

My name is William Moyer and I reside at 14012 NE 47th Ave. I am the Vice president of the Pleasant Highlands Neighborhood Association on whose behalf I am testifying here tonight and I thank you for giving me the opportunity to do so.

You should have received the Pleasant Highlands Neighborhood Association's letter of comment on the Draft Environmental Impact Statement (DEIS) for Lakeside Industries' proposed Hot Mix Asphalt (HMA) Plant in Brush Prairie, (and I have brought a couple of hardcopies of that previously submitted testimony with me). It is not my purpose to go over that testimony tonight in any detail. But I would like to emphasize a few general points raised in that letter of comment and then bring some new information to you as supplemental testimony in 2 areas where we feel the DEIS is most-grossly deficient, but which we did not have in our hands at the time we submitted our letter of comment, prior to the original public input deadline.

The thing we all have to remember here is that this is not a small Asphalt Plant. As described in the DEIS, it has the capacity to process up to 500 tons of Asphalt per hour in a single batch, and up to 2250 tons per day, with an average daily output of 1250 tons (per the DEIS). That inherently fits poorly into a residential / neighborhood-commercial environment, with a number of potential impacts to neighboring resident's health, prosperity, and quality of life.

#### General Problem with DEIS Analyses: Uniformly Optimistic Assumptions

There are a number of problems we see with the proposed Asphalt Plant and DEIS as it stands, which we have attempted to bring to your attention in our letter of comment: specifically impacts to local land use patterns, air quality, water, plants and animals (especially in and around Salmon Creek), ambient noise levels, local aesthetics (let's face it, these things aren't pretty and don't enhance the local scenery), and transportation. A common thread in all of the analyses that are included in the DEIS (and there are a surprising number of analyses which should be in the DEIS, but which are completely absent), is the use of optimistic, best-case, everything works assumptions regarding the mitigation systems, technology, and processes Lakeside proposes to implement, with no consideration given, and no analysis provided, of what the impacts are when everything doesn't go perfectly smoothly. That is to say what the impacts would most probably be in the real world where things do in-fact go wrong.

All of the best-case analyses in the DEIS (where everything Lakeside proposes to use is present and works as intended) need to either be re-done as stochastic analyses, with realistic probabilities applied to possible and probable equipment and procedural fault conditions based on industry experience, or to be supplemented by realistic typical case analyses (where everything basically works, but not perfectly) and worst-case analyses (such as a ruptured holding pond for one). The analyses need to provide a clear understanding of what monitoring systems will be used, particularly for such environmentally sensitive issues as water run-ff to Salmon Creek, potential contamination of the aquifer beneath the Plant, and local air pollution levels of hazardous and toxic fumes.

#### Missing and/or Incomplete Analyses

I spoke of missing analyses of effects on the local environment and will now touch on two from our letter of comment. There may well be many more things that were overlooked in the preparation of the DEIS, but these issues deserve some emphasis. The water impacts analysis addresses only run-off treatment. There are numerous implied-massive uses of water planned, but no analysis of how much potable water will be used on a daily basis to wet down the Plant road surfaces and 40 foot pile of aggregate materials, as sprays to reduce odor emissions, or to clean 10-17 30 ton asphalt-hauling truck and trailer combinations. Wherever the water is planned to be drawn from, it will have at least a local impact, ranging from increased local resident public utility water bills to a potentially lower water table affecting nearby wells if the water is drawn from the aquifer by the Plant.

Transportation impacts are another area where the DEIS provides no analysis, which is hardly reasonable with a fleet of Asphalt trucks, trucks generating from 20-36 trips per day, 5 days per week, 200 days per year, and similar numbers of trips for trucks carrying aggregate materials into the Plant, until/if the aggregate can be imported by train, 4-7 years after the Asphalt Plant begins operations. That will in turn lead to another form of traffic impact due to the massive quantities of aggregate materials required to feed the Plant and the fact the local railroad tracks are at street level. With up to 810 hopper cars (of 100 ton capacity) of aggregate required each week (5 trains each in excess of a mile long), and no railroad sidings available where the trains could be parked while unloading the string of hoppers, the traffic jams which can be anticipated could make the NE 134<sup>th</sup> Street concurrency issues look trivial. Rail importation being the nominal baseline for the Asphalt Plant, an analysis of the train-related traffic impacts should certainly have been included in the DEIS.

