of neighbors. Their shell of an excuse citing they need water access is a sham. Two successful asphalt plants operate in Sonoma County and are not located on sensitive waterways.

Using barges to haul their products up and down the Petaluma River would cause significant damage to the River. The engines and propellers of the barges would damage the river bottom causing the banks of the Petaluma River to erode. This erosion would fill the river and make it impossible to navigate without continual dredging.

Dutra Group's proposed mooring of barges and tugs will block the federal, dredged Navigable Waterway of the Petaluma River.

The Project would impact the Petaluma River with toxic air pollution, lights disrupting wildlife and humans, noise, diesel emissions, and storm water runoff.

There is no evidence in the public record that Dutra Group can even use Shamrocks e-crane for unloading sand and aggregate next door for Dutra's supplies, so the proposed Petaluma location may not even be possible for the asphalt factory.

It is well know fact that the Dutra Group will try to muscle, lie and bully to get their way. Once established all promises of being a good neighbor, respecting the environment etc somehow no longer applies.

Since 2005 when Dutra Group first purchased the property at Haystack Landing much has changed. SMART Train will pass within a few yards of the proposed Asphalt Plant. Quarry Heights, a new development is directly across from the proposed location. Toxic fumes from the Asphalt plant will permeate neighborhood placing families, and their children at lifetime potential health risks.

It is time the Dutra Group stop their greedy insensitive and absurd proposal to place an asphalt plant at the gateway to Petaluma and Sonoma County. They are not good neighbors, never have been and never will be.

Regards,

Kaye Chandler
kayechandler11@gmail.com

Fernandez, Xavier@Waterboards

From: Reggie Rodriguez <lawsciwriter@gmail.com>
Sent: Sunday, November 06, 2016 2:00 PM
To: John.C.Morrow@usace.army.mil; Bryan.T.Matsumoto@usace.army.mil; Fernandez, Xavier@Waterboards
Cc: joancooper115@gmail.com
Subject: Application by Dutra Haystack Asphalt Plant Project, Petaluma, Alternatives Analysis

Dear Mr. Fernandez and Lieutenant Colonel John C. Morrow, Commander, USACE San Francisco District:

I am writing to ask your help in protecting the Petaluma River, wetlands, fish and wildlife, and public investments, including Shollenberger Park. I am concerned about the likely degradation of these public resources and assets that will be caused by the proposed Dutra asphalt factory.

I urge you to scrutinize Dutra's misinformation and false parameters contained in Dutra's Sec. 404 Permit application.

Please consider my comments on Dutra's "Alternatives Analysis" and reject their application for a 404 Permit.

- 1) Dutra's parcels are part of a sensitive wetlands ecosystem and the Project will harm the public's use of Shollenberger Park and the Petaluma River.
- 2) Alternative sites, not on the water, should be considered, as asphalt production does not require proximity to water transport.
- 3) The Project will impact the Petaluma River with toxic air pollution, lights disrupting wildlife and humans, noise, diesel emissions, and storm water runoff.
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- 6) An excess of permitted operating asphalt production facilities (Syar & BoDean) is up and running in the service area proposed by Dutra. The proposed factory is duplicative and unnecessary to serve the region's needs.

Sincerely, Petaluma homeowner and resident,

Reginald Rodriguez

512 Adrienne Drive, Petaluma, CA 94954

Fernandez, Xavier@Waterboards

From: Kate Bolton <katebolton@comcast.net>
Sent: Sunday, November 06, 2016 10:06 AM
To: John.C.Morrow@usace.army.mil; Bryan.T.Matsumoto@usace.army.mil; Fernandez, Xavier@Waterboards
Cc: joancooper115@gmail.com
Subject: Application by Dutra Haystack Asphalt Plant Project, Petaluma, Alternatives Analysis

Dear Sirs:

I write to ask you to protect the Petaluma River, associated wetlands, fish and wildlife, and public investments, including Shollenberger Park, as well as the human beings who use them. The likely degradation of these public resources and assets that the proposed asphalt factory will cause concerns me greatly.

There are many solidly good reasons to object to Dutra's proposed asphalt plant, which you will hear from many concerned citizens. I want to add two more:

* The Petaluma River supports runs of the endangered Chinook salmon as well as steelhead. Pollution and runoff from the proposed plant will pose additional stresses on and risks to these already strained fish populations.

* Serious athletes use the Petaluma River in training and practice for competitive rowing (crew boats, sculling, Hawaiian outrigger, etc.). The air pollution, noise, and increased barge traffic, especially at low tide when the river narrows, will seriously impair athletic use and performance on the river.

Since the resulting environmental impacts of the proposed location on the Petaluma River are essentially negative, and, importantly, since asphalt production does not require proximity to water transport, I strongly urge you to consider alternative sites.

Sincerely,

Kate Bolton
123 Howard St.
Petaluma, CA 94952

Fernandez, Xavier@Waterboards

From: Dana Garcia <weaver347@hotmail.com>
Sent: Sunday, November 06, 2016 5:45 AM
To: Fernandez, Xavier@Waterboards
Cc: joancooper115@gmail.com
Subject: Re: Application by Dutra Haystack Asphalt Plant Project, Petaluma, Alternatives Analysis

Dear Mr. Fernandez

I am writing to ask your help in protecting the Petaluma River, wetlands, fish and wildlife, and public investments including Shollenberger Park. I am concerned about the likely degradation of these public resources and assets that will be caused by the proposed Dutra asphalt factory.

I urge you to scrutinize Dutra's misinformation and false parameters contained in Dutra's Sec. 404 Permit application.

Please consider my comments on Dutra's "Alternatives Analysis" and reject their application for a 404 Permit.

1) Dutra's parcels are part of a sensitive wetlands ecosystem and the Project will harm the public's use of Shollenberger Park and the Petaluma River.

2) Alternative sites, not on the water, should be considered, as asphalt production does not require proximity to water transport.

3) The Project will impact the Petaluma River with toxic air pollution, lights disrupting wildlife and humans, noise, diesel emissions, and storm water runoff.

4) Dutra's proposed mooring of barges and tugs will block the federal, dredged Navigable Waterway of the Petaluma River.

5) There is no evidence in the public record that Dutra can even use Shamrocks e-crane for unloading sand and aggregate next door for Dutra's supplies, so the proposed Petaluma location may not even be possible for the asphalt factory,

6) An excess of permitted operating asphalt production facilities (Syar & BoDean) is up and running in the service area proposed by Dutra. The proposed factory is duplicative and unnecessary to serve the region's needs.

Sincerely,
Dana J. Garcia
347 Walnut St.
Petaluma, Ca 94952

707 763 5832

Fernandez, Xavier@Waterboards

From: John McGinnis <jwmcginnis@sbcglobal.net>
Sent: Saturday, November 05, 2016 4:54 PM
To: John.C.Morrow@usace.army.mil; Bryan.T.Matsumoto@usace.army.mil; Fernandez, Xavier@Waterboards
Subject: DUTRA HAYSTACK ASPHALT PLANT PROJECT, PETALUMA

RE: Application by Dutra Haystack Asphalt Plant Project, Petaluma, Alternatives Analysis

Dear Mr. Fernandez and LTC John C. Morrow, Commander, USACE San Francisco District:

I am writing to ask your help in protecting the Petaluma River, wetlands, fish and wildlife, and public investments including Shollenberger Park. I am concerned about the likely degradation of these public resources and assets that will be caused by the proposed Dutra asphalt factory.

I urge you to scrutinize Dutra's misinformation and false parameters contained in Dutra's Sec. 404 Permit application.

Please consider my comments on Dutra's "Alternatives Analysis" and reject their application for a 404 Permit.

- 1) Dutra's parcels are part of a sensitive wetlands ecosystem and the Project will harm the public's use of Shollenberger Park and the Petaluma River.
- 2) Alternative sites, not on the water, should be considered, as asphalt production does not require proximity to water transport.
- 3) The Project will impact the Petaluma River with toxic air pollution, lights disrupting wildlife and humans, noise, diesel emissions, and storm water runoff.
- 4) Dutra's proposed mooring of barges and tugs will block the federal, dredged Navigable Waterway of the Petaluma River.
- 5) There is no evidence in the public record that Dutra can even use Shamrocks e-crane for unloading sand and aggregate next door for Dutra's supplies, so the proposed Petaluma location may not even be possible for the asphalt factory,
- 6) An excess of permitted operating asphalt production facilities (Syar & BoDean) is up and running in the service area proposed by Dutra. The proposed factory is duplicative and unnecessary to serve the region's needs.

Sincerely,

John W. McGinnis
15 Sapporo Court
Petaluma, CA 94954

Fernandez, Xavier@Waterboards

From: dave glass <daveglass@comcast.net>
Sent: Sunday, November 06, 2016 3:02 PM
To: John.C.Morrow@usace.army.mil
Cc: Bryan.T.Matsumoto@usace.army.mil; Bryan.T.Matsumoto@usace.army.mil; Fernandez, Xavier@Waterboards
Subject: Dutra Asphalt Plant

Dear Mr. Fernandez and LTC John C. Morrow, Commander, USACE San Francisco District:

I am writing to ask your help in protecting the Petaluma River, wetlands, fish and wildlife, and public investments including Shollenberger Park. I am concerned about the likely degradation of these public resources and assets that will be caused by the proposed Dutra asphalt factory.

I urge you to scrutinize Dutra's Sec. 404 Permit application.

Please consider my comments on Dutra's "Alternatives Analysis" and reject their application for a 404 Permit.

1) Dutra's parcels are part of a sensitive wetlands ecosystem and the Project will harm the public's use of Shollenberger Park and the Petaluma River.

2) Alternative sites, not on the water, should be considered, as asphalt production does not require proximity to water transport.

3) The Project will impact the Petaluma River with toxic air pollution, lights disrupting wildlife and humans, noise, diesel emissions, and storm water runoff.

4) Dutra's proposed mooring of barges and tugs will block the federal dredged Navigable Waterway of the Petaluma River.

5) I am not aware of, and do not believe there is, evidence in the public record that Dutra can even use Shamrocks e-crane for unloading sand and aggregate next door for Dutra's supplies, so the proposed Petaluma location may not even be possible for the asphalt factory,

6) An excess of permitted operating asphalt production facilities (Syar & BoDean) is up and running in the service area proposed by Dutra. The proposed factory is duplicative and unnecessary to serve the region's needs.

