

MEMORANDUM

TO: Johannes Hoevertsz
Director of Transportation and Public Works (DTPW)

FROM: Kathy Wood *KW*
Supervising Right of Way Agent

DATE: August 8, 2019

SUBJECT: Roblar Road Quarry
Review of Proposed Purchase of Right of Way by Roblar Road Quarry Applicant –
Roblar Road, Petaluma, CA

Background:

At its June 13, 2019 Board Meeting, the Sonoma County Board of Supervisors was asked to consider proposed modifications to the approved Roblar Road Quarry Use Permit Conditions of Approval (UPE16-0058.) The current Use Permit (PLP03-0094) requires the Applicant to obtain easement/rights of way as necessary to improve the 1.6 mile haul route segment of Roblar Road to meet current Sonoma County road design standards, including, but not limited to two 12-foot travel lanes, two six-foot wide shoulders to meet Class II bikeway standards, and 2 feet of rock shoulder backing (the "12-6-2" design/total width of 40 feet.) The draft modified Conditions of Approval require the Applicant to pursue a Roblar Road cross-section design width of 12-5-1.

The Applicant has proposed changes to reduce the Roblar Road cross-section and, after discussions with the County, has agreed to a new proposed Mitigation Measure 3.4-3, which requires two 11-foot travel lanes and two 4-foot paved shoulders with 1 foot of rock shoulder. Various departments and committees have reviewed these plans and appear willing to support the changes proposed. However, the mitigated design would require the Board of Supervisors to adopt a Statement of Overriding Considerations and make findings of infeasibility, if warranted, with respect to a 5-foot shoulder. Sonoma County Department of Transportation and Public Works (DTPW) is willing to support the new roadway design contingent upon confirmation the Applicant has demonstrated that "all reasonable good faith efforts have been unsuccessful in securing additional right-of-way" to build the wider 12-5-1 design which is a slightly reduced design from what is currently conditioned.

The purpose of our investigation, therefore, is to determine whether the Applicant was able to demonstrate that all reasonable good faith efforts have been unsuccessful in securing additional right-of-way.

Review of Applicant's Efforts to Secure Property Rights:

A meeting was held with the Applicant and his project engineer on June 20, 2019 at which time, the Applicant provided copies of documentation related to contacts with affected property owners along the 1.6 mile section of Roblar Road. Documents provided consisted of letters to owners, Applicant's notes regarding telephone conversations with owners, a summary of comparable sales used for determining offer amounts for the proposed property rights, and copies of correspondence from various owners responding to the Applicant and the Board of Supervisors with regard to the Applicant's offers to purchase land. The Applicant also provided assessor maps, a sketch of property parcels, and a spreadsheet of owner information including Assessor Parcel Numbers, e-mail addresses and telephone numbers.

We reviewed the documentation provided. Contacts were initiated in June of 2017 with a personal letter from the Applicant to four (4) affected property owners. This letter requested owners to respond if they were interested in selling a small strip of land abutting Roblar Road. Two owners responded at that time; one of whom subsequently transferred ownership of his property to a family member who owns adjacent property. There is no documentation to suggest that the remaining two owners responded at all. One response suggested there was insufficient information in the letter to identify the location or area of land required. The other respondent was involved with litigation with the adjoining family member and not in a position to make a decision.

A subsequent letter was sent to all owners on June 6, 2018 by the Applicant's attorney. The letter was intended to provide more detail to the owners about the offer to purchase land and included an offer amount to each owner based on a specific area of land. The letter referenced comparable land sales used to determine value. The Applicant offered all owners an amount above the average per square foot value of all comparable sales listed. It appears that there were on-going conversations with some property owners but there is no documentation to show a response from one property owner. The most recent correspondence from one of the owners is dated February 12, 2019. The letter rejects the Applicant's offer to purchase land in order to widen Roblar Road to 40 feet and specifically requests that the County limit Roblar Road to a 32-foot roadway. The letter indicates by reference that the Applicant and Owner have communicated several times regarding the offer to purchase land.

DTPW Contacts with Property Owners:

All three property owners were contacted by DTPW to determine what contacts they had with the Applicant and to listen to their responses regarding the Applicant's offer to purchase land for Roblar Road. All owners confirmed receipt of correspondence from the Applicant. The owners were asked if they were interested in selling land to the Applicant for widening of Roblar Road. All owners responded in the negative. A more detailed summary of the owners' responses is shown on the attached Table I.

Summary:

DTPW was able to confirm contacts (written and verbal) between the Applicant and property owners over the previous two years dating from June 2017 with regard to purchase of land for Roblar Road widening. The Applicant has been unable to successfully negotiate agreements to purchase land from owners.

Recently, DTPW initiated personal contacts with owners to determine their response to the Applicant's offer and to ascertain their interest in selling a portion of land for the quarry project. The owners did not express any interest in selling land to the Applicant for the project. In most cases, owners are against the quarry project mainly due to environmental concerns, the proximity of blasting to their property, and in all cases, appear unwilling to relinquish land currently used for grazing, in order to widen Roblar Road.

ROBLAR ROAD QUARRY

SUMMARY OF RIGHT OF WAY NEGOTIATIONS – ROBLAR QUARRY and ROBLAR ROAD OWNERS

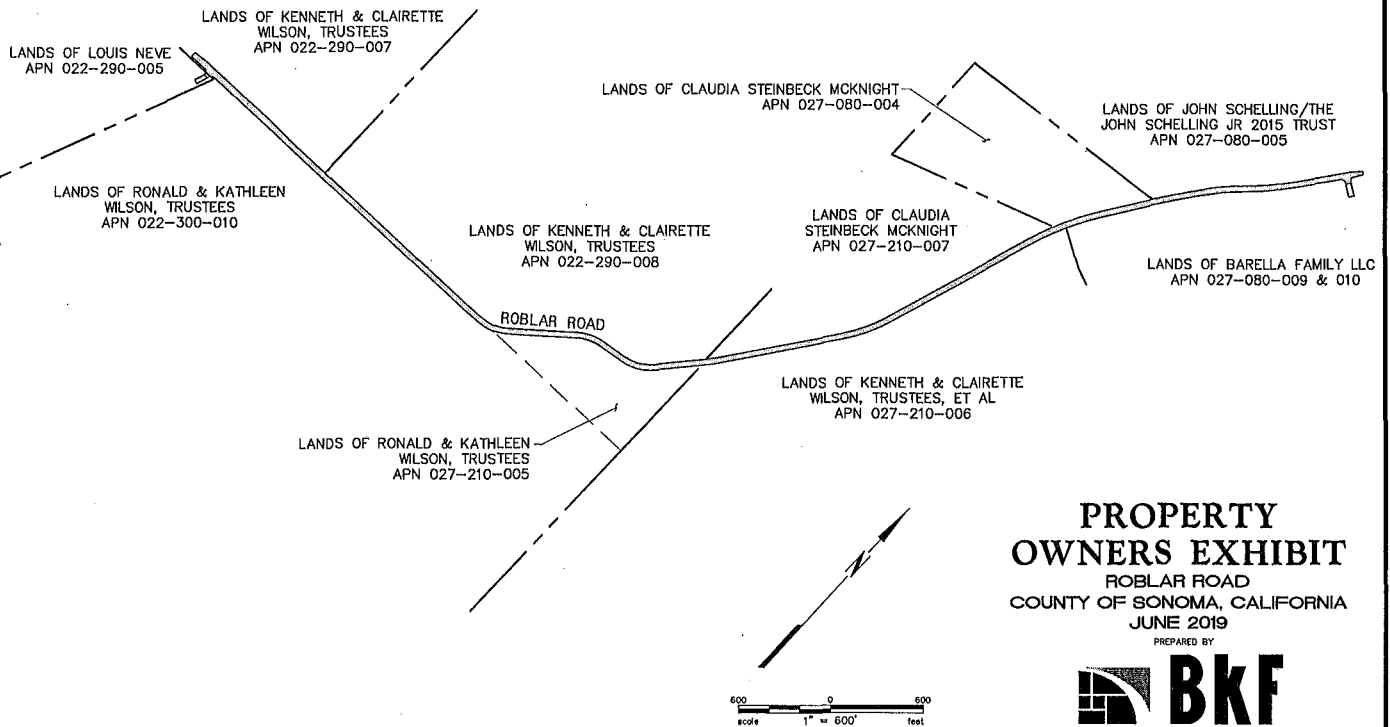
8/8/19

Owner	APN ('s)	Offer Date	Amount of Offer	Comparable Sales Used	Owner Written Response	Offer Accepted	Negotiations Between Parties	DTPW verified	Date verified	Owner Willing to Sell as of July 18, 2019
Claudia McKnight	027-080-004 027-080-005* 027-210-007	6/23/17 6/6/18	\$11,200 (in writing)	Y (referenced in 6/6/18 letter)	No documentation	N	N	Y	7/18/19 DTPW t/call Claudia McKnight	N
Ronald E. and K. Wilson Trust	027-210-005 022-300-010	6/23/17 6/6/18	\$23,716 (in writing)	Y (referenced in 6/6/18 letter)	July 11, 2017 letter to John Barella and Supervisors June 19, 2018 letter to Barella attorney and supervisors	N	N	Y	7/16/19 DTPW t/call Kathleen Wilson	N
Kenneth A. and Clairette Wilson	022-290-001 022-290-008 027-210-006	6/23/17 6/6/18	\$23,716 (in writing)	Y (referenced in 6/6/18 letter)	February 12, 2019 letter to John Barella	N	Y (some evidence of personal contacts Referenced in 2 12 19 letter)	Y	7/25/19 DTPW t/call Kenneth Wilson	N

* Parcel originally owned by Barbara Schelling Trust – now owned by Claudia McKnight

Lawsuit was filed. Evidence of communications with John Schelling via phone on 4/18/18, 10/27/18. On June 14, 2019 John Schelling

Provided confirmation of a transfer of the parcel to Claudia McKnight.



**PROPERTY
OWNERS EXHIBIT**
ROBLAR ROAD
COUNTY OF SONOMA, CALIFORNIA
JUNE 2019

PREPARED BY



ENGINEERS / SURVEYORS / PLANNERS
200 4TH ST, STE. 300 SANTA ROSA, CA 95401
(707) 583-8500 FAX: (707) 583-8539

JOB NO. 20099041-11

SHEET 1 OF 1 SHEETS

JOHN AND ANDREA BARELLA

496 JASMINE LANE
PETALUMA, CA 94952

June 23, 2017

Claudia McKnight
5000 Canfield Road
Petaluma, CA 94952

Ronald E & K Wilson Trust
9420 Valley Ford Road
Petaluma, CA 94952

John and Barbara Shelling Trust
8064 Washington Avenue
Sebastopol, CA 95475

Kenneth A & C Wilson Trust
1570 Tomales Road
Petaluma, CA 94952

Re: *Roblar Road Quarry/Roblar Road Right of Way Improvements*

Dear Property Owners:

I am writing to you on behalf of myself, and my wife Andrea, in connection with the road widening improvements associated with the approval of the Roblar Road Quarry (the "Quarry"). As all of you are likely aware, my wife and I were applicants for the Roblar Road Quarry which was approved by the Board of Supervisors on December 14, 2010, by way of Resolution No. 10-0903.