#### Diesel Exhaust Fumes

In our letter of comment we touched only briefly on the subject of diesel fumes. From some study of materials available on the Web, it is now clear they potentially pose a more serious threat to local residents than even I had believed (references:

[http://www.lungusa.org/press/envir/air\\_041503.html](http://www.lungusa.org/press/envir/air_041503.html), <http://www.nrdc.org/air/transportation/ebd/chap2.asp>, and <http://www.arb.ca.gov/regact/diesltac/diesltac.htm>). And I am far from a fan of diesel-fueled vehicles, having always been leery of breathing in anything I can see. At minimum a thorough analysis of the Asphalt Plant truck diesel exhaust is more than warranted. But as I hope to show herein, the issue is larger than that.

The Asphalt Plant trucks will be heavy construction vehicles which run on diesel fuel. And there will certainly be a great deal more diesel fumes coming from the Asphalt Plant Site and the 20-36 trips per day generated by the asphalt and aggregate hauling trucks, than come from the present empty fields at that site. Yet there is no discussion of diesel truck fumes in the DEIS. This is not acceptable. The asphalt plant will be located within 1 to 2 miles of a number of local schools, and children have been shown to be particularly at risk from the emissions from diesel engines.

Diesel exhaust fumes, to be specific the particular the particulate matter emitted by diesel engines, are a recognized likely carcinogen (per the EPA), are considered a toxic air contaminant (as defined by the California Air Resources Board technical staff), and contain a number of nasty chemical compounds which are individually toxic air contaminants including: benzene, Dibenzofurans, Formaldehyde, 1,3-Butadiene, Lead, Nickel, Chromium, and Cadmium. In addition to the substantial cancer risk posed by diesel exhaust, it is also implicated as a cause or aggravating contributor to a number of other serious health problems, including: chronic and acute respiratory injury, premature death, asthma, and skin problems. Washington State is in progress upgrading school buses through out the state to use newer cleaner burning diesel engines and new low-Sulfur diesel fuels (reference: <http://psccleanair.org/dieselsolutions/schoolbus/index.shtml>). Although such fuels are not available in Clark County, they are available in Washington State, possibly as nearby as Cowlitz County (reference: <http://www.epa.gov/otaq/retrofit/fuelsmap.htm>), certainly no further away than Seattle.

For the health of our children and elderly residents who will be exposed to increased and (depending on wind conditions) substantially-concentrated near-daily exposure to diesel exhaust from the proposed Asphalt Plant trucks, we recommend that all such trucks associated with the Asphalt Plant be upgraded by Lakeside to have low-emitting diesel technology motors installed in them, and to be exclusively fueled by low-sulfur diesel fuel, imported by Lakeside as necessary to support Asphalt Plant operations; or that Lakeside be required to show cause as to why they should not be required to do so. This is not as unreasonable as it may sound, although it would not be inexpensive. This would basically be a pre-implementation of the rules the EPA will be phasing in by present plans, in the 2008-2014 time frame.

Property Value Losses

If the proposed Asphalt Plant is approved and goes into operation, property values of adjacent and nearby residences and non-industrial businesses will go down, substantially. This is not speculation but a matter of established fact. The Blue Ridge environmental Defense League in North Carolina (clearly not fans of the Asphalt Industry), has documented online, property value losses to residential properties adjacent to an Asphalt Plant in Pineola North Carolina, of 3-56%, , with real dollar losses of \$3,000-45,300, as documented using Avery County Tax Department Data from January 2001, for properties within 0.6 miles of the plant (reference: [http://www.bredl.org/air/maymead\\_propertystudy.htm](http://www.bredl.org/air/maymead_propertystudy.htm)).

The concern here is obviously 2-fold. First it can be anticipated that there will be a measurable drop in Clark county tax revenue due to Asphalt Plant-induced property devaluations. Secondly, at more importantly, the local property owners will see a real loss in the value of their real estate investments, in many cases their primary real investments, their homes or their places of business. These will real, predictable, and quantifiable impacts to the Asphalt Plant, for which the obvious mitigation is a bond posted by the Plant Operator, from which funds can be drawn reimbursing the impacted for their financial losses.

Those losses can be identified and quantified using local Real Estate comparable property value statistics, with the loss equated to the difference in increase in value over the basis between properties near the Asphalt Plant and that of otherwise-comparable properties remote from the Asphalt Plant. That would be reasonably fair and equitable, compensating Asphalt Plant refugees for the financial losses they would otherwise incur when they sell their property and move elsewhere. It would not of course compensate them for the emotional losses associated with a forced move, but then no system is perfect.