Sincerely,

David Glass

Mayor City of Petaluma

Fernandez, Xavier@Waterboards

From: Ann Magida <annmagida@comcast.net>
Sent: Monday, November 07, 2016 8:42 PM
To: Fernandez, Xavier@Waterboards
Subject: RE: Application by Dutra Haystack Asphalt Plant Project, Petaluma, Alternatives Analysis

Dear Mr. Fernandez and LTC John C. Morrow, Commander, USACE San Francisco District:

I am writing to ask your help in protecting the Petaluma River, wetlands, fish and wildlife, and public investments including Shollenberger Park. I am concerned about the likely degradation of these public resources and assets that will be caused by the proposed Dutra asphalt factory.

I urge you to scrutinize Dutra's misinformation and false parameters contained in Dutra's Sec. 404 Permit application.

Please consider my comments on Dutra's "Alternatives Analysis" and reject their application for a 404 Permit.

1) Dutra's parcels are part of a sensitive wetlands ecosystem and the Project will harm the public's use of Shollenberger Park and the Petaluma River.

2) Alternative sites, not on the water, should be considered, as asphalt production does not require proximity to water transport.

3) The Project will impact the Petaluma River with toxic air pollution, lights disrupting wildlife and humans, noise, diesel emissions, and storm water runoff.

4) Dutra's proposed mooring of barges and tugs will block the federal, dredged Navigable Waterway of the Petaluma River.

5) There is no evidence in the public record that Dutra can even use Shamrocks e-crane for unloading sand and aggregate next door for Dutra's

supplies, so the proposed Petaluma location may not even be possible for the asphalt factory,

6) An excess of permitted operating asphalt production facilities (Syar & BoDean) is up and running in the service area proposed by Dutra. The proposed factory is duplicative and unnecessary to serve the region's needs.

Sincerely,

Ann Magida
84 Half Moon Rd
Novato CA 94947

Fernandez, Xavier@Waterboards

From: val c <paradox365@hotmail.com>
Sent: Monday, November 07, 2016 8:08 PM
To: Fernandez, Xavier@Waterboards
Subject: Dutra Project

I am writing you in support of the Dutra Project and the importance of their effort on behalf of Petaluma's economy and the Petaluma rivers ecological and economic success. The fate of both is determined by the success of the plant operations on the river and in the community. The ecological and environmental safeguards are well defined and part of the Dutra work ethic. I ask for and urge your support. Thank you for your consideration. Val Clayton

PO Box 2180
Petaluma, Ca. 94953

Fernandez, Xavier@Waterboards

From: mikeo707 <mikeo707@earthlink.net>
Sent: Monday, November 07, 2016 7:58 PM
To: Fernandez, Xavier@Waterboards; John.C.Morrow@usace.army.mil
Cc: joancooper115@gmail.com
Subject: Dutra Asphalt Plant Haystack Landing

Dear Mr. Fernandez and LTC John C. Morrow, Commander, USACE San Francisco District :

As a former board member of of the Redwood Empire Chapter Trout Unlimited (2006-2009) and Northern California Vice President California State Council Trout Unlimited (2007-2009) I am urging you not to approve the request for Dutra Haystack Landing Asphalt Plant and it's Alternative Analysis .

I was part of the research team going over Sonoma County records for both the Dutra Asphalt Plant and the existing Shamrock Sand and Gravel Barge Facility . I am very concerned with potential pollution problems that will be generated by this new Facility .

The use of Petaluma River water (brackish at best not fresh) for dust control will increase concentrations of pollution run off back in to the River and its adjoining wet lands .

The Petaluma River has an ongoing pollution issue from both residential and commercial run off through storm drains back into the river . Now add the 350 diesel trucks per day driving in and out of the project (See County approval and EIR) . Along with the oil and rubber components of the production of Asphalt . This increased concentration of pollution will adversely affect Adobe Creek (mouth of creek directly opposite parcel A) and Schollenberger Park / Ellis Creek wild life sanctuaries .

Down stream from this project is a levy breach which was not repaired as it has flooded former wetlands between Schollenberger Park property and Ellis Creek Wildlife Refuge . The increased pollution will reach migrating water fowl , existing mammal and amphibian inhabitants along with Egrets , Heron , and shore birds which use the land as foraging food source .

As stated in the EIR there already exist enough asphalt production in Sonoma County (Syar and BoDean) to satisfy all needs . Off loading river dependent barges at Site A is not feasible due to 2 twelve inch high pressure PG&E gas lines with in 100 feet of proposed facility . Like wise the Shamrock facility (already at capacity) can not stack barges out into the river channel or nose to tail as it will impair river traffic .

There is no guarantee that the National Railway Administration will allow a conveyor system from the Shamrock property over the SMART railroad tracks to the Dutra property . That would necessitate the trucking of materials from Shamrock to Dutra . This would increase pollution of the air and asphalt plant site even more .

Our wetlands are under increased stress from existing pollution , encroaching construction and population increase . This project is not needed at this site as indicated by the EIR . There are alternative sites at both the Sonoma County Landfill and the Marin County Landfill (also on the Petaluma River) .

For these reasons I urge not to approve this project .

Sincerely,
Michael F. Orton
1182 Lombardi Ave.
Petaluma , Ca. 94954
(707) 559-1018

Fernandez, Xavier@Waterboards

From: Jacquelyn England <pawriffic@yahoo.com>
Sent: Monday, November 07, 2016 7:55 PM
To: John.C.Morrow@usace.army.mil; Bryan.T.Matsumoto@usace.army.mil; Fernandez, Xavier@Waterboards
Cc: joancooper115@gmail.com
Subject: RE: Application by Dutra Haystack Asphalt Plant Project, Petaluma, Alternatives Analysis

Dear Mr. Fernandez and LTC John C. Morrow, Commander, USACE San Francisco District:

I am writing to ask your help in protecting the Petaluma River, wetlands, fish and wildlife, and public investments including [Shollenberger Park](#). I am concerned about the likely degradation of these public resources and assets that will be caused by the proposed Dutra asphalt factory.

I urge you to scrutinize Dutra's misinformation and false parameters contained in Dutra's Sec. 404 Permit application.

Please consider my comments on Dutra's "Alternatives Analysis" and reject their application for a 404 Permit.

- 1) Dutra's parcels are part of a sensitive wetlands ecosystem and the Project will harm the public's use of [Shollenberger Park](#) and the Petaluma River.
- 2) Alternative sites, not on the water, should be considered, as asphalt production does not require proximity to water transport.
- 3) The Project will impact the Petaluma River with toxic air pollution, lights disrupting wildlife and humans, noise, diesel emissions, and storm water runoff.
- 4) Dutra's proposed mooring of barges and tugs will block the federal, dredged Navigable Waterway of the Petaluma River.
- 5) There is no evidence in the public record that Dutra can even use Shamrocks e-crane for unloading sand and aggregate next door for Dutra's supplies, so the proposed Petaluma location may not even be possible for the asphalt factory,
- 6) An excess of permitted operating asphalt production facilities (Syar & BoDean) is up and running in the service area proposed by Dutra. The proposed factory is duplicative and unnecessary to serve the region's needs.

Sincerely,

Jacquelyn England

Petaluma, CA

Fernandez, Xavier@Waterboards

From: Will Pier <willspier@gmail.com>
Sent: Tuesday, November 08, 2016 12:11 AM
To: Fernandez, Xavier@Waterboards
Subject: Petaluma River/ Dutra proposed site

Hello Mr. Fernandez,

I am a member of the North Bay Rowing Club (NBRC), and a Board member of the Salmonid Restoration Federation (SRF).

The NBRC members are adults and high school athletes who row daily on the stretch of the Petaluma River where Dutra Co. proposes to locate their new asphalt plant (3355 Petaluma Blvd. S.) .

An asphalt plant in this location is not a wise choice.

With sea level rising, this site will be under water during winter storms and high tide events, leeching asphalt contaminants into the River, killing most of the aquatic life downstream for 100 or more meters, and endangering the nesting birds, river otters, and many other creatures that inhabit Shollenberger Park, across the River.

Also, the off-gasing of asphalt will adversely affect the air quality, possibly creating respiratory problems for all rowers, and others on the water.

Please consider to not approve this proposed site for the Dutra Co. asphalt plant.

Thank you.

Will Pier, past president NBRC Board of Directors

707-227-0047

Fernandez, Xavier@Waterboards

From: Janie Castles <janie.castles@gmail.com>
Sent: Monday, November 07, 2016 7:01 PM
To: John.C.Morrow@usace.army.mil; Bryan.T.Matsumoto@usace.army.mil; Fernandez, Xavier@Waterboards
Subject: Dutra Haystack Asphalt Plant Project, Petaluma, Alternatives Analysis

ATTENTION: Xavier Fernandez at the RWQCB
ATTENTION: LTC John C. Morrow, Commander, USACE San Francisco District

RE: Application by Dutra Haystack Asphalt Plant Project, Petaluma, Alternatives Analysis

Dear Mr. Fernandez and LTC John C. Morrow, Commander, USACE San Francisco District:

Please protect the Petaluma River, Shollenberger Park and our Sonoma County wetlands, fish and wildlife, and public investments. The likely degradation of these public resources and assets by the imposition of the proposed Dutra asphalt factory is a threat to the wellbeing of our community, present and future.

My information indicates the presence of misinformation and false parameters in Dutra's Sec. 404 Permit application.

Please consider my comments on Dutra's "Alternatives Analysis" and reject their application for a 404 Permit.

Dutra's parcels are part of a sensitive wetlands ecosystem; the Project will harm the public's use of Shollenberger Park and the Petaluma River. Alternate sites in locations not adjacent to public waterways have not been adequately considered. Asphalt production is not water-dependent.

The Project will harm our Petaluma River, wildlife, and ecosystem health with toxic pollution, disruptive lighting and noise, diesel emissions, and storm water runoff.

An excess of permitted operating asphalt production facilities (Syar & BoDean) is up and running in the service area proposed by Dutra. The proposed factory is duplicative and unnecessary to serve the region's needs.