In approving the Roblar Road Quarry project, the Board of Supervisors ("Board") recognized that there might be insufficient right of way between the existing fence lines on Roblar Road to complete the road improvements which were otherwise required as a condition of the project. Recognizing this, the Board made a Statement of Overriding Considerations under the California Environmental Quality Act ("CEQA") determining that specific economic, legal, social, technological and other benefits of the project outweighed any unmitigated road or other impacts associated with the Quarry's approval. This Statement of Overriding Considerations sanctioned buildout of the project even if Roblar Road could not, due to right of way constraints, be improved to specifications otherwise designated by the County's Department of Public Works.

Regardless, in the spirit of being good neighbors and in the spirit of fulfilling project conditions to the letter, my wife and I are reaching out to each of you to determine whether you would be willing to sell any of your respective lands abutting Roblar Road for the purpose of improving Roblar Road to the exact specifications imposed by the County's Department of Public Works in connection with the Quarry's approval.

Would you please advise me and Andrea, in writing, whether each or any of you would be willing to sell a small strip of your respective lands abutting Roblar Road which may be necessary to comply with the exact letter of the County Public Works' conditions? We request that you respond within 14 days of the date of this letter or we shall assume that one or more of

Property Owners
June 23, 2017
Page 2

you are unwilling to voluntarily convey, for just compensation, any portion of your right of way to my wife and me for purposes of completing previously identified road improvements.

Should you need additional time to consider this matter, we request that you respond, in writing, within 14 days, indicating that you need additional time and the time needed to consider this offer. My wife and I are willing to pay fair market value for any property acquired from any of you for the purpose of further widening Roblar Road. This widening will benefit both your neighborhood and the community at large. In the event that one or more of you are unwilling to voluntarily part with a portion of your land bordering Roblar Road, three other possibilities will arise.

First, as many of you may be aware, my wife and I have submitted an application for minor modifications to some of the conditions imposed on the Quarry by the Board in 2010. With respect to the conditions relating to the improvement of Roblar Road, my wife and I are now proposing to realign the road and the creek in a southerly direction which would avoid any need to acquire any of your respective properties for purposes of widening Roblar Road. The proposed project modifications relating to Roblar Road not only would avoid the necessity for acquiring a small portion of your respective properties, but, based on communications with all of the resource agencies consulted, will achieve a superior environmental benefit both for the creek and the ongoing use and maintenance of Roblar Road, as well as mitigate Roblar Road impacts to an insignificant level. We hope that you can support our efforts and those of the resource agencies in this regard.

The second possibility is that the Board does not approve the modifications to the realignment of Roblar Road and the creek, in which case, the County may simply rely on its previously adopted Statement of Overriding Considerations and approve buildout of the Quarry, notwithstanding the fact that insufficient right of way may be available to complete, to the letter of the conditions, previously identified Roblar Road improvements.

Third, absent approval of our requested minor modifications to project conditions, the County may determine that since the road widening improvements were imposed upon the Quarry project as mitigation measures under CEQA, the County may have an obligation, pursuant to its adopted Mitigation Monitoring Program, to condemn the requisite portions of your land. This alternative would, of course, involve both you and the County in condemnation litigation in order to complete the Quarry project.

We know that the approval and buildout of the Quarry has been, and continues to be, a long and arduous and, at some times, contentious proceeding, notwithstanding the fact that the Roblar Quarry has been designated as a quarry site by the County since the adoption of its original ARM plan in 1982. While the County has worked hard to satisfy its commitments to transition gravel mining from the Russian River terraces and instream mining of the Russian River and its tributaries in favor of replacing locally needed hard rock through the mining of hard rock quarries, such transition has been subject to past and ongoing delays, as evidenced by the Roblar Quarry approval. We now hope that each of you, as neighbors, can embrace broader community environmental and economic goals and put the ongoing dispute to rest.

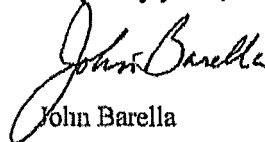
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Property Owners
June 23, 2017
Page 3

We have been good neighbors in the past and will continue to be so in the future. Currently, suitable road aggregate is being brought in by barge from Canada with associated greenhouse gas, truck and other associated impacts. The ultimate development of the Roblar Road Quarry will reduce all of these impacts and further long range County planning goals which have been in place for 35 years. We hope that each of you can join with us in the spirit of cooperation by putting aside any past differences in the interests of completing this necessary, critical and long overdue project.

Andrea and I thank you very much for your consideration of our request.

Very truly yours,


John Barella


Andrea Barella

c: Shirlee Zane, Chair, Sonoma County Board of Supervisors
David Rabbitt, 2nd District Supervisor, Sonoma County Board of Supervisors
Jennifer Barrett, Deputy Director-Planning, Sonoma County PRMD
Blake Hillegas, Planning Supervisor, Sonoma County PRMD
Jeffrey Brax, Chief Deputy County Counsel, Office of the Sonoma County Counsel
Arthur F. Coon, Esq.
Stephen K. Butler, Esq.

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cont.

July 11, 2017

John and Andrea Barella
496 Jasmine Lane
Petaluma, California 94952

Shirley Zane
Sonoma County Board of Supervisors
575 Administration Drive, Room 100A
Santa Rosa, California 95403

David Rabbitt
Sonoma County Board of Supervisors
575 Administration Drive, Room 100A
Santa Rosa, California 95403

RE: Roblar Road Quarry

Dear Mr. & Mrs. Barella, Supervisor Zane, Supervisor Rabbitt:

This responds to the June 23, 2017 letter of Mr. and Mrs. Barella to us and three other property owners, which was also copied to Ms. Zane and Mr. Rabbitt. First, we note the June 23 letter does not specify the exact location or amount of our land adjoining Roblar Road in which you express interest, nor does it offer any specific price for it. Accordingly, we assume it was written primarily to serve as leverage as part of the Quarry owners negotiations with Sonoma County to avoid their compliance with the permit conditions which are referred to in the letter. We believe the June 23 letter to us and the other property owners, since it lacks these specific terms, is insufficient for this purpose. However, we believe Sonoma County should enforce its previously adopted permit conditions on any future operation of the Quarry project, and we write now to express our hope our officials will do so.

While we opposed the permitting of the Quarry Operation, the Board of Supervisors in 2010 eventually approved the project subject to permit conditions necessary to protect the safety of the Sonoma County residents and their environment. We encourage the current Board of Supervisors to enforce any attempts to weaken or change these conditions. To our mind, the proposed modifications to these permits cannot, as the letter asserts, be "minor", otherwise we would not have been sent the letter of June 23. We request Ms. Zane and Mr. Rabbitt and our County officials to continue to insist on these permit conditions to protect our land, water, and public safety.

Sincerely,

Ronald Wilson
Kathy Wilson

Ronald and Kathy Wilson

cc: Jennifer Barrett, Deputy Director – Planning, Sonoma County PRMD
Blake Hillegas, Planning Supervisor, Sonoma County PRMD
Jeffrey Brax, Chief Deputy County Counsel, Office of the Sonoma County Counsel
Claudia McKnight
John & Barbara Shelling Trust
Kenneth A & C Wilson Trust

as mailed
BUTLER
Briggs

Roblar Road Quarry
U.S. Army Corps of Engineers Permit Application
Corps File No. 2009-00147N

BLOCK 25

ADJACENT PROPERTY OWNERS

Assessor's Parcel Numbers	Ownership
024-090-030	Jerome & June Norwitt Trust
024-090-032	6709 Roblar Road Petaluma, CA 94952
025-120-003	Robert W. Thompson Trust 4995 Canfield Road Petaluma, CA 94952
025-120-023	Kathryn & Robert Thompson 6245 Roblar Road Petaluma, CA 94952
027-080-004	Claudia McKnight
027-210-007	5000 Canfield Road Petaluma, CA 94952
027-080-005	John & Barbara Shelling Trust 8064 Washington Ave. Sebastopol, CA 95475
027-080-006	County of Sonoma 575 Administration Drive, #117a Santa Rosa, CA 95403
027-080-009	Barella Family LLC
027-080-010	496 Jasmine Lane Petaluma, CA 94952
027-200-003	Joseph W. & Kathleen M. Tresch 1170 Walker Road Petaluma, CA 94952
022-290-005	Louis & Raelene Neve 295 Rock Rose Lane Petaluma, CA 94952-6409
027-210-006	Marissa K Walsh, Morgan Wilson, Howard K Wilson & Gary D Wilson 1570 Tomales Road Petaluma, California 94952
027-210-005	Ronald E & K Wilson Trust
022-300-010	9420 Valley Ford Rd Petaluma, CA 94952
022-290-008	Kenneth A & C Wilson Trust
022-290-007	1570 Tomales Road Petaluma, California 94952

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cont.

LAW OFFICES OF
CLEMENT, FITZPATRICK & KENWORTHY
INCORPORATED

3333 MIENODOCINO AVENUE, SUITE 200

SANTA ROSA, CALIFORNIA 95403

FAX: 707 546-1360

TELEPHONE: (707) 523-1181

STEPHEN K. BUTLER

June 6, 2018

**VIA CERTIFIED MAIL
RETURN RECEIPT REQUESTED**

Claudia McKnight
5000 Canfield Road
Petaluma, CA 94952

Ronald E & K Wilson Trust
9420 Valley Ford Road
Petaluma, CA 94952

John and Barbara Shelling Trust
8064 Washington Avenue
Sebastopol, CA 95475

Kenneth A & C Wilson Trust
1570 Tomales Road
Petaluma, CA 94952

Re: *Roblar Road Quarry/Roblar Road Right of Way Improvements/Offer to Purchase
Land for Right of Way*

Dear Property Owners:

We are writing to you on behalf of John and Andrea Barella, in connection with the road widening improvements associated with the approval of the Roblar Road Quarry (the "Quarry"). As all of you are aware, John and Andrea were applicants for the Roblar Road Quarry which was approved by the Board of Supervisors on December 14, 2010, by way of Resolution No. 10-0903.

In approving the Roblar Road Quarry project, the Board of Supervisors ("Board") recognized that there might be insufficient right of way between the existing fence lines on Roblar Road to complete the road improvements to Roblar Road which were otherwise required as a condition of the project. Recognizing this, the Board made a Statement of Overriding Considerations under the California Environmental Quality Act ("CEQA") determining that specific economic, legal, social, technological and other benefits of the project outweighed any unmitigated road or other impacts associated with the Quarry's approval. This Statement of Overriding Considerations sanctioned buildout of the project even if Roblar Road could not, due to right of way constraints, be improved to specifications otherwise designated by the County's Department of Public Works.

Regardless, in the spirit of being good neighbors and in the spirit of fulfilling project conditions to the letter, John and Andrea reached out to each of you by way of correspondence dated June 23, 2017, to determine whether each of you would be willing to sell any of your respective lands abutting Roblar Road for the purpose of improving Roblar Road to the exact

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cont.

Roblar Road Property Owners
June 6, 2018
Page 2

specifications imposed by the County's Department of Public Works in connection with the Quarry's approval. Such offer was, at that time, responded to by way of deafening silence other than Ronald and Kathy Wilson's letter of July 11, 2017, which rejected the offer. The purpose of this letter is to reiterate the Barellas' offer and to provide greater detail regarding such offer.

