

COAST ACTION GROUP, P.O. BOX 215, POINT ARENA, CA 95468

November 15, 2007

Sonoma County Board of Supervisors
C/O Sonoma County Permit Resources and Management Department
575 Administration Drive,
Santa Rosa, California 95403

Attn.: Ken Ellison and Board of Supervisors

Subject: Additional Planning Discussion - Application (File - UPE 04-0040) from Henry Alden, Gualala Redwoods, requesting Amendments to Aggregate Resources Management Plan and ordinance revising mining standards for the mining reach of the Gualala River-zone change to add the MR combining district to the instream portion of the affected parcels; use permit to extend the permit term for an additional 10 years; Reclamation Plan update for instream operation and gravel processing site on various parcels at 39900, 40400 Annapolis Dr.

The comment period on this project may not be open at this time. However, there are issues in the planning (or appurtenant to) process that must be considered the Board of Supervisors and PRMD. It is assumed that the County wishes to comply with legal standards under California Planning Law and the California Environmental Quality Act. Thus the County must be in compliance with the following issues:

Need for EIR: Interested parties believe they have met the "Fair Argument" Standard requiring additional environmental review, and EIR. We believe the record supports the need for an EIR.

Re-circulation: Recent court decisions support re-circulation of a projects when substantial changes are made to the project. This includes changes in the project description and/or alterations of mitigations. For informed decision making, public and responsible agency must have opportunity to review and comment on any substantial change to the wording in the project.

Close of Comment: The close of public comment was the date of public hearing before the Board of Supervisors. A Close of Comment date is set that all interested parties will have notice of the final time that comments will be accepted. Some members of the Board of Supervisors seemed disturbed by the fact that some comments arrived very close to the end of the comment period. Comment periods are open, with definite beginning and closing dates for a reason - to allow time for interested parties to access the planning process. Often responsible agencies and the public need the full comment period to get their work done. If new information is added to the file the require adjustment to make a project better, then more time in the process is mandated. This is the way the process is supposed to work. If PRMD and the Board of Supervisors have a problem with this, hearings should be scheduled in a way to have a complete file - before decisions are made.

Zoning Issue: The Supervisors, PRMD, and responsible agency should note that changes in zoning, historic and proposed, from Biologic Resource to Mineral Resource affords lessor protections for the river and aquatic species. Such a zoning change requires a General Plan Amendment. Such zoning change should require environmental review and lends argument for an EIR. And Finally, it should be argued that such proposed zoning change on an impaired listed waterbody, as the Gualala River is, is totally inappropriate. Increased protection rather than decreased protection should by Sonoma County's standard on impaired waterbodies.

Gualala River - Impaired Status: Coast Action Group erred in statements indicating that such impaired status was not noted in the proposed Negative Declaration. However, the Negative Declaration should, but does not consider, how proposed activity, actions, and mitigations will effect impaired conditions in the Gualala River. Such discussion must be extant in any proposed Negative Declaration and/or EIR.

Mining History: There is evidence in the file that the operator has not complied with conditions that would comply with the necessity of protection of the beneficial uses of water - including riparian function and bar integrity. Evidence was entered into the file that if the operator did not get a permit it would cause 400 truck loads per day of aggregate to be brought into the area from other sources. It was not clear if these were to be tandem truck loads at about 26 yards per load, or single truck loads at about 13 yards per load. With tandem loads that would be in excess of 10,000 yards per day and with single loads that would be in excess of 5,000 yards per day. That would mean that the operator was mining 1,000,000 to 2,000,000 yards per year - far in excess of

the permitted yearly mining level as per the proposed permit or historic permit. These numbers, truck loads per day and area aggregate availability are all issue that should be part of the EIR.

We hope you will take this discussion in good the good spirit it was intended.

Sincerely,

For Coast Action Group.