Thank you very much,

Janie Castles

Janie Castles
315 Sixth Street

Petaluma, California 94952
707.763.9635

Fernandez, Xavier@Waterboards

From: ansbrotax@aol.com
Sent: Monday, November 07, 2016 5:47 PM
To: John.C.Morrow@usace.army.mil
Cc: Bryan.T.Matsumoto@usace.army.mil
Subject: Application by Dutra Haystack Asphalt Plant Project, Petaluma, Alternatives Analysis

Dear Mr. Fernandez and LTC John C. Morrow, Commander, USACE San Francisco District:
I am writing to ask your help in protecting the Petaluma River, wetlands, fish and wildlife, and public investments including Shollenberger Park. I am concerned about the likely degradation of these public resources and assets that will be caused by the proposed Dutra asphalt factory.

I urge you to scrutinize Dutra's misinformation and false parameters contained in Dutra's Sec. 404 Permit application. Please consider my comments on Dutra's "Alternatives Analysis" and reject their application for a 404 Permit.

- 1) Dutra's parcels are part of a sensitive wetlands ecosystem and the Project will harm the public's use of Shollenberger Park and the Petaluma River.
- 2) Alternative sites, not on the water, should be considered, as asphalt production does not require proximity to water transport.
- 3) The Project will impact the Petaluma River with toxic air pollution, lights disrupting wildlife and humans, noise, diesel emissions, and storm water runoff.
- 4) Dutra's proposed mooring of barges and tugs will block the federal, dredged Navigable Waterway of the Petaluma River.
- 5) There is no evidence in the public record that Dutra can even use Shamrocks e-crane for unloading sand and aggregate next door for Dutra's supplies, so the proposed Petaluma location may not even be possible for the asphalt factory,
- 6) An excess of permitted operating asphalt production facilities (Syar & BoDean) is up and running in the service area proposed by Dutra. The proposed factory is duplicative and unnecessary to serve the region's needs.

Sincerely,

Jolene Costanza

*2033 Crosscreek Street
Petaluma, CA 94954*

Fernandez, Xavier@Waterboards

From: Gary Shelden <gshelden@sbcglobal.net>
Sent: Monday, November 07, 2016 5:40 PM
To: Fernandez, Xavier@Waterboards
Subject: Right asphalt plant

Hey Stack Landing is being built with the best technology and equipment, it's the Right asphalt plant in the Right place. thank you Gary Shelden

Sent via the Samsung GALAXY S® 5, an AT&T 4G LTE smartphone

Fernandez, Xavier@Waterboards

From: george_flynn@comcast.net
Sent: Monday, November 07, 2016 5:11 PM
To: Fernandez, Xavier@Waterboards
Subject: Alternative Sites Analysis- Dutra Asphalt Pant

Xavier,

The Dutra plant will provide a useful product in a way, as best possible, beneficial to the environment.

George Flynn
401 Mid 2 Rock Rd., Petaluma, CA

Fernandez, Xavier@Waterboards

From: josman@comcast.net
Sent: Monday, November 07, 2016 4:59 PM
To: Fernandez, Xavier@Waterboards; John.C.Morrow@usace.army.mil;
Bryan.T.Matsumoto@usace.army.mil
Subject: Fwd: DUTRA HAYSTACK ASPHALT PLANT PROJECT, PETALUMA

RE: Application by Dutra Haystack Asphalt Plant Project, Petaluma, Alternatives Analysis

Dear Mr. Fernandez and LTC John C. Morrow, Commander, USACE San Francisco District:

We have been residents of our current home in Petaluma for over eighteen years. We are very concerned about the proposed Dutra project as we live downwind of the site in addition to using and enjoying the Shollenberger Park across from the proposed project site.

We are writing to ask your help in protecting the Petaluma River, wetlands, fish and wildlife, and public investments including Shollenberger Park. we are concerned about the likely degradation of these public resources and assets that will be caused by the proposed Dutra asphalt factory, as well as the potential adverse impacts to us as residents downwind of the site.

We urge you to scrutinize Dutra's misinformation and false parameters contained in Dutra's Sec. 404 Permit application.

Please consider these comments on Dutra's "Alternatives Analysis" and reject their application for a 404 Permit.

- 1) Dutra's parcels are part of a sensitive wetlands ecosystem and the Project will harm the public's use of Shollenberger Park and the Petaluma River.
- 2) Alternative sites, not on the water, should be considered, as asphalt production does not require proximity to water transport.
- 3) The Project will impact the Petaluma River with toxic air pollution, lights disrupting wildlife and humans, noise, diesel emissions, and storm water runoff.
- 4) Dutra's proposed mooring of barges and tugs will block the federal, dredged Navigable Waterway of the Petaluma River.
- 5) There is no evidence in the public record that Dutra can even use Shamrocks e-crane for unloading sand and aggregate next door for Dutra's supplies, so the proposed Petaluma location may not even be possible for the asphalt factory,

6) An excess of permitted operating asphalt production facilities (Syr & BoDean) is up and running in the service area proposed by Dutra. The proposed factory is duplicative and unnecessary to serve the region's needs.

Sincerely,

Jack W. Osman, Ph.D.
Barbara Gail Osman

1890 Falcon Ridge Drive
Petaluma, CA 94954

Fernandez, Xavier@Waterboards

From: barry bussewitz <barryalbert@comcast.net>
Sent: Monday, November 07, 2016 4:39 PM
To: John.C.Morrow@usace.army.mil; Bryan.T.Matsumoto@usace.army.mil; Fernandez, Xavier@Waterboards
Subject: Dutra Haystack Asphalt Plant Project, Petaluma, Alternatives Analysis

ATTENTION: Xavier Fernandez at the RWQCB
ATTENTION: LTC John C. Morrow, Commander, USACE San Francisco District

RE: Application by Dutra Haystack Asphalt Plant Project, Petaluma, Alternatives Analysis

Dear Mr. Fernandez and LTC John C. Morrow, Commander, USACE San Francisco District:

Please protect the Petaluma River, Shollenberger Park and our Sonoma County wetlands, fish and wildlife, and public investments. The likely degradation of these public resources and assets by the imposition of the proposed Dutra asphalt factory is a threat to the wellbeing of our community, present and future.

My information indicates the presence of misinformation and false parameters in Dutra's Sec. 404 Permit application.

Please consider my comments on Dutra's "Alternatives Analysis" and reject their application for a 404 Permit.

Dutra's parcels are part of a sensitive wetlands ecosystem; the Project will harm the public's use of Shollenberger Park and the Petaluma River. Alternate sites in locations not adjacent to public waterways have not been adequately considered. Asphalt production is not water-dependent.

The Project will harm our Petaluma River, wildlife, and ecosystem health with toxic pollution, disruptive lighting and noise, diesel emissions, and storm water runoff.

An excess of permitted operating asphalt production facilities (Syar & BoDean) is up and running in the service area proposed by Dutra. The proposed factory is duplicative and unnecessary to serve the region's needs.

Thank you very much,

Barry

Barry Albert Bussewitz
315 Sixth Street

Petaluma, California 94952
707.763.9635

Fernandez, Xavier@Waterboards

From: Joan Cooper <joancooper115@gmail.com>
Sent: Monday, November 07, 2016 7:49 PM
To: ohn.C.Morrow@usace.army.mil; Bryan.T.Matsumoto@usace.army.mil; Fernandez, Xavier@Waterboards
Subject: RE: Alternatives Analysis for Dutra Haystack Asphalt Plant Project, Sonoma County - CIWQS Place ID 767268, Corps File No. 28104N

ATTENTION: Xavier Fernandez at the RWQCB
ATTENTION: LTC John C. Morrow, Commander, USACE San Francisco District

John.C.Morrow@usace.army.mil
Bryan.T.Matsumoto@usace.army.mil
xavier.fernandez@waterboards.ca.gov

RE: Alternatives Analysis for Dutra Haystack Asphalt Plant Project, Sonoma County - CIWQS Place ID 767268, Corps File No. 28104N

Xavier Fernandez, Environmental Scientist
California Regional Water Quality Control Board,
San Francisco Bay Region
1515 Clay Street, Suite 1400
Oakland, CA 94612
xavier.fernandez@waterboards.ca.gov

November 8, 2016

Dear Mr. Fernandez and LTC John C. Morrow, Commander, USACE San

Francisco District:

The public has the right to comment on the Dutra Asphalt factory project application. This piecemeal public notice for public comment of their application in parts makes it more difficult 1) for the public to understand the full impact of the project 2) to track and respond to each request for comment for each section.

I would request that the public be given another opportunity to comment on all of the parts of the Dutra Group's application, in its entirety, once all sections have been submitted.

As a founder of Friends of Shollenberger and a citizen of Petaluma for 30 years, I have worked long and hard to inform our community about the impacts of the proposed asphalt factory on the banks of the Petaluma River. The community responded with over 1000 signed petitions to the City Council of Petaluma asking them to prevent this eyesore and source of toxins so close to sensitive wetlands habitat and the City's most popular Park, Shollenberger Park. The City Council voted unanimously to oppose the approval of the project by the County. After a 3-2 vote by the Sonoma County Supervisors to approve the project, The City joined as a plaintiff in the lawsuit to challenge the FEIR and the zoning changes first in Superior County Court, and finally in State Appeals Court.

It should be noted by you that the Dutra parcels were rezoned by The County to a more intense usage ("light Industrial") to accommodate the asphalt factory, despite the fact that these parcels are located in the 100 year Flood Plain. The Sonoma County General Plan wisely prohibits industrial operations from being located in the 100 year flood plain.

This abrogation by the Supervisors of the intention of their own General Plan was litigated in State Court of Appeals by a coalition of Petaluma community groups, The City of Petaluma, and individual citizens. Dutra Group "cured" this problem by proposing to cut

from the wetlands and us this fill to raise the footprint of the factory to an elevation above the 100 year flood plain. This solution was accepted by the court.

The judges who accepted this rationale however are not experts in the science of rising seas, floods, tides and water quality of the River. You the RWQCB are the experts. I ask you to consider whether raising the footprint of a factory within a hundred year flood plain removes it from the dangers and consequences of being located in a flood plain. The site is still located within the 100 year flood plain as official maps will prove.

If a precedent is set, allowing the Dutra Group to build in the 100 year flood plain, then we can look forward to additional industrial operations locating in the 100 year flood plain, putting both the River's water and wetlands in jeopardy.