Would you please advise us, in writing, whether each or any of you would be willing to sell a small strip of your respective lands abutting Roblar Road which may be necessary to comply with the exact letter of the County Public Works' conditions? We request that you respond within 14 days of the date of this letter or we shall assume that one or more of you are unwilling to voluntarily convey, for just compensation, any portion of your right of way to the Barellas for purposes of improving Roblar Road to previously identified County Road Standards.

The terms of the Barellas' offer follows as to each of you:

<i>Name</i>	<i>APN</i>	<i>Area to be Purchased*</i>	<i>Dollar Amount**</i>
Claudia McKnight	027-080-004	.28 x 8,000 sq. ft.	\$ 2,240.00
	027-210-007	.28 x 32,000 sq. ft.	\$ 8,960.00
			Total \$11,200.00
John and Barbara Shelling Trust	027-080-005	.28 x 15,000 sq. ft.	Total \$4,200.00
Ronald E & K Wilson Trust	027-210-005	.28 x 29,700 sq. ft.	\$ 8,316.00
	022-300-010	.28 x 55,000 sq. ft.	\$15,400.00
			Total \$23,716.00
Kenneth A & C Wilson Trust	022-290-008	.28 x 63,800 sq. ft.	\$17,864.00
	022-290-007	.28 x 20,900 sq. ft.	\$ 5,852.00
			Total \$23,716.00

*One acre is equal to 43,560 square feet

**\$12,000 per acre or .28 square feet

The foregoing offer was based on recent independent appraisal information which identified property values in your area between \$4,800 and \$11,200 per acre. The independent appraisal, not commissioned by the Barellas, was based on eight comparables with a median value of \$7,800 per acre. The offer made here is more than the highest end of the range. Please note that the only contingency in this offer is that the project only requires the acquisition of either the lands of the Ronald E & K Wilson Trust or the lands of the Kenneth A & C Wilson Trust, not both. Accordingly, if either the Ronald E & K Wilson Trust or the Kenneth A & C Wilson Trust accepts the Barellas' offer as set forth herein, then the offer to the other shall be considered immediately withdrawn.

Should you need additional time to consider this matter, we request that you respond, in writing, within 14 days, indicating that you need additional time and the time needed to consider this offer. The Barellas have offered to pay fair market value for any property acquired from any of you for the purpose of further widening Roblar Road. This widening is intended to benefit

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cont.

Roblar Road Property Owners
June 6, 2018
Page 3

both your neighborhood and the community at large. In the event that one or more of you are unwilling to voluntarily part with a portion of your land bordering Roblar Road, three options remain.

First, as all of you are aware, the Barellas have submitted an application for minor modifications to some of the conditions imposed on the Quarry by the Board in 2010. With respect to the conditions relating to the improvement of Roblar Road, the Barellas are now proposing to realign the road and the creek in a southerly direction which would avoid any need to acquire any of your respective properties for purposes of widening Roblar Road. The proposed project modifications relating to Roblar Road not only would avoid the necessity for acquiring a small portion of your respective properties, but, based on communications with all of the resource agencies consulted, will achieve a superior environmental benefit both for the creek and the ongoing use and maintenance of Roblar Road, as well as mitigate Roblar Road traffic/bicycle safety impacts to an insignificant level. We continue to hope that you can support the Barellas' efforts and those of the resource agencies in this regard. Alternatively, should you continue to oppose a modified Quarry project and disregard its environmental benefits and file suit to litigate any modified Quarry project, the Barellas intend to build out the Quarry in accordance with the 2010 Board approvals.

The second option is that the Board does not approve the modifications to the realignment of Roblar Road and the creek, in which case, the County may simply rely on its previously adopted Statement of Overriding Considerations and the Barellas will continue buildout of the Quarry, notwithstanding the fact that insufficient right of way may be available to complete, to the letter of the current conditions, previously identified Roblar Road improvements.

The third option, absent approval of the Barellas' requested minor modifications to project conditions, is that the County may determine that since the road widening improvements were imposed upon the Quarry project as mitigation measures under CEQA, the County may have an obligation, pursuant to its adopted Mitigation Monitoring Program, to condemn the requisite portions of your land. This alternative would, of course, involve both you and the County in condemnation litigation in order to obtain the land which the Barellas have offered to buy as set forth above.

We know that the approval and buildout of the Quarry has been, and continues to be, a long and arduous and, at some times, contentious proceeding, notwithstanding the fact that the Roblar Quarry has been designated as a quarry site by the County since the adoption of its original ARM plan in 1982. While the County has worked hard to satisfy its commitments to transition County gravel production from the Russian River terraces and instream mining of the Russian River and its tributaries in favor of replacing locally needed hard rock through the mining of hard rock quarries, such transition has been subject to past and ongoing delays, as evidenced by the Roblar Quarry approval and your past, and apparently ongoing, opposition. We continue to hope that each of you, as neighbors, can embrace broader community environmental, fire recovery and economic goals and put the ongoing dispute to rest.

The October 2017 fires created tragic havoc upon Sonoma County and resulted in the damage or destruction of thousands of residential and commercial structures. The rebuilding of

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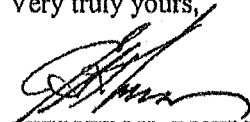
Roblar Road Property Owners
June 6, 2018
Page 4

our community requires not only overburden for soil remediation resulting from the fires, but also construction grade aggregate to rebuild our stricken community. You now have another opportunity to partner with the broader community and further both State and County goals to have a State required local supply of aggregate or choose to oppose these benefits in favor of a perceived defense of your insular enclave to the detriment of both the Barellas and the community at large.

The Barellas have been good neighbors and community supporters in the past and will continue to be so in the future. Currently, suitable road aggregate is being brought in by barge from Canada with associated greenhouse gas, truck and other impacts. The ultimate development of the Roblar Road Quarry will reduce all of these impacts and further long range County planning goals which have been in place for 35 years. We hope that each of you can join with us in the spirit of cooperation by putting aside any past differences in the interests of completing this necessary, critical and long overdue project.

We and the Barellas thank you very much for your consideration of the offers set forth herein.

Very truly yours,



STEPHEN K. BUTLER

SKB/pd

c: James Gore, Chair, Sonoma County Board of Supervisors
David Rabbitt, 2nd District Supervisor, Sonoma County Board of Supervisors
Shirlee Zane, 3rd District Supervisor, Sonoma County Board of Supervisors
Susan Gorin, 1st District Supervisor, Sonoma County Board of Supervisors
Lynda Hopkins, 5th District Supervisor, Sonoma County Board of Supervisors
Jennifer Barrett, Deputy Director-Planning, Sonoma County PRMD
Blake Hillegas, Planning Supervisor, Sonoma County PRMD
Verne Ball, Deputy County Counsel, Office of the Sonoma County Counsel
Arthur F. Coon, Esq.
John and Andrea Barella

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Via Certified, Return Rec.
RECEIVED

JUN 22 2018

**CLEMENT, FITZPATRICK &
KENWORTHY**

June 19, 2018

Steven Butler
Clement Fitzpatrick and Kenworthy
3333 Mendocino Ave., Suite 200
Santa Rosa, CA 95403

Ms. Shirley Zane
Shirlee.Zane@sonoma-county.org

Mr. David Rabbitt
David.Rabbitt@sonoma-county.org

Mr. James Gore
James.Gore@sonoma-county.org

Ms. Susan Gorin
Susan.Gorin@sonoma-county.org

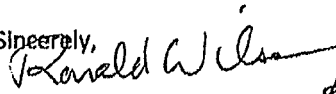
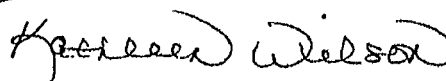
Ms. Lynda Hopkins
Lynda.Hopkins@sonoma-county.org

Mr. Butler and Supervisors:

This responds to your June 6, 2018 inquiry on behalf of Mr. and Mrs. Barella to us and three other property owners, which was also copied to Ms. Zane, Mr. Rabbitt, Mr. Gore, Ms. Gorin and Ms. Hopkins.

Like the earlier, June 23, 2017 letter of the Barella's to us on the same subject, we assume it was written primarily to serve as leverage as part of the Quarry owners' negotiations with the County of Sonoma to avoid compliance with existing or possible future permit conditions for the Quarry. To our mind, the proposed modifications sought by the Quarry owners (which are referred to but not described in your letter) to the existing permit are not, as you represent, "minor". We expect and understand that they will and should require review under the California Environmental Quality Act and further consideration by the Sonoma County Board of Supervisors. After this impartial review and consideration has taken place, we expect to be in an informed position to consider your inquiry.

Sincerely,

Ronald and Kathleen Wilson

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Letter E

cc: Jennifer Barrett, Deputy Director - Planning , Sonoma County PRMD
Blake Hillegas, Planning Supervisor, Sonoma County PRMD
Verne Ball, Deputy County Counsel, Office of the Sonoma County Counsel

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cont.

John Barella

From: John Schelling <johnschelling@hotmail.com>
Sent: Wednesday, June 13, 2018 4:27 PM
To: j2barella@gmail.com
Subject: Re: Roblar Road Quarry - Offer To Purchase Land

Hi John,

Thank you for your offer. We are not interested in selling any of our portion of the Steinbeck Ranch at this time.

Regards,
John

John Schelling, Jr.
John And Barbara Schelling Trust
johnschelling@hotmail.com
707-326-4313

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cont.

1570 Tomales Road
Petaluma, CA 94952

February 12, 2019

John Barella
496 Jasmine Lane
Petaluma, CA 94952

Re: *Roblar Road Widening*

Dear John:

You have asked me several times whether I would be willing to sell sufficient right-of-way to widen Roblar Road to 40 feet in the area where it abuts our property. You indicated to me that your current proposal seeks to widen Roblar Road to 32 feet in the area abutting our property but that the County may, as part of its consideration of your pending application, require that Roblar Road be widened to 40 feet along our frontage. I have given this matter a lot of thought and, for a couple of reasons, do not wish to sell additional right-of-way to widen Roblar Road to 40 feet along our frontage.

