

November 20, 2014

Kelli Cahill, Planner III  
Napa County Planning, Building and Environmental Services Department  
1195 Third Street, 2<sup>nd</sup> Floor  
Napa, Ca 94559

**RE: DEIR Walt Ranch Erosion Control Plan Application #P11-00205-ECPA**

Dear Ms Cahill,

My name is Jeff Roberts. My wife Lynna and I reside at 111 Ridgecrest Drive Napa. There are many troubling aspects I have found within the DEIR. One issue in particular I would like to address is with noise and its proposed mitigation processes.

*4.8.1.-2 EXISTING NOISE LEVELS AND SOURCES*

“Due to the rural nature of the property, the ambient noise level is estimated to be 57 dBA, Leq along State Route 121 in the vicinity of the project site (Napa County, 2008). It is expected to increase to 62 dBA, Leq by the year 2030 (Napa County, 2008). There are no known existing sources of vibrations in the vicinity of the Proposed Project”

- There is no actual field measurement to support this assumption.

The nearest sensitive noise receptor is a residence located approximately 30 feet south of the property. Additional sensitive receptors, in the form of residential units, are located along Circle Oaks Drive, which follows the project site boundary for approximately 1 mile at a distance ranging from 20 feet to 600 feet from the property line and approximately 300 feet from the nearest vineyard blocks.

- Why is only the nearest noise receptor mentioned, there are 178 families with over 400 residents?

Federal regulations establish noise limits for medium and heavy trucks (defined as a vehicle weighing more than 4.5 tons, gross vehicle weight rating) under 40 Code of Federal Regulations, Part 205, Subpart B. The federal truck pass-by noise standard is 80 decibels (dB)

- This only addresses Vehicle noise and fails to consider noise from Rock Crushing equipment that will be used during construction

*4.8.3-1 SIGNIFICANCE CRITERIA*

The following criteria are established by CEQA Guidelines and have been used in this section to evaluate potential environmental impacts of the Proposed Project on sensitive noise receptors. **Such an impact is considered significant if it would:**

- Expose persons to or generate noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies;
- Expose persons to or generate excessive groundborne vibration or groundborne noise levels;
- Cause a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project;
- Cause a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project;

The EIR fails to evaluate completely the impacts of the noise that will be generated from the project in real measured and proven noise studies for the rural community (Circle Oaks) in the center of the project that is surrounded on three sides. The noise distribution and distance of travel, on a hillside environment, is significantly higher than that of flat land that has buffers such as buildings and trees. Sound travel within project boundaries has not been tested for real quantitative measurement. There are no mitigation measures in place to ensure the project noise levels are within compliance of CEQA guidelines other than a temporary sound wall if needed.

There is no scientific measurement of actual sound travel within the project site. The county guidelines used for standard construction cannot be used in this instance due to unique environmental surroundings. Failing to test this scientifically, invalidates assumptions based on data that does not apply to this specific project. This area is very unique and produces higher acoustic values than are used as standard or average measurements in this EIR. It has steep hillsides that amplify all sound beyond what is considered average or standard.

**1. Blasting** is of particular concern and some of the items listed as mitigation are troubling. This would include:

**Inform the public about the project and potential blasting-related consequences;**

What exactly are the blasting related consequences we would be faced with? Who will be responsible for inspections prior to blasting? Who specifically will be responsible for measuring and documenting that no damage has occurred to homeowner's property from blasting? Can it be assured positively that no impact will occur from blasting to the underground aquifer that serves Circle Oaks Community? How can that be mitigated?

**Monitor and record the vibration and air overpressure effects of the blast;**

How will this be recorded and where will the results be made public and available for viewing during the construction period. How will the County ensure this monitoring and recording is happening? What are the consequences for non compliance of this recording?

**Respond to and investigate complaints.**

Who will be responsible for investigating complaints? What is the specific timeframe for responding to and investigating the complaints? How will enforcement of a valid

complaint be handled and who will be responsible to ensure it will not be repeated or ignored? Where will the complaints be recorded and how will they become available for public viewing?

**2. Rock crushing and grinding equipment or other mechanical devices** will be used to create road base rock for improving roadways. This equipment is not mentioned anywhere in the DEIR. The DEIR fails to evaluate the impacts of the project regarding this equipment and its use either through noise or dust that will be created from it. Please provide information regarding noise thresholds generated from the above mentioned equipment and mitigation regarding dust generation for this equipment. There is insufficient data regarding the use of this equipment. It will be used to improve roadways and will create noise.

This was taken from your DEIR - The effects of noise on people can be divided into three categories:

- Subjective effects of annoyance, nuisance, dissatisfaction;
- Interference with activities such as speech, sleep, and learning; and
- Physiological effects such as hearing loss or sudden startling.

Please explain how many complaints will be considered significant with regard to these effects on people. How will you hold the applicant or his agents responsible once complaints have been filed and investigated? Where will this information be kept for public viewing upon request?

In conclusion I am asking for a transparent, fair and open, public access to all monitoring, recording and enforcement of all mitigation set forth in the EIR with regard to this project should it move forward. I do not believe that there are enough trained and qualified staff within the county to ensure adherence and accountability to the mitigation called for in the EIR.. It cannot be self monitored without creating a conflict of interest. I do not believe the mitigation is sufficient to address all potential concerns. Thank you for your consideration regarding my questions and areas of concern.

Jeff Roberts

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