I ask you to protect the river and the wetlands. I ask you to consider this question: Why have a General Plan that purports to protect our River and then undermine its safeguards by sleight of hand and clever legal maneuvering.

I ask your help in protecting the Petaluma River, wetlands, fish and wildlife, and public investments including Shollenberger Park. I am concerned about the likely degradation of these public resources and assets that will be caused by the proposed Dutra asphalt factory. I ask you to reject their 404 application, starting with a rejection of their Alternatives Sites Analysis as failing to be an honest survey of alternative sites.

Sincerely,

Joan Cooper

333 Pleasant Street

Petaluma, CA 94952

Fernandez, Xavier@Waterboards

From: Farmer <farmer@meridianfarm.com>
Sent: Tuesday, November 08, 2016 4:55 AM
To: John.C.Morrow@usace.army.mil; Bryan.T.Matsumoto@usace.army.mil; Fernandez, Xavier@Waterboards
Cc: joancooper115@gmail.com
Subject: Re: Application by Dutra Haystack Asphalt Plant Project, Petaluma, Alternatives Analysis

Forgot my address first time, sorry!
Amy

On Nov 8, 2016, at 4:50 AM, Farmer <farmer@meridianfarm.com> wrote:

Dear Mr. Fernandez and LTC John C. Morrow, Commander, USACE San Francisco District:

I am writing to ask your help in protecting the Petaluma River, wetlands, fish and wildlife, and public investments including Shollenberger Park. I am concerned about the likely degradation of these public resources and assets that will be caused by the proposed Dutra asphalt factory.

I urge you to scrutinize Dutra's misinformation and false parameters contained in Dutra's Sec. 404 Permit application.

Please consider my comments on Dutra's "Alternatives Analysis" and reject their application for a 404 Permit.

- 1) Dutra's parcels are part of a sensitive wetlands ecosystem and the Project will harm the public's use of Shollenberger Park and the Petaluma River.
- 2) Alternative sites, not on the water, should be considered, as asphalt production does not require proximity to water transport.
- 3) The Project will impact the Petaluma River with toxic air pollution, lights disrupting wildlife and humans, noise, diesel emissions, and storm water runoff.
- 4) Dutra's proposed mooring of barges and tugs will block the federal, dredged Navigable Waterway of the Petaluma River.
- 5) There is no evidence in the public record that Dutra can even use Shamrocks e-crane for unloading sand and aggregate next door for Dutra's supplies, so the proposed Petaluma location may not even be possible for the asphalt factory,
- 6) An excess of permitted operating asphalt production facilities (Syar & BoDean) is up and running in the service area proposed by Dutra. The proposed factory is duplicative and unnecessary to serve the region's needs.

Sincerely,

Amy Skezas
4775 Redwood Highway South
Petaluma, CA 94952

Fernandez, Xavier@Waterboards

From: Farmer <farmer@meridianfarm.com>
Sent: Tuesday, November 08, 2016 4:50 AM
To: John.C.Morrow@usace.army.mil; Bryan.T.Matsumoto@usace.army.mil; Fernandez, Xavier@Waterboards
Cc: joancooper115@gmail.com
Subject: Application by Dutra Haystack Asphalt Plant Project, Petaluma, Alternatives Analysis

Dear Mr. Fernandez and LTC John C. Morrow, Commander, USACE San Francisco District:

I am writing to ask your help in protecting the Petaluma River, wetlands, fish and wildlife, and public investments including Shollenberger Park. I am concerned about the likely degradation of these public resources and assets that will be caused by the proposed Dutra asphalt factory.

I urge you to scrutinize Dutra's misinformation and false parameters contained in Dutra's Sec. 404 Permit application.

Please consider my comments on Dutra's "Alternatives Analysis" and reject their application for a 404 Permit.

- 1) Dutra's parcels are part of a sensitive wetlands ecosystem and the Project will harm the public's use of Shollenberger Park and the Petaluma River.
- 2) Alternative sites, not on the water, should be considered, as asphalt production does not require proximity to water transport.
- 3) The Project will impact the Petaluma River with toxic air pollution, lights disrupting wildlife and humans, noise, diesel emissions, and storm water runoff.
- 4) Dutra's proposed mooring of barges and tugs will block the federal, dredged Navigable Waterway of the Petaluma River.
- 5) There is no evidence in the public record that Dutra can even use Shamrocks e-crane for unloading sand and aggregate next door for Dutra's supplies, so the proposed Petaluma location may not even be possible for the asphalt factory,
- 6) An excess of permitted operating asphalt production facilities (Syar & BoDean) is up and running in the service area proposed by Dutra. The proposed factory is duplicative and unnecessary to serve the region's needs.

Sincerely,

Amy Skezas

Fernandez, Xavier@Waterboards

From: Robert Thompson <RThompson@marin.edu>
Sent: Tuesday, November 08, 2016 10:40 AM
To: Fernandez, Xavier@Waterboards
Subject: Dutra Petaluma Plant

I completely agree with and support Dutra's plan for the Petaluma site. They have met all the the requirements and will be a very important, and valuable asset to the area. Please support their request.

Sent from my iPhone
Bob Thompson
415 640 5756

Fernandez, Xavier@Waterboards

From: Bruce Lawton <blawton@nationalspan.com>
Sent: Tuesday, November 08, 2016 10:34 AM
To: Fernandez, Xavier@Waterboards
Cc: 'Aimi Dutra'
Subject: Dutra Asphalt Plant

Dear Xavier,

I have reviewed the plans, EIR, comments, and followed the exhaustive efforts of the Dutra Group to provide a local source for construction asphalt.

I'm convinced that the local sourcing of construction materials is a positive alternate for air quality and the local environment. The Dutra Group has provided overwhelming evidence to support local sourcing and this project.

At National Span we practice what we preach by producing our Precast Concrete Bridge Structures as close as possible to the installing site to limit unnecessary truck traffic.

I urge you to approve the alternative sites analysis.

Regards,

Bruce E. Lawton
Managing Partner
National Span, LLC



Fernandez, Xavier@Waterboards

From: Lynn Woolsey <lynnwoolsey@gmail.com>
Sent: Tuesday, November 08, 2016 10:17 AM
To: John.C.Morrow@usace.army.mil; Fernandez, Xavier@Waterboards
Cc: Bryan.T.Matsumoto@usace.army.mil
Subject: RE: Alternatives Analysis for Dutra Haystack Asphalt Plant Project, Sonoma County - CIWQS Place ID 767268, Corps File No. 28104N
Attachments: PastedGraphic-1.tiff

November 8, 2016

Dear Mr. Fernandez and LTC John C. Morrow, Commander, USACE San Francisco District:

The Petaluma River and Wetlands are important to the well being of our citizens and the regional eco-system. During my ten terms in Congress I worked long and hard to preserve and protect this valuable asset and its water quality. I found funding to keep the Petaluma River dredged and the federal navigable channel open and working for all of my constituents.

It has come to my attention that an Alternatives Sites Assessment has been submitted by The Dutra Group in support of their 404 Application. I'm writing to ask you to scrutinize this application and hold the applicant to the highest standards of environmental protection.

Asphalt production is not a water dependent manufacturing process, and sufficient asphalt production capacity already exists in Sonoma and Marin Counties. Dutra Materials needs to expand its Alternative Sites study to include sites that will not impact our sensitive wetlands and waterways.

Access to water delivery of aggregate is simply a preference for Dutra materials, not a requirement for the manufacturing process. Two existing Sonoma companies, sources of hot mix asphalt are manufacturing asphalt located far from water accessible delivery (Syar and BoDean). They are supplying the region.

Warm Mix Asphalt is now an environmental option that uses less energy and is able to expand delivery to a three-hour haul. Instead of heating the asphalt to 315 degrees the asphalt is heated to 280 degrees. BoDean, a local Sonoma Company has already invested in the equipment to manufacture Warm Asphalt, and has supplied it to The City of Santa Rosa (Hoen Avenue) with great success. This is the asphalt that will replace hot asphalt in the years to come and Alternative Sites for Dutra should have a much larger search radius than indicated in Dutra Group's study.

Additionally, Dutra's barges and tugs will block the federal, dredged Navigable Waterway, if they are allowed to dock at nearby Shamrock's facility.

Since no proof exists that docking at Shamrock will be allowed, Dutra may need to build another docking facility, leading to more degradation of the wetlands and riverbank.

The impact on the river's water quality, the wetlands, the federal navigable channel and the sensitive ecosystem and Shollenberger Park all point to this site as hardly worthy of designation as the LEDPA for this factory.

May I emphasize that it is in the public's best interest and a requirement of The Clean Water Act to identify the Least Environmentally Damaging Alternative (LEDPA). Please use all your knowledge and expertise to review this application and direct the applicant accordingly.

As both a former Congresswoman and a longtime resident of Petaluma I am concerned and plan to be watchful of the application process.

Sincerely,

A handwritten signature in cursive script that reads "Lynn C. Woolsey". The signature is written in black ink and is positioned below the word "Sincerely,".

Congresswoman Lynn C. Woolsey (Retired) Petaluma, CA

707-763-7933

Fernandez, Xavier@Waterboards

From: Steven Peterson <peterson@sonic.net>
Sent: Tuesday, November 08, 2016 11:01 AM
To: Fernandez, Xavier@Waterboards; John.C.Morrow@usace.army.mil
Cc: Bryan.T.Matsumoto@usace.army.mil; joancooper115@gmail.com
Subject: RE: Application by Dutra Haystack Asphalt Plant Project, Petaluma, Alternatives Analysis

November 8, 2016

Xavier Fernandez at the RWQCB
LTC John C. Morrow, Commander, USACE San Francisco District

Dear Mr. Fernandez and LTC John C. Morrow,

We are writing to ask your help in protecting the Petaluma River, wetlands, fish and wildlife, and public investments including Shollenberger Park. I am concerned about the likely degradation of these public resources and assets that will be caused by the proposed Dutra asphalt factory.