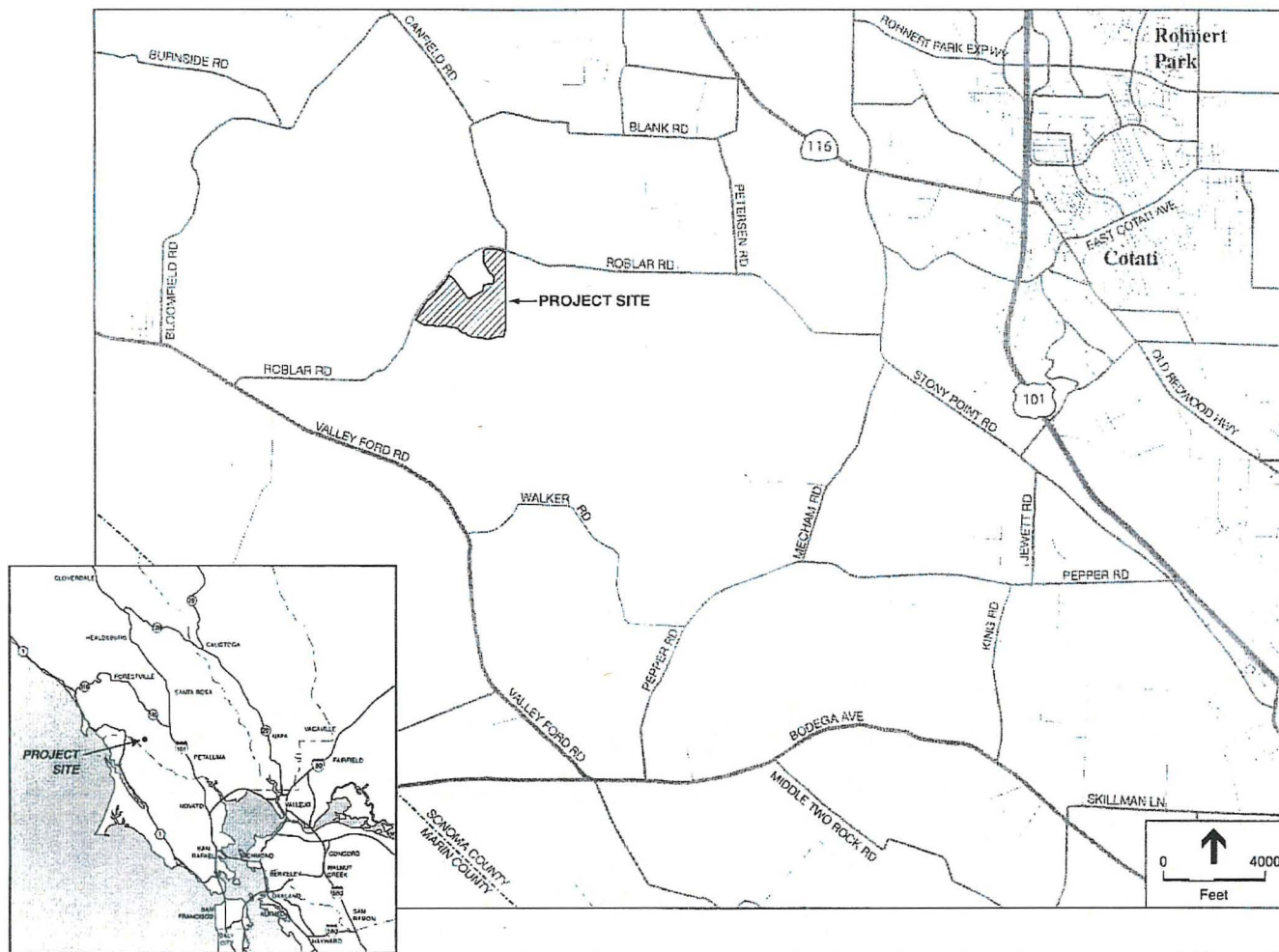
As I know you are aware, our family has been grazing cows and operating a dairy in the area for in excess of 100 years. Recently, due to a family disagreement, the ranch was partitioned among the family, which reduced the amount of acreage currently being grazed by me and my family. After the partition, we currently own Assessor's Parcel Nos. 022-290-001, 022-290-003, and 027-210-006. Widening the road to 40 feet along our frontage would further impact the size and use of our property and our ongoing grazing operation. This is one of the reasons that I am not inclined to sell the right-of-way necessary to widen Roblar Road 40 feet along our frontage.

Additionally, as a matter of principle, I am against widening Roblar Road beyond 32 feet, because, in my opinion, such widening will increase speeds in the area fronting my property. While I welcome a much needed improvement to Roblar Road to 32 feet due to ongoing road degradation, the present narrow width, and potential safety concerns relating to such narrow width, I believe that further widening to 40 feet would be counter-productive. A 40-foot width would, again in my opinion, unnecessarily encourage drivers to drive at greater speeds in an area where farming trucks and agricultural equipment travel. This concerns me.

God knows that Roblar Road and most, if not all, roads in the southwest portion of the County need improvement. However, for the reasons I have given, it is my hope that the County will limit Roblar Road to a 32 foot roadway and not 40 feet. I hope that you understand my concerns.


Keith A. Wilson

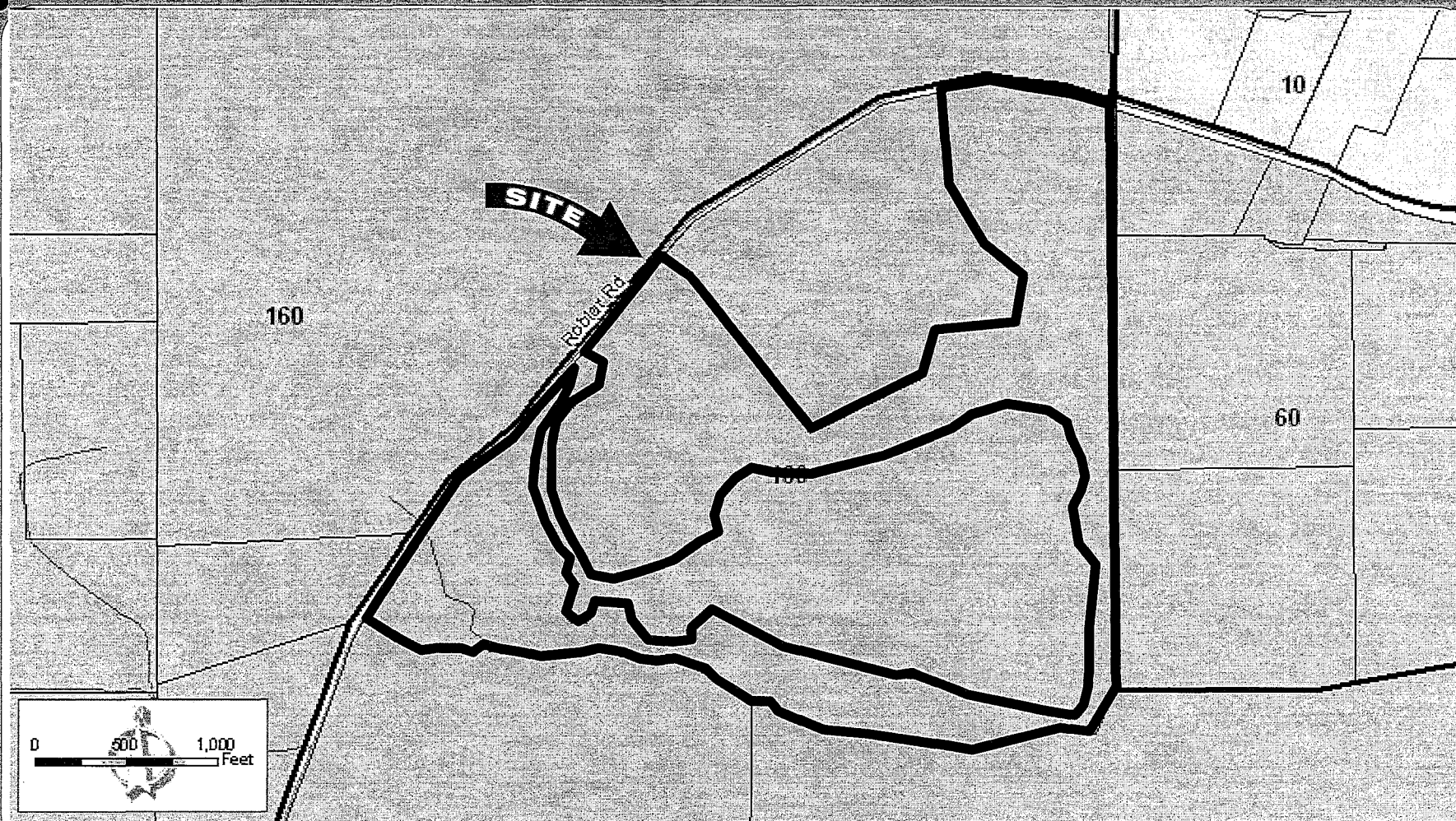
Approved Quarry Location



SOURCE: ESA

Roblar Road Quarry . 204334

Figure III-1
Regional Map



General Plan Land Use

	Diverse Agriculture		General Commercial
	Land Extensive Agriculture		Limited Commercial
	Land Intensive Agriculture		Limited Commercial/Intensive Agriculture
	Resources & Rural Development		General Industrial
	Rural Residential		Limited Industrial
	Urban Residential		Public/Quasi-Public
	Recreation/Village-Serving Commercial		

Points of Interest

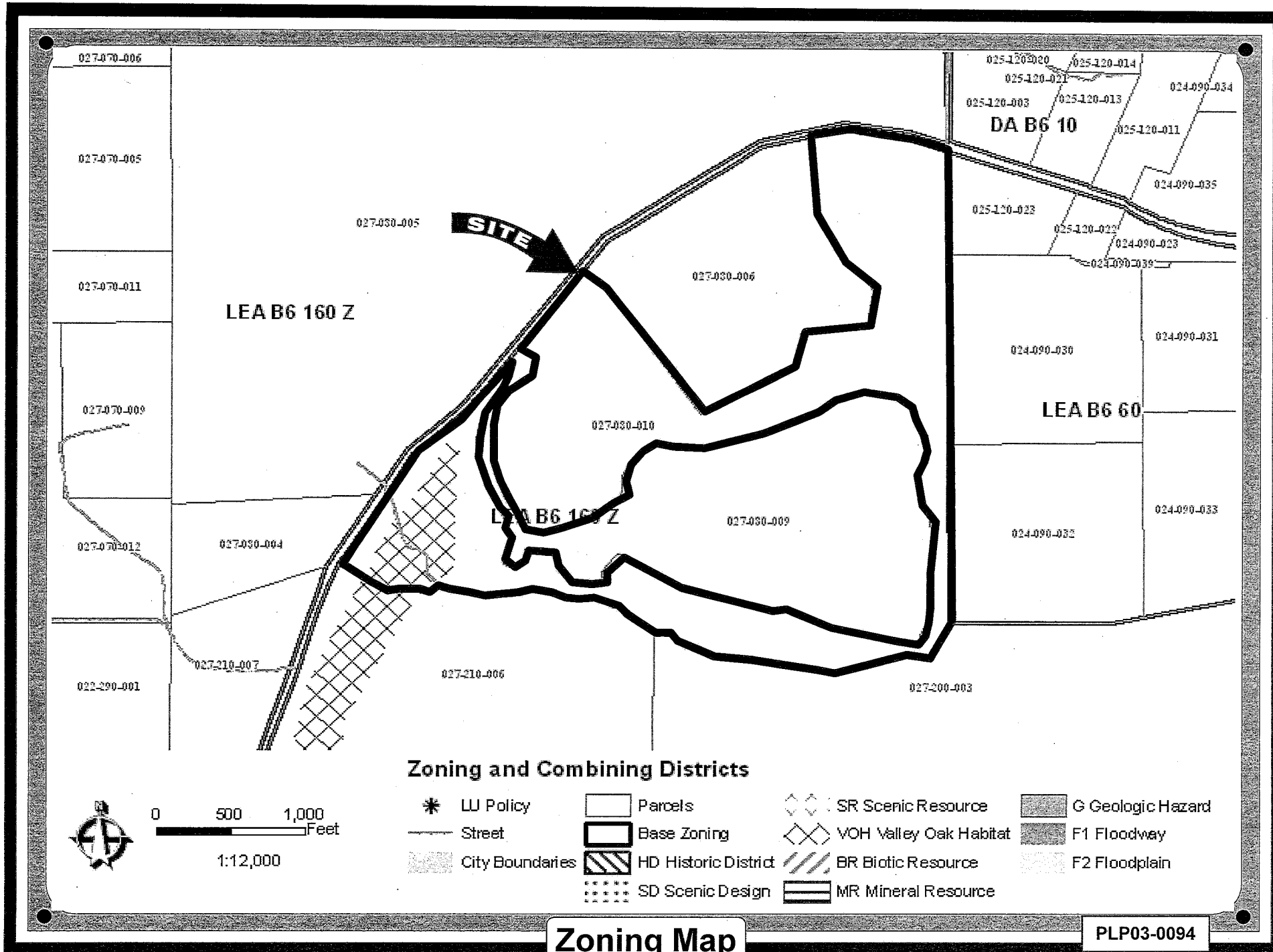
	General Commercial		School Proposed
	Limited Commercial		Wastewater Mgt. Facilities
	General Industrial		Wastewater Mgt. Facilities-Proposed
	Limited Industrial		Solid Waste Disposal Facilities-Existing
	Park Existing		Solid Waste Disposal Facilities-Proposed
	Park-Proposed		Specific Area Policy-Applicable to Parcel
	School Existing		