Please consider the following comments on Dutra's "Alternatives Analysis" and reject their application for a 404 Permit:

- Dutra's parcels are part of a sensitive wetlands ecosystem and the Project will harm the public's use of Shollenberger Park and the Petaluma River.
- Alternative sites, not on the water, should be considered, as asphalt production does not require proximity to water transport.
- The Project will impact the Petaluma River with toxic air pollution, lights disrupting wildlife and humans, noise, diesel emissions, and storm water runoff.
- Dutra's proposed mooring of barges and tugs will block the federal, dredged Navigable Waterway of the Petaluma River.
- There is no evidence in the public record that Dutra can even use Shamrocks e-crane for unloading sand and aggregate next door for Dutra's supplies, so the proposed Petaluma location may not even be possible for the asphalt factory,
- An excess of permitted operating asphalt production facilities (Syar & BoDean) is up and running in the service area proposed by Dutra. The proposed factory is duplicative and unnecessary to serve the region's needs.

I urge you to scrutinize Dutra's misinformation and false parameters contained in Dutra's Sec. 404 Permit application and deny them the permit.

We visit Shollenberger weekly, appreciate it's incredible beauty, and understand just how fragile an ecosystem it represents. Please don't let it be ruined unnecessarily.

Sincerely,

Steven Peterson
Peter Jaret
609 C Street
Petaluma, CA 94952

Fernandez, Xavier@Waterboards

From: Tom Brown <katchat@sonic.net>
Sent: Tuesday, November 08, 2016 9:44 AM
To: Fernandez, Xavier@Waterboards
Subject: Application by Dutra Haystack Asphalt Plant Project, Petaluma, Alternatives Analysis

Dear Mr. Fernandez,

I am writing to request your assistance in protecting the Petaluma River and its watershed from the environmental damage and degradation that would occur as a result of this application being approved. I live in Petaluma and row on, and walk or bike along, the Petaluma River almost daily. As a resident I have an intimate appreciation of the importance of maintaining the vitality of wetlands for all the reasons cited in the EPA Wetland Functions and Values 2016 document.

The Dutra Alternative Sites Analysis is flawed, and should be rejected for the following reasons:

1-The assumptions made in the hydrology report on the effects of climate change are out-dated. Scientists have universally confirmed that global warming is occurring, that sea level rise is accelerating even faster than expected just 10 years ago, and even if the acceleration was slowed by an immediate global response, which seems highly unlikely, it cannot be reversed. The best option now is adaptation by avoiding locating future projects in areas subject to sea level rise and flooding. As noted in the hydrology report this project is located in the floodplain of a tidal slough, making it an unsuitable site.

2-This project is designed to use 20th century hot-mix asphalt technology that requires a much smaller service area than newer, less environmentally damaging, warm-mix asphalt production which has the added benefit of a much larger service area. BoDean Co, one of the existing asphalt suppliers in Sonoma County, has already converted to WMA technology. <http://bodeancompany.com/sustainable-practices/wma-technology>

3-The hydrology report also indicates that all drainage from the site ultimately goes directly to the Petaluma River. Since the project calls for using River water for dust suppression, this means that contaminants from asphalt production, diesel trucks, and silica dust that contain many carcinogenic compounds will be flushed into the Petaluma River on a year-round basis, greatly affecting not only water quality in the River but exacerbating efforts to clean up both San Pablo and San Francisco Bays.

4-There is no evidence in the public record that Dutra has an agreement with Shamrock for use of the E-crane for unloading and supplying aggregate from the neighboring facility, or a building permit from Sonoma County to construct an over 700 ft. long conveyor system for delivery to the Dutra property, or permission from SMART to build such a system over their train tracks. Since one of the conditions required by the Sonoma County Board of Supervisors for granting approval of the project was subject to aggregate being supplied by conveyor from Shamrock, it must be assumed in the absence of any such agreement or permit for same that Dutra has no intention of meeting this requirement. Therefore, it is obvious that this plant is not water-dependent as claimed by the applicant, and less environmentally sensitive alternate sites should be considered away from the River.

5-There is no demonstrated need for another asphalt plant in Sonoma County. The existing permitted plants are already operating below capacity. As noted above, there is at least one superior source of asphalt that does less harm to the environment that is also currently able to serve a far greater area than this proposed project.

Thank you for your consideration of the above comments. I am hopeful they will contribute to the disproof of the claim that this is the least environmentally damaging alternative, and the ultimate rejection of this application.

Sincerely,
Tom Brown

Fernandez, Xavier@Waterboards

From: Emily Martin Fadrhonc <emily.r.martin@gmail.com>
Sent: Tuesday, November 08, 2016 9:36 AM
To: John.C.Morrow@usace.army.mil; Bryan.T.Matsumoto@usace.army.mil; Fernandez, Xavier@Waterboards
Subject: Proposed Dutra Asphalt Plant

Dear Mr. Fernandez and LTC John C. Morrow, Commander, USACE San Francisco District:

I am writing to ask your help in protecting the Petaluma River, wetlands, fish and wildlife, and public investments including Shollenberger Park. I am concerned about the likely degradation of these public resources and assets that will be caused by the proposed Dutra asphalt factory.

I urge you to scrutinize Dutra's misinformation and false parameters contained in Dutra's Sec. 404 Permit application.

Please consider my comments on Dutra's "Alternatives Analysis" and reject their application for a 404 Permit.

- 1) Dutra's parcels are part of a sensitive wetlands ecosystem and the Project will harm the public's use of Shollenberger Park and the Petaluma River.
- 2) Alternative sites, not on the water, should be considered, as asphalt production does not require proximity to water transport.
- 3) The Project will impact the Petaluma River with toxic air pollution, lights disrupting wildlife and humans, noise, diesel emissions, and storm water runoff.
- 4) Dutra's proposed mooring of barges and tugs will block the federal, dredged Navigable Waterway of the Petaluma River.
- 5) There is no evidence in the public record that Dutra can even use Shamrocks e-crane for unloading sand and aggregate next door for Dutra's supplies, so the proposed Petaluma location may not even be possible for the asphalt factory,
- 6) An excess of permitted operating asphalt production facilities (Syar & BoDean) is up and running in the service area proposed by Dutra. The proposed factory is duplicative and unnecessary to serve the region's needs.

Sincerely,

Emily Martin Fadrhonc

241 Trinity Road, Brisbane CA

Fernandez, Xavier@Waterboards

From: Mr.BHB . <mrbhb@hotmail.com>
Sent: Tuesday, November 08, 2016 9:29 AM
To: John.C.Morrow@usace.army.mil; Bryan.T.Matsumoto@usace.army.mil; Fernandez, Xavier@Waterboards
Subject: Application by Dutra Haystack Asphalt Plant Project, Petaluma, Alternatives Analysis

Dear Mr. Fernandez and LTC John C. Morrow, Commander, USACE San Francisco District:

As sworn custodians of the safety of our country, it's people, and it's resource magesty, I am writing to ask your help in protecting the Petaluma River, wetlands, fish and wildlife, and public investments including Shollenberger Park. I am concerned about the likely degradation of these public resources and assets that will be caused by the proposed Dutra asphalt factory.

I strongly urge you to do the right thing, and to scrutinize Dutra's misinformation and false parameters contained in Dutra's Sec. 404 Permit application. Please review and consider my comments on Dutra's "Alternatives Analysis" and reject their application for a 404 Permit.

- 1) Dutra's parcels are part of a sensitive wetlands ecosystem and the Project will harm the public's use of Shollenberger Park and the Petaluma River.
- 2) Alternative sites, not on the water, should be considered, as asphalt production does not require proximity to water transport.
- 3) The Project will impact the Petaluma River with toxic air pollution, lights disrupting wildlife and humans, noise, diesel emissions, and storm water runoff.
- 4) Dutra's proposed mooring of barges and tugs will block the federal, dredged Navigable Waterway of the Petaluma River.
- 5) There is no evidence in the public record that Dutra can even use Shamrocks e-crane for unloading sand and aggregate next door for Dutra's supplies, so the proposed Petaluma location may not even be possible for the asphalt factory,
- 6) An excess of permitted operating asphalt production facilities (Syar & BoDean) is up and running in the service area proposed by Dutra. The proposed factory is duplicative and unnecessary to serve the region's needs.

Sincerely,

Brian Boyajian, JD

Fernandez, Xavier@Waterboards

From: Tom Brown <katchat@sonic.net>
Sent: Tuesday, November 08, 2016 9:26 AM
To: Fernandez, Xavier@Waterboards
Subject: Application by Dutra Haystack Asphalt Plant Project, Petaluma, Alternatives Analysis

Dear Mr. Fernandez,

I am writing to request your assistance in protecting the Petaluma River and it's watershed from the environmental damage and degradation that would occur as a result of this application being approved. I live in Petaluma and row on, and walk or bike along, the Petaluma River almost daily. As a resident I have an intimate appreciation of the importance of maintaining the vitality of wetlands for all the reasons cited in the EPA Wetland Functions and Values 2016 document.

The Dutra Alternative Sites Analysis is flawed, and should be rejected for the following reasons:

1-The assumptions made in the hydrology report on the effects of climate change are out-dated. Scientists have universally confirmed that global warming is occurring, that sea level rise is accelerating even faster than expected just 10 years ago, and even if the acceleration was slowed by an immediate global response, which seems highly unlikely, it cannot be reversed. The best option now is adaptation by avoiding locating future projects in areas subject to sea level rise and flooding. As noted in the hydrology report this project is located in the floodplain of a tidal slough, making it an unsuitable site.

2-This project is designed to use 20th century hot-mix asphalt technology that requires a much smaller service area than newer, less environmentally damaging, warm-mix asphalt production which has the added benefit of a much larger service area. BoDean Co, one of the existing asphalt suppliers in Sonoma County, has already converted to WMA technology. <http://bodeancompany.com/sustainable-practices/wma-technology>

3-The hydrology report also indicates that all drainage from the site ultimately goes directly to the Petaluma River. Since the project calls for using River water for dust suppression, this means that contaminants from asphalt production, diesel trucks, and silica dust that contain many carcinogenic compounds will be flushed into the Petaluma River on a year-round basis, greatly affecting not only water quality in the River but exacerbating efforts to clean up both San Pablo and San Francisco Bays.

4-There is no evidence in the public record that Dutra has an agreement with Shamrock for use of the E-crane for unloading and supplying aggregate from the neighboring facility, or a building permit from Sonoma County to construct an over 700 ft. long conveyor system for delivery to the Dutra property, or permission from SMART to build such a system over their train tracks. Since one of the conditions required by the Sonoma County Board of Supervisors for granting approval of the project was subject to aggregate being supplied by conveyor from Shamrock, it must be assumed in the absence of any such agreement or permit for same that Dutra has no intention of meeting this requirement. Therefore, it is obvious that this plant is not water-dependent as claimed by the applicant, and less environmentally sensitive alternate sites should be considered away from the River.

5-There is no demonstrated need for another asphalt plant in Sonoma County. The existing permitted plants are already operating below capacity. As noted above, there is at least one superior source of asphalt that does less harm to the environment that is also currently able to serve a far greater area than this proposed project.

Thank you for your consideration of the above comments. I am hopeful they will contribute to the disproof of the claim that this is the least environmentally damaging alternative, and the ultimate rejection of this application.

Sincerely,
Tom Brown

Sent from my iPad

Fernandez, Xavier@Waterboards

From: Abigail Smyth <abigail_smyth@yahoo.com>
Sent: Tuesday, November 08, 2016 9:11 AM
To: Fernandez, Xavier@Waterboards
Subject: Application by Dutra Haystack Asphalt Plant Project, Petaluma, Alternatives Analysis

Dear Mr. Fernandez:

I am writing as a rower on the Petaluma River, resident of Petaluma and concerned citizen to ask your help in protecting the Petaluma River, wetlands, fish and wildlife, and public investments including Shollenberger Park. I am concerned about the likely degradation of these public resources and assets, used by thousands of local residents and visitors per week, that will be caused by the proposed Dutra asphalt factory.

I urge you to scrutinize Dutra's misinformation and false parameters and recognize the function and value of the Petaluma River shared by all citizens. Warm Mix Asphalt and its superiority, plus its long haul features (destroying their argument that an asphalt plant (hot mix—old technology) must be built on our wetlands in order to be close to the market. There is no need for an asphalt plant to be on any waterway, as most plants are not built on waterways. The thousands of locals and visitors, especially youth - paddlers, SUPs, rowers, kayakers, sailers, bird watchers, runners, walkers - who recreate on our waterway, filling their lungs with air as they enjoy the space, will have their health irreparably damaged by the fumes created by an asphalt plant. This specifically relates to the vital function and value of a waterway including recreation.

Please deny Dutra's attempt to destroy the quality of our community assets and public resources.

Sincerely,

Abigail Smyth
500 Western Avenue, Petaluma, CA

Fernandez, Xavier@Waterboards

From: Kara Quest <klinks01@gmail.com>
Sent: Tuesday, November 08, 2016 10:14 AM
To: John.C.Morrow@usace.army.mil; Bryan.T.Matsumoto@usace.army.mil; Fernandez, Xavier@Waterboards
Subject: Re: dutra asphalt plant and the protection of our local ecosystems

Dear Mr. Fernandez and LTC John C. Morrow, Commander, USACE San Francisco District:

I am writing to ask your help in protecting the Petaluma River, wetlands, fish and wildlife, and public investments including Shollenberger Park. I am concerned about the likely degradation of these public resources and assets that will be caused by the proposed Dutra asphalt factory.

I urge you to scrutinize Dutra's misinformation and false parameters contained in Dutra's Sec. 404 Permit application.

Please consider my comments on Dutra's "Alternatives Analysis" and reject their application for a 404 Permit.

- 1) Dutra's parcels are part of a sensitive wetlands ecosystem and the Project will harm the public's use of Shollenberger Park and the Petaluma River.
- 2) Alternative sites, not on the water, should be considered, as asphalt production does not require proximity to water transport.
- 3) The Project will impact the Petaluma River with toxic air pollution, lights disrupting wildlife and humans, noise, diesel emissions, and storm water runoff.
- 4) Dutra's proposed mooring of barges and tugs will block the federal, dredged Navigable Waterway of the Petaluma River.
- 5) There is no evidence in the public record that Dutra can even use Shamrocks e-crane for unloading sand and aggregate next door for Dutra's supplies, so the proposed Petaluma location may not even be possible for the asphalt factory,
- 6) An excess of permitted operating asphalt production facilities (Syar & BoDean) is up and running in the service area proposed by Dutra. The proposed factory is duplicative and unnecessary to serve the region's needs.

Sincerely,

Kara Links
Sacramento, CA

Fernandez, Xavier@Waterboards

From: Aldalecio@aol.com
Sent: Tuesday, November 08, 2016 7:59 AM
To: Fernandez, Xavier@Waterboards
Cc: adutra@dutragroup.com
Subject: Dutra's Petaluma asphalt plant

Mr. Xavier Fernandez
Regional Water Quality Control Board

I believe that Dutra's Petaluma asphalt is the right project and in the right location.

I am urging the RWCQB to approve the alternative sites analysis and this asphalt plant will allow them to provide a local source of asphalt to the Petaluma and Sonoma County area.

- **The alternatives analysis verifies the proposed project site is the least environmentally damaging practical alternative.**
- **The proposed site will benefit the public through reduction in truck traffic and congestion as the raw materials used in the production of asphalt will be transported via barge.**
- **The project will utilize Best Management Practices (BMPs) and Best Available Control Technologies (BACTs) to protect storm water runoff and air resources. The BMPs and BACTs implemented will be the most up to date technologies and have been thoroughly vetted by the water boards and air district.**
- **Barges will utilize Shamrock's existing dock and offload facility and will not block the navigable channel.**

I urge an approval.

Thank you,

Alfred J Dalecio
2164 Falcon Ridge Drive
Petaluma, CA 94954

Fernandez, Xavier@Waterboards

From: Jdomski@aol.com
Sent: Friday, November 18, 2016 8:55 AM
To: Fernandez, Xavier@Waterboards
Subject: Re: Application by Dutra Haystack Asphalt Plant Project, Petaluma, Alternatives

In a message dated 11/18/2016 8:53:15 A.M. Pacific Standard Time, Jdomski@aol.com writes:

Mr.Fernandez,

Regarding your letter to Dutra Group, dated November 10, 2016, please advise whether the Dutra Group has a deadline to submit a revised Alternatives Analysis. If there is a deadline, what is the date?

If possible, please email Dutra's submission(s)/response(s), if any, including your response(s), if any.

Thank you,

Jim Dombroski

In a message dated 11/8/2016 2:10:18 P.M. Pacific Standard Time, Jdomski@aol.com writes:

Dear Mr. Fernandez and LTC John C. Morrow, Commander, USACE San Francisco District:

The 10/18/16 email notice from Mr.Fernandez states that "The proposed Project would construct an asphalt facility and associated conveying system". The Dutra "Alternative Analysis" describes the "associated conveying system" stating: "Dutra will use the current Shamrock Material Inc.("Shamrock") landing way off-loading facility"(page 4). This statement is the foundation for Dutra's "Alternative Analysis". In fact, Dutra has no such agreement with Shamrock, as evidenced by the attached letter from Shamrock. Therefore, without the conveying system agreement with Shamrock, Dutra's proposed Project is a sham. In other words, Dutra has disseminated to a public entity a statement which is untrue or misleading in connection with its business. This is a per se violation of California false advertising statute and constitutes unfair, illegal and fraudulent business practices (California Business & Professions Code Sections 17200 and 17500). For these reasons alone, the Dutra permit should be rejected.

Additional reasons for rejection include the following: I am a resident of Petaluma and daily visitor at Shollenberger Park (considered a treasured habitat for numerous bird species). The resources at Shollenberger are utilized by hundreds of people every day. The uses include exercising(walking, jogging, biking), bird watching, photography, picnics, educational tours, etc. It also is an excellent resource for charity fund-raising in the form of races/walks/bird-watching, competitions for all ages--also watching rowing races on the Petaluma River along the shores of Shollenberger. For the last 7 years, the Alzheimers Association has utilized Shollenberger for its annual "walk", its major fund-raising source for Marin and Sonoma Counties. If the Dutra Permit Application is granted, these multiple uses at Shollenberger will be jeopardized.

You must and should reject Dutra's Permit Application and "Alternatives Analysis" in order to protect the Petaluma River, wetlands, fish and wildlife, and public investments including Shollenberger Park. There is no doubt that the Dutra asphalt factory will result in substantial degradation of these public resources and assets, including substantial health risks.

You must not permit Dutra's misinformation and false parameters to prevail over your duty to protect the habitat for the following reasons:

- 1) Dutra's parcels are part of a sensitive wetlands ecosystem and the Project will harm the public's use of Shollenberger Park and the Petaluma River.
- 2) Alternative sites, not on the water, should be considered, as asphalt production does not require proximity to water transport.
- 3) The Project will impact the Petaluma River with toxic air pollution, lights disrupting wildlife and humans, noise, diesel emissions, and storm water runoff.
- 4) Dutra's proposed mooring of barges and tugs will block the federal, dredged Navigable Waterway of the Petaluma River.
- 5) There is no evidence in the public record that Dutra can even use Shamrocks e-crane for unloading sand and aggregate next door for Dutra's supplies, so the proposed Petaluma location may not even be possible for the asphalt factory,
- 6) An excess of permitted operating asphalt production facilities (Syr & BoDean) is up and running in the service area proposed by Dutra. The proposed factory is duplicative and unnecessary to serve the region's needs.

For these reasons, Dutra's Permit Application should be rejected.

Thank you,

James M. Dombroski, Esq.

Law Offices of James M. Dombroski

P.O. Box 751027

Petaluma, CA 94975-1027

Telephone: (707) 762-7807

Toll Free: (866) 231-5421

Fax: (707) 769-0419

Email: jdomski@aol.com

www.jimdombroski.com

This email message is confidential and may contain attorney privileged information intended only for the use of the individual(s) or company identified above. If the reader is not the intended recipient or the employee or agent responsible to deliver it to the intended recipient, you are hereby notified that any dissemination, distribution, or copying of this communication is strictly prohibited. If you have received this communication in error, please contact the sender by telephone or email and delete this message. Thank you.

Fernandez, Xavier@Waterboards

From: pukip@aol.com
Sent: Sunday, November 27, 2016 9:36 AM
To: Fernandez, Xavier@Waterboards
Subject: Re: Dutra Haystack Alternatives Analysis Available for Review

Judie Peterson
179 Marshall Avenue
Petaluma, CA 95452
707-762-9179

Dear Mr Xaveir Fernandez 11/27/16

Sorry if my keyboard typing is not perfect but I had a major stroke on 10/9/16 and am relearning to type. However, the location of Dutra's asphalt plant is so very important, I must email no matter how long it takes or how tidy the email will be.