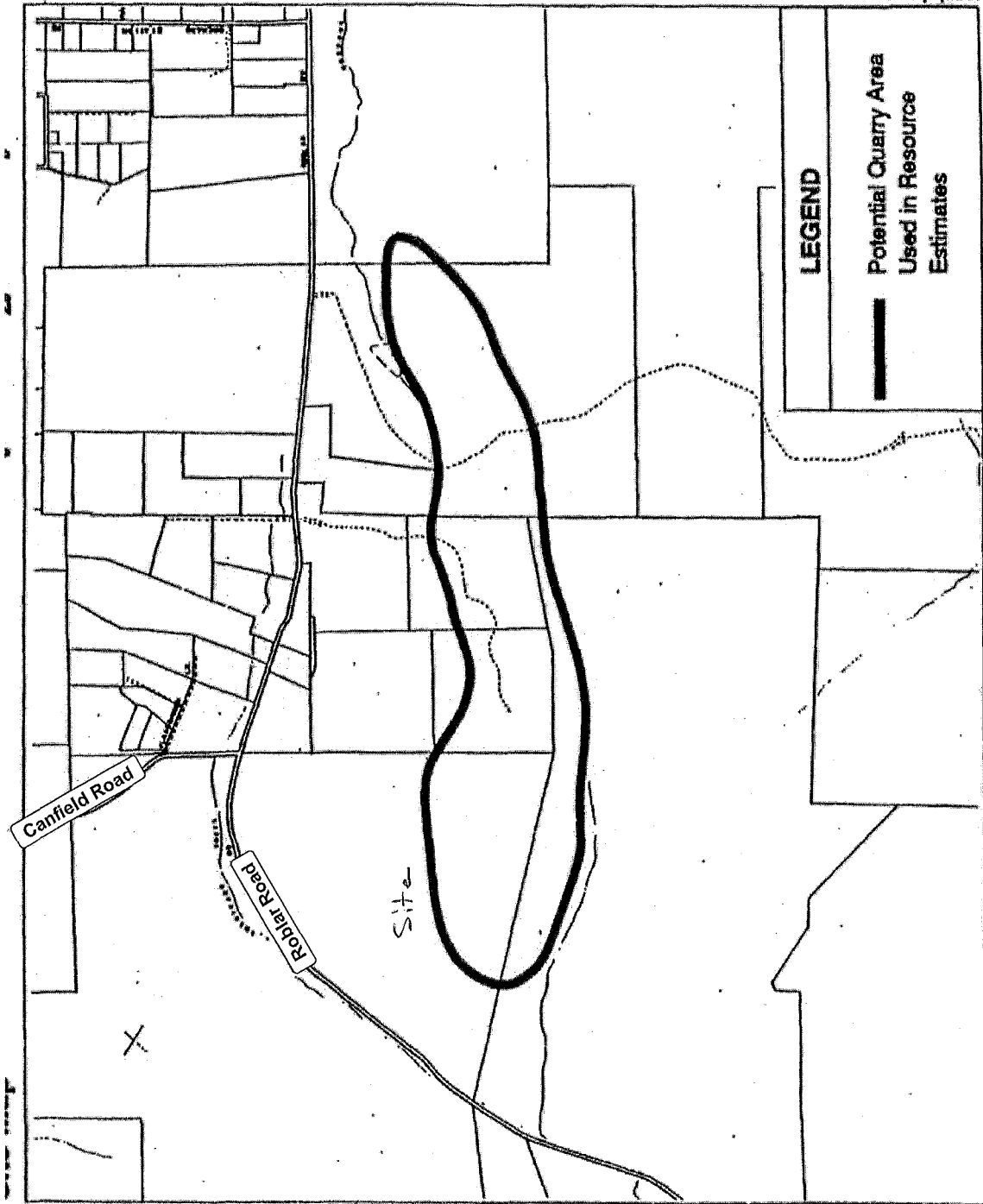
Base Map Data

	Coastal Community Boundary
	Urban Service Area Boundary
	Highways
	Perennial Streams
	Intermittent Streams