Shollenberger Park has been and still will be a crucial part of my life. It has a paved path most of the way around the pond which I used to walk my 3 little dogs and also used to ride my folding bicycle before my stroke. Now as I improve and can walk with a brace and a rolling walker, I hope to, with my caregiver, walk there again, having my caregiver walk just one dog at a time.

I'm just one person who loves that park, all the birds, rabbits, turtles and other creatures that make it their home. Many others walk children, dogs and elderly folks there. No one wants the pollution and disruption an asphalt plant with barges, trucks and noise across from our beautiful estuary park. Not only locals but people visiting Sonoma county will be affected by this poor choice of location. Money talks and Dutra has long been fighting against the people that live in Petaluma to have this plant on the river across from the park. When I used to tell out of town/even out of state people visiting, walking around the park that there was a proposal to locate an asphalt plant there, and point out the area of the already busy smelly boats and trucks across the river, their faces would grimace in disbelief.

Why the Petaluma made the huge mistake of passing the Dutra proposal way back when and in turn, cost the city of Petaluma not only a ton of money but grief for its citizens who spent a lot of their own money and time trying to save our park from this dismaying situation, is flabbergasting. They must not love our precious town and park as I and so many others do.

Sincerely,
Judie Peterson

|

-----Original Message-----

From: Fernandez, Xavier@Waterboards <Xavier.Fernandez@waterboards.ca.gov>

To: Fernandez, Xavier@Waterboards <Xavier.Fernandez@waterboards.ca.gov>

Sent: Tue, Oct 18, 2016 5:01 pm

Subject: Dutra Haystack Alternatives Analysis Available for Review

Dear Interested Parties:

The San Francisco Bay Regional Water Quality Control Board (Water Board) received a 404(b)(1) Alternatives Analysis (Alternatives Analysis) as part of the application for a Clean Water Act Section 401 Water Quality Certification for the Dutra Haystack Asphalt Plant Project (Project). The proposed Project would construct an asphalt plant facility and associated conveying system on the approximately 35-acre Haystack Landing site, located at 3355 Petaluma Boulevard South. The Alternatives Analysis is available for public review at http://www.waterboards.ca.gov/sanfranciscobay/public_notices/#section401. Comments on the Alternatives Analysis will be accepted by the Water Board for 21 days, and may be submitted via email to: Xavier.Fernandez@waterboards.ca.gov, or by sending hardcopies to: 1515 Clay St., Oakland, CA, Suite 1400, to the attention of Xavier Fernandez. Comments on the Application must be submitted no later than November 8, 2016.

If you have any questions or concerns, please contact Xavier Fernandez via phone at 510-622-5685 or email at Xavier.Fernandez@waterboards.ca.gov.

Regards,

Xavier Fernandez
Environmental Scientist
San Francisco Bay Regional Water Quality Control Board

Fernandez, Xavier@Waterboards

From: Jorin Hawley <jorinhawley@gmail.com>
Sent: Tuesday, November 08, 2016 2:38 PM
To: John.C.Morrow@usace.army.mil; Bryan.T.Matsumoto@usace.army.mil; Fernandez, Xavier@Waterboards
Subject: Please help protecting the Petaluma River, wetlands, fish and wildlife!

Dear Mr. Fernandez and LTC John C. Morrow, Commander, USACE San Francisco District:

I am writing to ask your help in protecting the Petaluma River, wetlands, fish and wildlife, and public investments including Shollenberger Park. I am concerned about the likely degradation of these public resources and assets that will be caused by the proposed Dutra asphalt factory.

I urge you to scrutinize Dutra's misinformation and false parameters contained in Dutra's Sec. 404 Permit application.

Please consider my comments on Dutra's "Alternatives Analysis" and reject their application for a 404 Permit.

- 1) Dutra's parcels are part of a sensitive wetlands ecosystem and the Project will harm the public's use of Shollenberger Park and the Petaluma River.
- 2) Alternative sites, not on the water, should be considered, as asphalt production does not require proximity to water transport.
- 3) The Project will impact the Petaluma River with toxic air pollution, lights disrupting wildlife and humans, noise, diesel emissions, and storm water runoff.
- 4) Dutra's proposed mooring of barges and tugs will block the federal, dredged Navigable Waterway of the Petaluma River.
- 5) There is no evidence in the public record that Dutra can even use Shamrocks e-crane for unloading sand and aggregate next door for Dutra's supplies, so the proposed Petaluma location may not even be possible for the asphalt factory,
- 6) An excess of permitted operating asphalt production facilities (Syar & BoDean) is up and running in the service area proposed by Dutra. The proposed factory is duplicative and unnecessary to serve the region's needs.

Sincerely,

Jorin Hawley
36000 Highway 128
Cloverdale, CA 95425

jorinhawley@gmail.com
917-455-6499

Fernandez, Xavier@Waterboards

From: Chris Dicker <chris.dicker@gmail.com>
Sent: Tuesday, November 08, 2016 2:29 PM
To: John.C.Morrow@usace.army.mil; Bryan.T.Matsumoto@usace.army.mil; Fernandez, Xavier@Waterboards
Subject: The proposed Dutra asphalt factory

Dear Mr. Fernandez and LTC John C. Morrow, Commander, USACE San Francisco District:

I am writing to ask your help in protecting the Petaluma River, wetlands, fish and wildlife, and public investments including Shollenberger Park. I am concerned about the likely degradation of these public resources and assets that will be caused by the proposed Dutra asphalt factory.

I urge you to scrutinize Dutra's misinformation and false parameters contained in Dutra's Sec. 404 Permit application.

Please consider my comments on Dutra's "Alternatives Analysis" and reject their application for a 404 Permit.

- 1) Dutra's parcels are part of a sensitive wetlands ecosystem
- 2) The Project will harm the public's use of Shollenberger Park and the Petaluma River
- 3) Alternative sites, not on the water, should be considered, as asphalt production does not require proximity to water transport.
- 4) The Project will impact the Petaluma River with toxic air pollution, lights disrupting wildlife and humans, noise, diesel emissions, and storm water runoff.
- 5) Dutra's proposed mooring of barges and tugs will block the federal, dredged Navigable Waterway of the Petaluma River.
- 6) There is no evidence in the public record that Dutra can use Shamrocks e-crane for unloading sand and aggregate next door for Dutra's supplies, so the proposed Petaluma location may not even be possible for the asphalt factory,
- 7) An excess of permitted operating asphalt production facilities (Syar & BoDean) is up and running in the service area proposed by Dutra. The proposed factory is duplicative and unnecessary to serve the region's needs.

Sincerely,

Christine Dicker
3200 Stone Station Road
Sebastopol, CA 95472



This email has been checked for viruses by Avast antivirus software.

www.avast.com

Fernandez, Xavier@Waterboards

From: Jdomski@aol.com
Sent: Tuesday, November 08, 2016 2:10 PM
To: Fernandez, Xavier@Waterboards; Bryan.T.Matsumoto@usace.army.mil;
John.C.Morrow@usace.army.mil
Cc: joancooper115@gmail.com; dkeller1@sonic.net
Subject: Application by Dutra Haystack Asphalt Plant Project, Petaluma, Alternatives
Attachments: 11-8-16ShamrockLetter3-23-10.pdf

Dear Mr. Fernandez and LTC John C. Morrow, Commander, USACE San Francisco District:

The 10/18/16 email notice from Mr. Fernandez states that "The proposed Project would construct an asphalt facility and associated conveying system". The Dutra "Alternative Analysis" describes the "associated conveying system" stating: "Dutra will use the current Shamrock Material Inc. ("Shamrock") landing way off-loading facility" (page 4). This statement is the foundation for Dutra's "Alternative Analysis". In fact, Dutra has no such agreement with Shamrock, as evidenced by the attached letter from Shamrock. Therefore, without the conveying system agreement with Shamrock, Dutra's proposed Project is a sham. In other words, Dutra has disseminated to a public entity a statement which is untrue or misleading in connection with its business. This is a per se violation of California false advertising statute and constitutes unfair, illegal and fraudulent business practices (California Business & Professions Code Sections 17200 and 17500). For these reasons alone, the Dutra permit should be rejected.

Additional reasons for rejection include the following: I am a resident of Petaluma and daily visitor at Shollenberger Park (considered a treasured habitat for numerous bird species). The resources at Shollenberger are utilized by hundreds of people every day. The uses include exercising (walking, jogging, biking), bird watching, photography, picnics, educational tours, etc. It also is an excellent resource for charity fund-raising in the form of races/walks/bird-watching, competitions for all ages--also watching rowing races on the Petaluma River along the shores of Shollenberger. For the last 7 years, the Alzheimers Association has utilized Shollenberger for its annual "walk", its major fund-raising source for Marin and Sonoma Counties. If the Dutra Permit Application is granted, these multiple uses at Shollenberger will be jeopardized.

You must and should reject Dutra's Permit Application and "Alternatives Analysis" in order to protect the Petaluma River, wetlands, fish and wildlife, and public investments including Shollenberger Park. There is no doubt that the Dutra asphalt factory will result in substantial degradation of these public resources and assets, including substantial health risks.

You must not permit Dutra's misinformation and false parameters to prevail over your duty to protect the habitat for the following reasons:

- 1) Dutra's parcels are part of a sensitive wetlands ecosystem and the Project will harm the public's use of Shollenberger Park and the Petaluma River.
- 2) Alternative sites, not on the water, should be considered, as asphalt production does not require proximity to water transport.
- 3) The Project will impact the Petaluma River with toxic air pollution, lights disrupting wildlife and humans, noise, diesel emissions, and storm water runoff.
- 4) Dutra's proposed mooring of barges and tugs will block the federal, dredged Navigable Waterway of the Petaluma River.
- 5) There is no evidence in the public record that Dutra can even use Shamrock's e-crane for unloading sand and aggregate next door for Dutra's supplies, so the proposed Petaluma location may not even be possible for the asphalt factory,

6) An excess of permitted operating asphalt production facilities (Syr & BoDean) is up and running in the service area proposed by Dutra. The proposed factory is duplicative and unnecessary to serve the region's needs.

For these reasons, Dutra's Permit Application should be rejected.

Thank you,

James M. Dombroski, Esq.