Land Use Map

PLP03-0094





LEGEND

Potential Quarry Area
Used in Resource
Estimates

SOURCE: SONOMA COUNTY PLANNING DEPARTMENT

FEET 0 2000 4000



5-67

91113



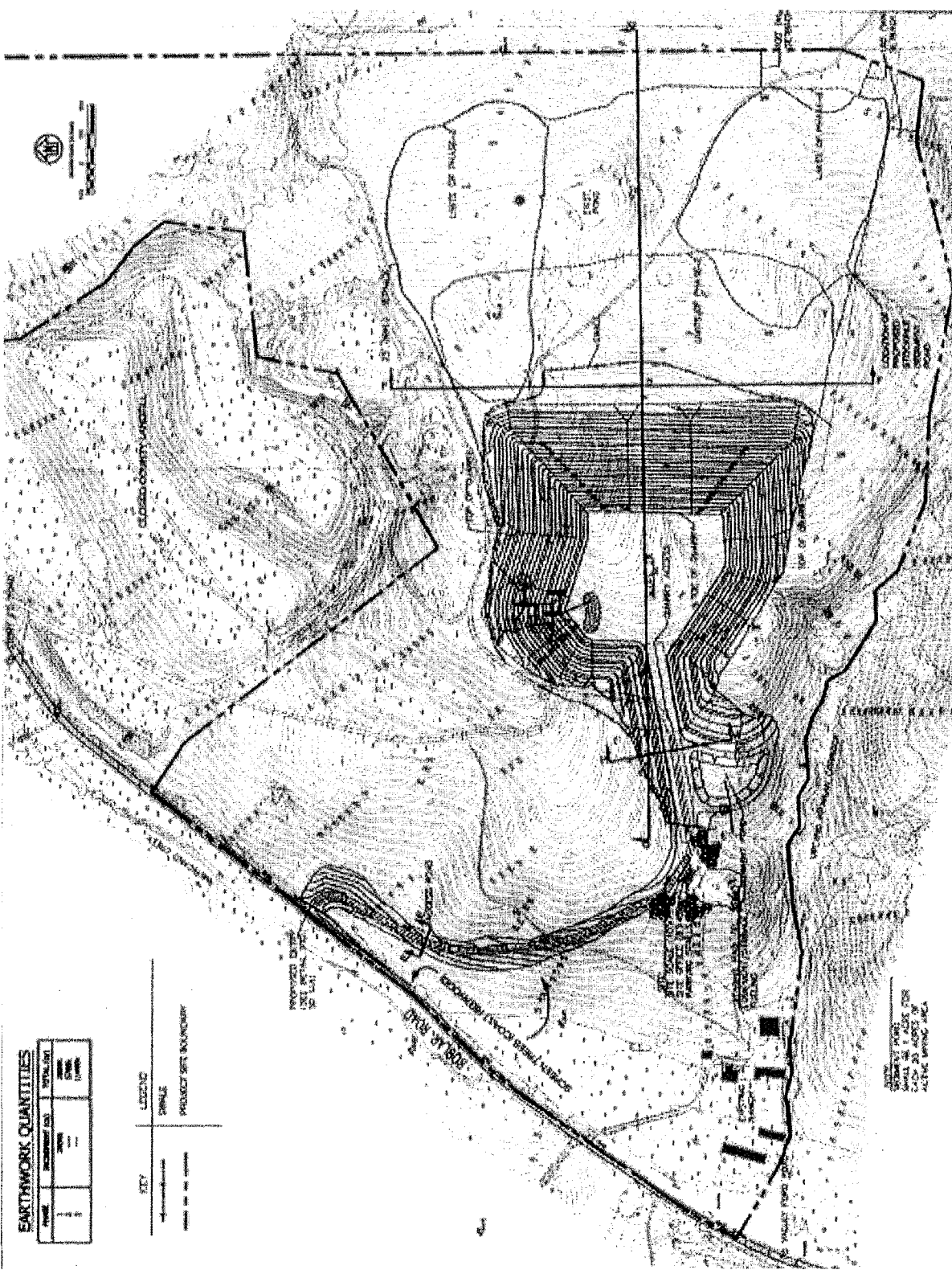
PLP03-0094

ARM Plan Map



Aerial View

PLP03-0094



EARTHWORK QUANTITIES

Phase	Excavated (cu)	Fill (cu)	Total (cu)
1	100	200	300
2	150	300	450
3	200	400	600
4	250	500	750
5	300	600	900
6	350	700	1050
7	400	800	1200
8	450	900	1350
9	500	1000	1500
10	550	1100	1650
11	600	1200	1800
12	650	1300	1950
13	700	1400	2100
14	750	1500	2250
15	800	1600	2400
16	850	1700	2550
17	900	1800	2700
18	950	1900	2850
19	1000	2000	3000
20	1050	2100	3150
21	1100	2200	3300
22	1150	2300	3450
23	1200	2400	3600
24	1250	2500	3750
25	1300	2600	3900
26	1350	2700	4050
27	1400	2800	4200
28	1450	2900	4350
29	1500	3000	4500
30	1550	3100	4650
31	1600	3200	4800
32	1650	3300	4950
33	1700	3400	5100
34	1750	3500	5250
35	1800	3600	5400
36	1850	3700	5550
37	1900	3800	5700
38	1950	3900	5850
39	2000	4000	6000
40	2050	4100	6150
41	2100	4200	6300
42	2150	4300	6450
43	2200	4400	6600
44	2250	4500	6750
45	2300	4600	6900
46	2350	4700	7050
47	2400	4800	7200
48	2450	4900	7350
49	2500	5000	7500
50	2550	5100	7650
51	2600	5200	7800
52	2650	5300	7950
53	2700	5400	8100
54	2750	5500	8250
55	2800	5600	8400
56	2850	5700	8550
57	2900	5800	8700
58	2950	5900	8850
59	3000	6000	9000
60	3050	6100	9150
61	3100	6200	9300
62	3150	6300	9450
63	3200	6400	9600
64	3250	6500	9750
65	3300	6600	9900
66	3350	6700	10050
67	3400	6800	10200
68	3450	6900	10350
69	3500	7000	10500
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71	3600	7200	10800
72	3650	7300	10950
73	3700	7400	11100
74	3750	7500	11250
75	3800	7600	11400
76	3850	7700	11550
77	3900	7800	11700
78	3950	7900	11850
79	4000	8000	12000
80	4050	8100	12150
81	4100	8200	12300
82	4150	8300	12450
83	4200	8400	12600
84	4250	8500	12750
85	4300	8600	12900
86	4350	8700	13050
87	4400	8800	13200
88	4450	8900	13350
89	4500	9000	13500
90	4550	9100	13650
91	4600	9200	13800
92	4650	9300	13950
93	4700	9400	14100
94	4750	9500	14250
95	4800	9600	14400
96	4850	9700	14550
97	4900	9800	14700
98	4950	9900	14850
99	5000	10000	15000
100	5050	10100	15150
101	5100	10200	15300
102	5150	10300	15450
103	5200	10400	15600
104	5250	10500	15750
105	5300	10600	15900
106	5350	10700	16050
107	5400	10800	16200
108	5450	10900	16350
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110	5550	11100	16650
111	5600	11200	16800
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113	5700	11400	17100
114	5750	11500	17250
115	5800	11600	17400
116	5850	11700	17550
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119	6000	12000	18000
120	6050	12100	18150
121	6100	12200	18300
122	6150	12300	18450
123	6200	12400	18600
124	6250	12500	18750
125	6300	12600	18900
126	6350	12700	19050
127	6400	12800	19200
128	6450	12900	19350
129	6500	13000	19500
130	6550	13100	19650
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133	6700	13400	20100
134	6750	13500	20250
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137	6900	13800	20700
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139	7000	14000	21000
140	7050	14100	21150
141	7100	14200	21300
142	7150	14300	21450
143	7200	14400	21600
144	7250	14500	21750
145	7300	14600	21900
146	7350	14700	22050
147	7400	14800	22200
148	7450	14900	22350
149	7500	15000	22500
150	7550	15100	22650
151	7600	15200	22800
152	7650	15300	22950
153	7700	15400	23100
154	7750	15500	23250
155	7800	15600	23400
156	7850	15700	23550
157	7900	15800	23700
158	7950	15900	23850
159	8000	16000	24000
160	8050	16100	24150
161	8100	16200	24300
162	8150	16300	24450
163	8200	16400	24600
164	8250	16500	24750
165	8300	16600	24900
166	8350	16700	25050
167	8400	16800	25200
168	8450	16900	25350
169	8500	17000	25500
170	8550	17100	25650
171	8600	17200	25800
172	8650	17300	25950
173	8700	17400	26100
174	8750	17500	26250
175	8800	17600	26400
176	8850	17700	26550
177	8900	17800	26700
178	8950	17900	26850
179	9000	18000	27000
180	9050	18100	27150
181	9100	18200	27300
182	9150	18300	27450
183	9200	18400	27600
184	9250	18500	27750
185	9300	18600	27900
186	9350	18700	28050
187	9400	18800	28200
188	9450	18900	28350
189	9500	19000	28500
190	9550	19100	28650
191	9600	19200	28800
192	9650	19300	28950
193	9700	19400	29100
194	9750	19500	29250
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197	9900	19800	29700
198	9950	19900	29850
199	10000	20000	30000

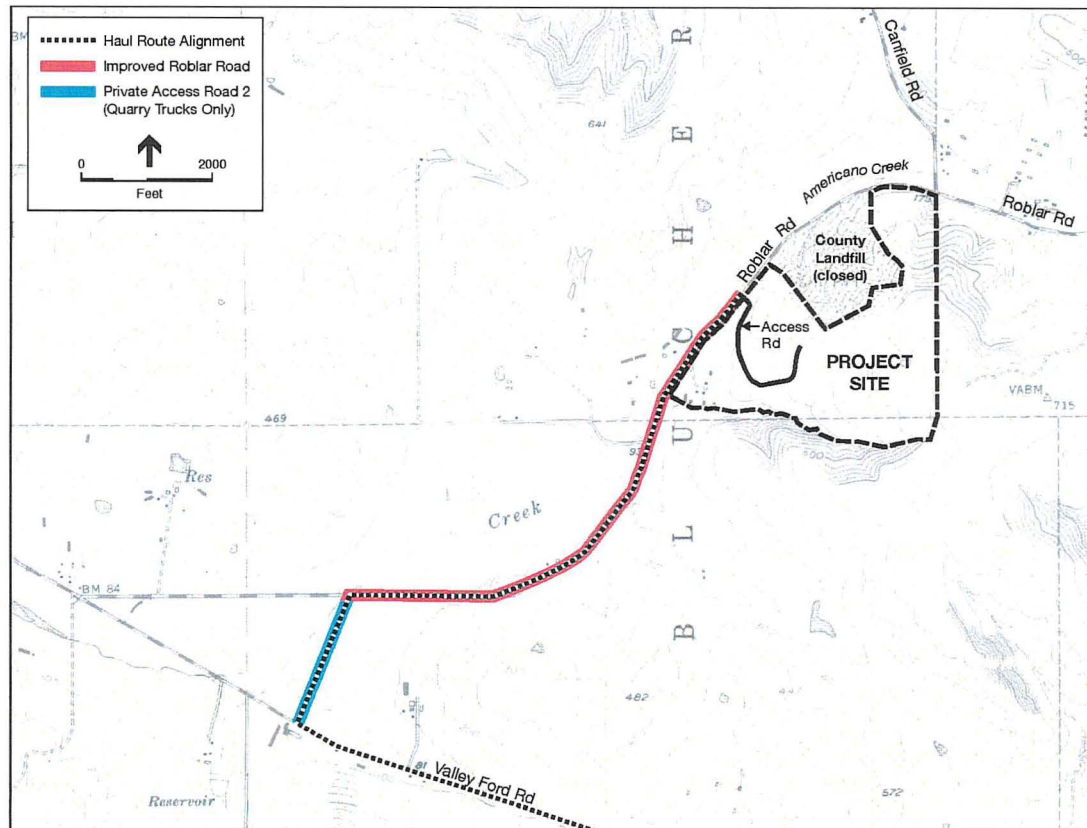
CITY
 LEGEND
 DRAINAGE
 PROJECT SITE BOUNDARY



Figure 2-1

Project Location and Approved Haul Route

Approved Roblar Road Haul Route



SOURCE: USGS; ESA

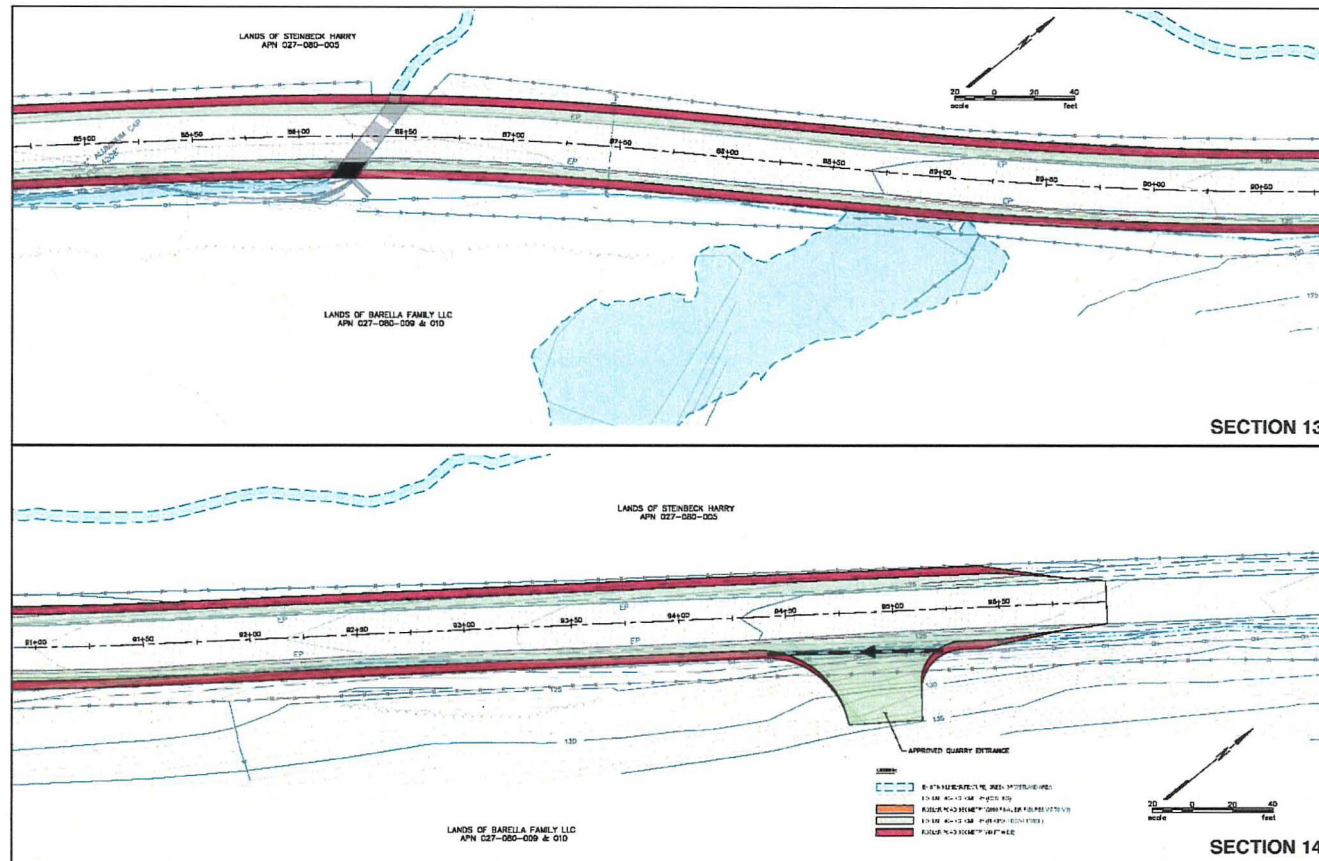
Roblar Road Quarry . 160752
Figure 2-2
Approved Haul Route Detail