Law Offices of James M. Dombroski

P.O. Box 751027

Petaluma, CA 94975-1027

Telephone: (707) 762-7807

Toll Free: (866) 231-5421

Fax: (707) 769-0419

Email: jdomski@aol.com

www.jimdombroski.com

This email message is confidential and may contain attorney privileged information intended only for the use of the individual(s) or company identified above. If the reader is not the intended recipient or the employee or agent responsible to deliver it to the intended recipient, you are hereby notified that any dissemination, distribution, or copying of this communication is strictly prohibited. If you have received this communication in error, please contact the sender by telephone or email and delete this message. Thank you.

Fernandez, Xavier@Waterboards

From: Kellen Watson <kellen@dailyacts.org>
Sent: Tuesday, November 08, 2016 2:08 PM
To: John.C.Morrow@usace.army.mil; Bryan.T.Matsumoto@usace.army.mil; Fernandez, Xavier@Waterboards
Subject: Dutra Asphalt Plant
Categories: Follow-up

Dear Mr. Fernandez and LTC John C. Morrow, Commander, USACE San Francisco District:

I am writing to ask your help in protecting the Petaluma River, wetlands, fish and wildlife, and public investments including Shollenberger Park. I am concerned about the likely degradation of these public resources and assets that will be caused by the proposed Dutra asphalt factory.

I urge you to scrutinize Dutra's misinformation and false parameters contained in Dutra's Sec. 404 Permit application.

- 1) Dutra's parcels are part of a sensitive wetlands ecosystem and the Project will harm the public's use of Shollenberger Park and the Petaluma River.
- 2) Alternative sites, not on the water, should be considered, as asphalt production does not require proximity to water transport.
- 3) The Project will impact the Petaluma River with toxic air pollution, lights disrupting wildlife and humans, noise, diesel emissions, and storm water runoff.
- 4) Dutra's proposed mooring of barges and tugs will block the federal, dredged Navigable Waterway of the Petaluma River.
- 5) There is no evidence in the public record that Dutra can even use Shamrocks e-crane for unloading sand and aggregate next door for Dutra's supplies, so the proposed Petaluma location may not even be possible for the asphalt factory,
- 6) An excess of permitted operating asphalt production facilities (Syar & BoDean) are up and running in the service area proposed by Dutra. The proposed factory is redundant and unnecessary to serve the region's needs.

Please consider my comments on Dutra's "Alternatives Analysis" and reject their application for a 404 Permit.

Sincerely,

Kellen Watson

--

Kellen Watson
Senior Programs Coordinator, Daily Acts
www.dailyacts.org

245 Kentucky St.
Petaluma, CA 94952

Fernandez, Xavier@Waterboards

From: John FitzGerald <johnfitz3@att.net>
Sent: Tuesday, November 08, 2016 1:40 PM
To: Fernandez, Xavier@Waterboards
Subject: Dutra's Petaluma asphalt plant is the right project in the right location!

Dear Sir,

Dutra's project proposal has been reviewed for years. They have met all that was required of them. This plant will keep thousands of truck trips off our highways. Please issue this final permit so that we all can move on.

Thank You,
John FitzGerald, CE

Fernandez, Xavier@Waterboards

From: Sharon Cosentino <smenadier@yahoo.com>
Sent: Tuesday, November 08, 2016 1:21 PM
To: John.C.Morrow@usace.army.mil; Bryan.T.Matsumoto@usace.army.mil; Fernandez, Xavier@Waterboards
Cc: joancooper115@gmail.com
Subject: Application by Dutra Haystack Asphalt Plant Project, Petaluma, Alternatives Analysis

Dear Mr. Fernandez and LTC John C. Morrow, Commander, USACE San Francisco District:

I am writing to ask your help in protecting the Petaluma River, wetlands, fish and wildlife, and public investment. I am concerned about the likely degradation of these public resources and assets that will be caused by the proposed project.

Please consider my comments on Dutra's "Alternatives Analysis" and reject their application for a 404 Permit.

- 1) Dutra's parcels are part of a sensitive wetlands ecosystem and the Project will harm the public's use of Shollen.
- 2) Alternative sites, not on the water, should be considered, as asphalt production does not require proximity to water.
- 3) The Project will impact the Petaluma River with toxic air pollution, lights disrupting wildlife and humans, noise, and other impacts.
- 4) Dutra's proposed mooring of barges and tugs will block the federal, dredged Navigable Waterway of the Petaluma River.
- 5) There is no evidence in the public record that Dutra can even use Shamrocks e-crane for unloading sand and aggregate, so the proposed Petaluma location may not even be possible for the asphalt factory.
- 6) An excess of permitted operating asphalt production facilities (Syar & BoDean) is up and running in the service area. The proposed asphalt factory is duplicative and unnecessary to serve the region's needs.

Sincerely,
Sharon (Menadier) Cosentino

4809 GAMBINI RD.
Petaluma, CA 94952

----- Forwarded Message -----

From: Farmer <farmer@meridianfarm.com>
To:
Sent: Tuesday, November 8, 2016 4:59 AM
Subject: Fwd: Application by Dutra Haystack Asphalt Plant Project, Petaluma, Alternatives Analysis

Hi friends,

I just found out that today, November 8, is the last day for public comment to the US Army Corps of Engineers and the California Water Board to urge them to consider other sites for the asphalt plant that Dutra is trying to build in wetlands quite near our farm.

Dutra has a proven track record of extremely poor environmental citizenship. The Sonoma County Board of Supervisors approved Dutra's application to build here under fairly shady circumstances. This probably-more-stringent, federal and state level environmental review, is a chance to throw a monkey wrench in the works, by bringing up the extremely valid points as listed below.

If you are willing and you have a moment - must be today - please send your own email. You can cut and paste the message below and sign your own name and address.

Address it as mine below is addressed.

Thanks for your help.

Amy

Begin forwarded message:

From: Farmer <farmer@meridianfarm.com>

Subject: Application by Dutra Haystack Asphalt Plant Project, Petaluma, Alternatives Analysis

Date: November 8, 2016 at 4:50:11 AM PST

To: John.C.Morrow@usace.army.mil, Bryan.T.Matsumoto@usace.army.mil,
xavier.fernandez@waterboards.ca.gov

Cc: joancooper115@gmail.com

Dear Mr. Fernandez and LTC John C. Morrow, Commander, USACE San Francisco District:

I am writing to ask your help in protecting the Petaluma River, wetlands, fish and wildlife, and public investments including Shollenberger Park. I am concerned about the likely degradation of these public resources and assets that will be caused by the proposed Dutra asphalt factory.

I urge you to scrutinize Dutra's misinformation and false parameters contained in Dutra's Sec. 404 Permit application.

Please consider my comments on Dutra's "Alternatives Analysis" and reject their application for a 404 Permit.

- 1) Dutra's parcels are part of a sensitive wetlands ecosystem and the Project will harm the public's use of Shollenberger Park and the Petaluma River.
- 2) Alternative sites, not on the water, should be considered, as asphalt production does not require proximity to water transport.
- 3) The Project will impact the Petaluma River with toxic air pollution, lights disrupting wildlife and humans, noise, diesel emissions, and storm water runoff.
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- 5) There is no evidence in the public record that Dutra can even use Shamrocks e-crane for unloading sand and aggregate next door for Dutra's supplies, so the proposed Petaluma location may not even be possible for the asphalt factory,
- 6) An excess of permitted operating asphalt production facilities (Syar & BoDean) is up and running in the service area proposed by Dutra. The proposed factory is duplicative and unnecessary to serve the region's needs.

Sincerely,

Amy Skezas

4775 Redwood Highway South
Petaluma, CA 94952

Fernandez, Xavier@Waterboards

From: Susan Price <susan@dailyacts.org>
Sent: Tuesday, November 08, 2016 1:20 PM
To: John.C.Morrow@usace.army.mil; Bryan.T.Matsumoto@usace.army.mil; Fernandez, Xavier@Waterboards
Subject: Please Deny Dutra!

Mr. Fernandez and
LTC John C. Morrow,
Commander, USACE San Francisco District:

I am writing to ask your help in protecting our community, the Petaluma River, wetlands, fish and wildlife, and public investments including Shollenberger Park. I am concerned about the inevitable degradation of these public resources and assets that will be caused by the proposed Dutra asphalt factory.

I urge you to scrutinize Dutra's misinformation and false parameters contained in Dutra's Sec. 404 Permit application.

The plant will lead to decline in people's health, water quality, and habitat. We don't need it! We don't want it!

Please reject their application for a 404 Permit.

Take Heart, Take Action,

Susan Price
Development and Events Coordinator

Daily Acts
245 Kentucky Street, Suite C
Petaluma, CA 94952
(707) 789-9664
www.dailyacts.org

"The goal of the revolutionary artist is to make revolution irresistible..." - Toni Cade Bambara

Fernandez, Xavier@Waterboards

From: Patricia Re <reshine02@yahoo.com>
Sent: Tuesday, November 08, 2016 5:49 PM
To: Fernandez, Xavier@Waterboards
Cc: joancooper115@gmail.com
Subject: Dutra Haystack Asphalt Plant Project

Categories: Follow-up

ATTENTION: Xavier Fernandez at the RWQCB

RE: Application by Dutra Haystack Asphalt Plant Project, Petaluma, Alternatives Analysis

Dear Mr. Fernandez and LTC John C. Morrow, Commander, USACE San Francisco District:

I am writing to ask your help in protecting the Petaluma River, wetlands, fish and wildlife, and public investments including Shollenberger Park. I am concerned about the likely degradation of these public resources and assets that will be caused by the proposed Dutra asphalt factory.

I urge you to scrutinize Dutra's misinformation and false parameters contained in Dutra's Sec. 404 Permit application.

Please consider my comments on Dutra's "Alternatives Analysis" and reject their application for a 404 Permit.

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- 5) There is no evidence in the public record that Dutra can even use Shamrocks e-crane for unloading sand and aggregate next door for Dutra's supplies, so the proposed Petaluma location may not even be possible for the asphalt factory,
- 6) An excess of permitted operating asphalt production facilities (Syar & BoDean) is up and running in the service area proposed by Dutra. The proposed factory is duplicative and unnecessary to serve the region's needs.

Sincerely,

*Patricia Re
P.O. Box 262
Penngrove, Ca. 94951*