Figure 2-8

Proposed Relocation of Americano Creek

Roblar Widening



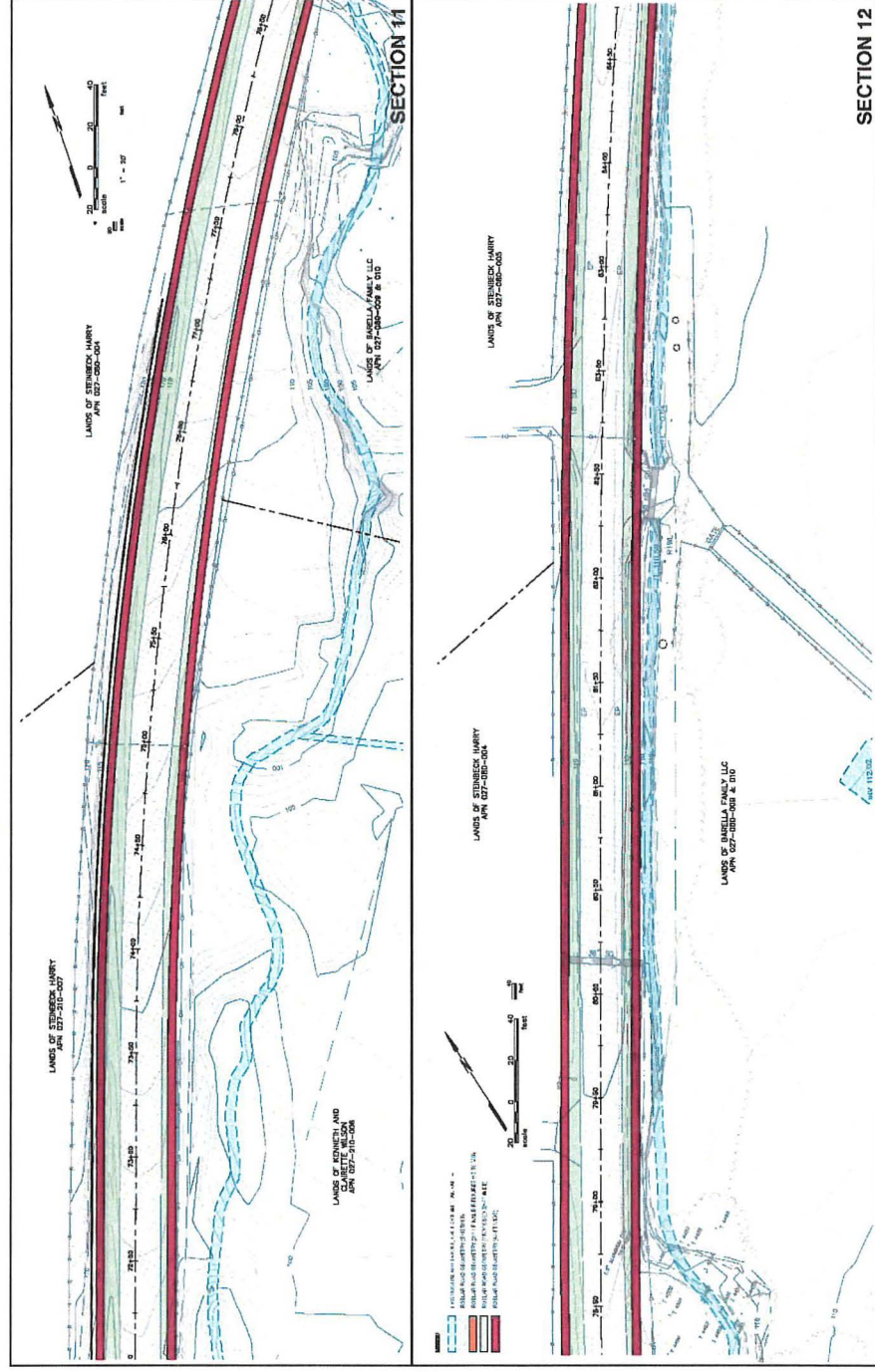
SOURCE: BKF

Roblar Road Quarry . 160752

Figure 2-7h

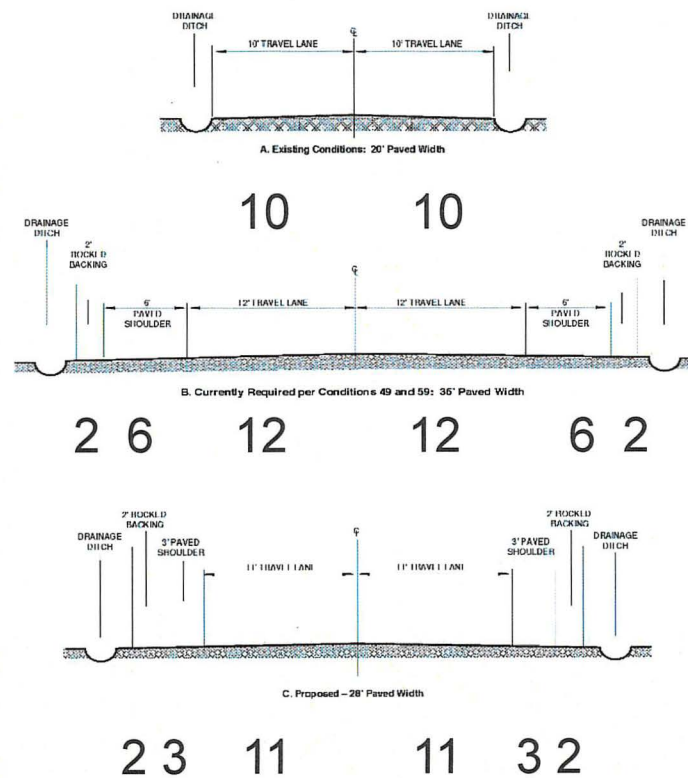
Proposed Roblar Road Improvements,
Sections 13 and 14

Roblar Widening



Roblar Road Quarry - 160752
SOURCE: BKF
Proposed Roblar Road Improvements,
Sections 11 and 12
Figure 2-7g

Roblar Road Cross Sections



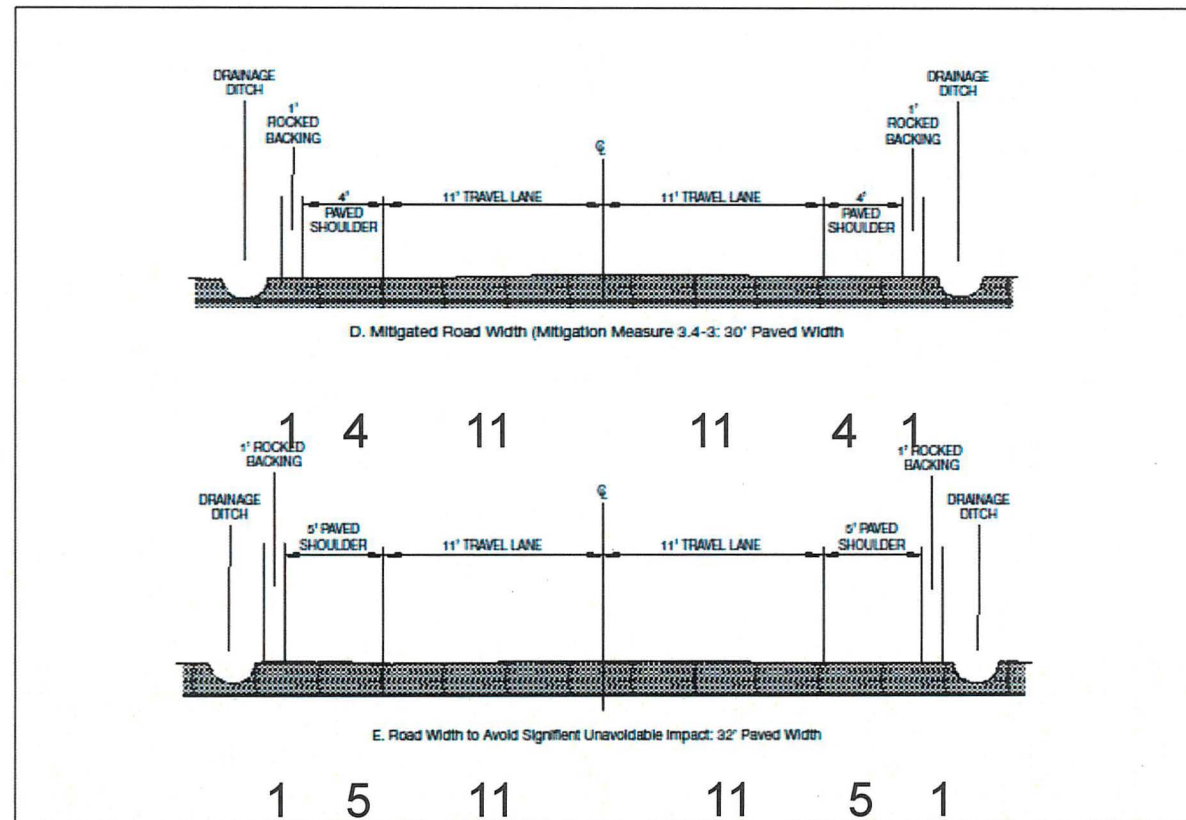
SOURCE: FSA

Roblar Road Quarry - 160752

Figure 2-6

Roblar Road - Existing (A), Currently Required (B), and Proposed (C) Road Cross-Sections

Roblar Road Cross Sections



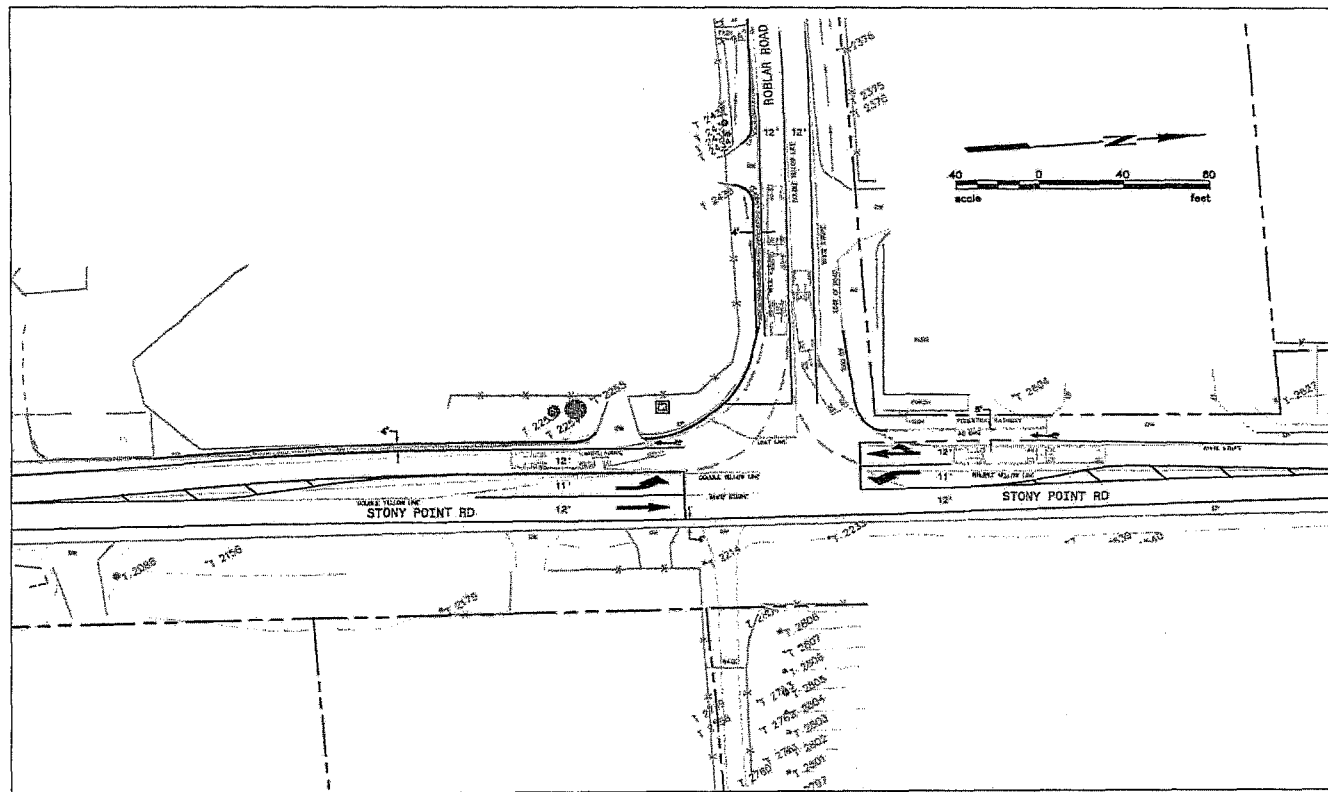
SOURCE: ESA

Roblar Road Quarry, 160752

Figure SR-1

Roblar Road - Additional Road Cross-Sections

Proposed Intersection Design



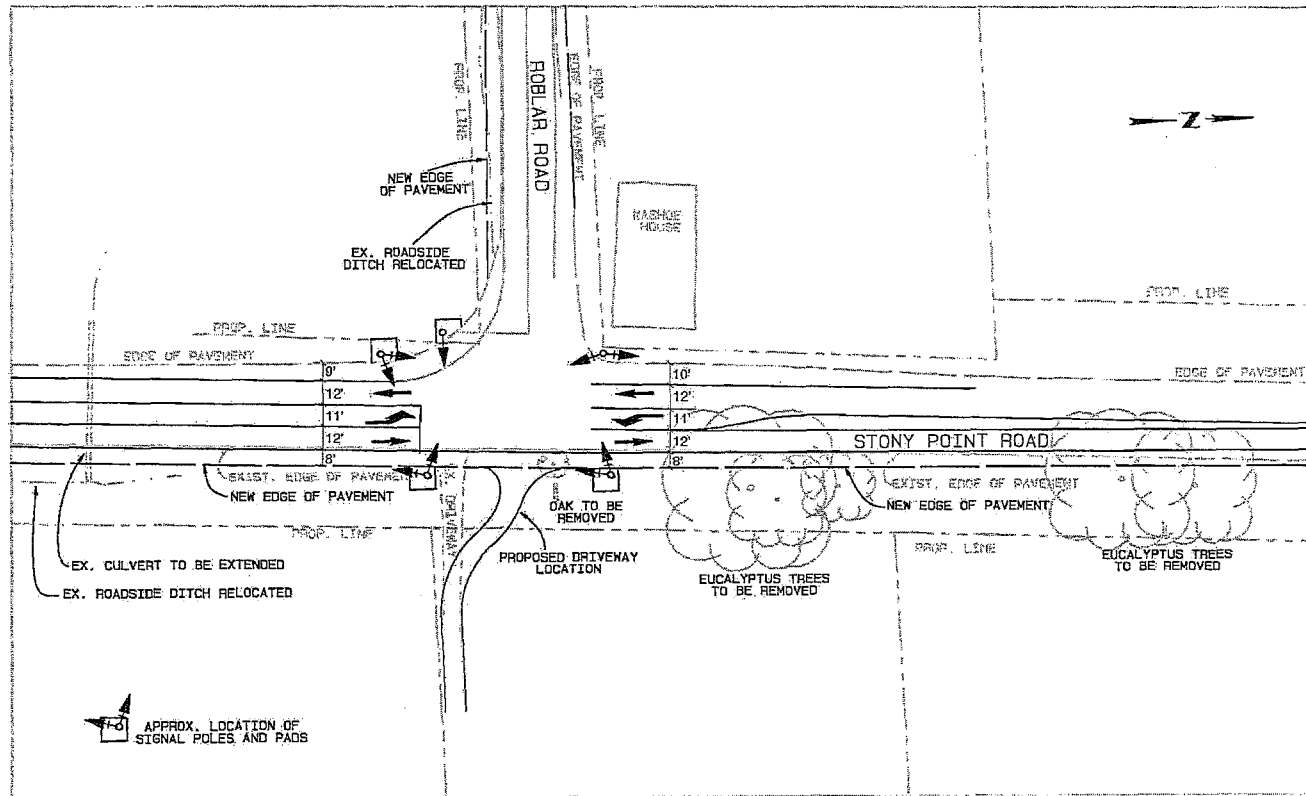
SOURCE: BKF, 2016

Roblar Road Quarry . 160752

Figure 2-5

Proposed Design for Stony Point Road/Roblar Road Intersection Signalization

County Preliminary Design



SOURCE: Sonoma County PRMD, 2005

Roblar Road Quarry, 160752

Figure 2-4

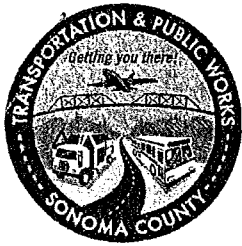
County Preliminary Design for Stony Point Road/Roblar Road Intersection Signalization

Aerial of Stony Point/Roblar Roads



SOURCE: Google Earth; ESA

Roblar Road Quarry - 160752
Figure 2-3
Stony Point Road/Roblar Road Intersection: Current Conditions



Integrated Waste
Road & Bridge Operations
Sonoma County Airport
Sonoma County Transit

Johannes J. Hoevertsz, Director

Memorandum

To: Blake Hillegas – Permit Sonoma
From: Jeff Clark – Traffic Engineer, DTPW
Cc:
Date: August 28, 2018
File No:
Subject: Roblar Road Quarry

You asked that I provide recommendations based on the Roblar Road Quarry proposal to amend its use permit. The addition of between 302 to 480 gravel trucks per 8-hour day to the segment of Roblar Road from west of Canfield Road (Quarry Site access) and Access Road 2 would result in increased exposure of existing bicycle users of Roblar Road to safety related issues. Currently this segment of Roblar Road carries 40 trucks per weekday. The quarry would increase the percentage of trucks from 2.3% on a weekday to between 15.0% to 22.0%.

Roblar Road is currently generally 20 feet wide with no paved shoulders. A gravel truck is 8.5 feet wide not counting mirrors, and about 10 feet with mirrors. As the current number of trucks on a weekday is 40 and typical number of bicycles varies 6 to 17 per day the current potential for a conflict between a truck and a bicycle is small. Increasing the number of trucks to between 340 to 520 per day would increase the potential for a conflict between a truck and bicyclist if mitigation is not imposed. The length of a truck (about 75 feet for double trailer truck) adds to this issue, as it takes longer for a truck to pass a bicycle. Therefore, the County should require the mitigation described in this memorandum, which will address these potential conflicts.

To address the bicycle/truck safety issue would require the widening of Roblar Road. In *A Policy on Geometric Design of Highways and Street*, American Association of State Highway and Transportation Officials (AASHTO), 2011 the recommended width for a rural roadway carrying over 2,000 vehicles per day is 40 feet (2 12-foot travel lanes and 2 8-foot shoulders). Because Roblar Road has been designated in the Sonoma County 2010 Bikeways Plan as a proposed Class II Bike Lane, five feet of the 8-foot shoulder would need to be paved to accommodate a Bike Lane. The 40-foot roadway section does not include widening needed to accommodate drainage facilities alongside the roadway. To accommodate drainage facilities and provide drivers that run off the roadway an area to recover *A Policy on Geometric Design of Highways and Street* calls for a slope of 1-foot vertical to 4 feet horizontal as the standard with slopes of 1-foot vertical to 3 feet horizontal as acceptable.

A Policy on Geometric Design of Highways and Street does provide for exceptions to the 40-foot roadway cross-section. The exceptions are:

1. On roadways to be reconstructed, an existing 22-foot traveled way may be retained where alignment and safety records are satisfactory.
2. Shoulder width may be reduced for design speeds greater than 30 mph as long as a minimum roadway

width of 30 feet is maintained.

The collision history for Roblar Road, between Valley Ford Road and Stony Point Road, for the period between 2011 and 2015 the collision rate is 0.64 collisions per million vehicle miles travelled (MVMT). The rate is lower than the collision rate for Sonoma County (1.23 collisions per MVMT), Caltrans District 4 (1.09 collisions per MVMT), and Caltrans Statewide (1.01 collisions per MVMT) for two-lane rural roadways. This would indicate that a 22-foot travelled way could be used on Roblar Road. This cross-section should be used only where right-of-way or other design constraints do not allow for the implementation of the standard 40-foot cross section.

To maintain a minimum roadway section necessary to accommodate a bike lane using a 22-foot travelled way the shoulders would need to be 5 feet. Within the 5-foot shoulder area 4 feet of it would need to be paved to accommodate a minimum acceptable bike lane width. Thus, although not the AASHTO recommendation, the minimum acceptable roadway cross-section for Roblar Road would be 2 11-foot travel lanes, 2 4-foot bike lanes, and 2 1-foot unpaved road backing areas or a 32-foot cross-section. This cross-section has been reviewed by the Sonoma County Bicycle and Pedestrian Advisory Committee and was found to be the minimum acceptable cross-section for Roblar Road. The 32-foot roadway section does not include widening needed to accommodate drainage facilities alongside the roadway. To accommodate drainage facilities and provide drivers that run off the roadway an area to recover *A Policy on Geometric Design of Highways and Street* calls for a slope of 1-foot vertical to 4 feet horizontal as the standard with slopes of 1-foot vertical to 3 feet horizontal as acceptable.

There are four horizontal curves on Roblar Road where additional pavement may be needed to accommodate vehicle offtracking. The necessary additional widening would need to be calculated using the design vehicle (gravel truck) and the centerline radius of the curve. *A Policy on Geometric Design of Highways and Street* provides methodology for determining the required widening to accommodate a gravel truck through the horizontal curves while maintaining an acceptable clearance to bicycles and vehicles in the opposing lane.

The project applicant has not provided data to determine where an exception to the 40-foot standard cross-section is needed because of right-of-way or other design constraints. Data has not been provided regarding the design of the roadway through the horizontal curves on Roblar Road. To provide this information a design of Roblar Road should be completed. At a minimum the design should show existing right-of-way lines, areas where right-of-way can and cannot be acquired (that is, without condemnation), layout of the reconstructed roadway showing locations where design exceptions to the standard roadway cross-section are needed, locations where tree/vegetation removal is required, and layout of the roadway through the horizontal curves.

The reconstruction of the section of Roblar Road between the Quarry Site access and Access Road 2 from a 20-foot roadway with no paved shoulders to a roadway with 22 to 24 feet of travelled way with paved shoulders 4 to 6 feet) could result in increased speeds. Currently this section of Roblar Road has no posted speed limit. Thus, it has a *prima facie* speed limit of 55 mph except for the four horizontal curves where the advisory speeds vary between 30 mph and 45 mph. The reasons for the potential increased speeds would be drivers feeling more comfortable on the wider roadway and reconstruction of the roadway surface leading to better pavement. The potential for increased speeds would be a reason to monitor the post construction roadway speeds through the use of speed surveys.