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From: Janet Kabel
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To: Lemos, June
Subject: DR 1-15
Importance: Normal

Janet Kabel 309 E Bush St

Fort Bragg, California
March 20, 2015

Fort Bragg Planning Commission 416 N Franklin St
Fort Bragg, California

Re Dr 1-15
Dear Commissioners:

I am asking that you deny the Design Review DR 1-15 for Eel River Fuels at 635 N Franklin St, Fort Bragg, California . I dispute the findings of the planner and will outline below:

First, the existing facility is an abandoned petroleum storage facility. There is currently no fuel being stored in the existing tanks as they fail to comply to AST (above ground storage tank) requirements. This property was not in use as a petroleum storage facility when it was acquired by Eel River Fuels. There has never been propane stored at this facility. The request is for a 30,000 gallon propane storage tank. I feel that the vastly differences in the characteristics of propane bulk plant verses the prior uses of this property make this proposal a request for a new facility.

I challenge the application of CEQA Guidelines Section 15302 (1) (3) and Section 15302 (b) to exempt this project from Environmental Review and I quote:

15301. Existing Facilities

Class 1 consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination. The types of "existing facilities" itemized below are not intended to be all-inclusive of the types of projects which might fall within Class 1. The key consideration is whether the project involves negligible or no expansion of an existing use.

(3) A store, motel, office, restaurant, or similar small commercial structure if designed for an occupant load of 30 persons or less. In urbanized areas, the exemption also applies to the demolition of up to three such commercial buildings on sites zoned for such use.

First existing facilities class 1 exemptions allows for the repair, or minor alteration of existing private structures involving negligible or no expansion of use beyond the

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existing use at the time of the request. Again the key consideration is whether the project involves negligible or no expansion of an existing use. The change of use of an abandoned petroleum storage facility to a propane bulk plant is not a negligible change of use. Propane storage facilities, known as bulk plants are so inherently different from petroleum storage facilities that they are covered under an entirely different set of safety and environmental regulations. This request is not a minor change and should require an Environmental Review.

CEQA Guidelines Section 15302 (b) also do not apply and again I quote:

15302. Replacement or Reconstruction

Class 2 consists of replacement or reconstruction of existing structures and facilities where the new structure will be located on the same site as the structure replaced and will have substantially the same purpose and capacity as the structure replaced, including but not limited to:

(b) Replacement of a commercial structure with a new structure of substantially the same size, purpose, and capacity.

Placing a new 30,000 gallon propane tank on an existing abandoned, or even active petroleum storage facility is not the same use for as by definition a petroleum storage facility is not a propane bulk plant and vice versa.

I further dispute the traffic assessments. Currently no product is being delivered to this site. Heavy delivery trucks will now be entering and leaving the property on what is a blind corner to the north. Franklin is a heavily traveled street and the impact of the increased hazardous material transport should be addressed in an Environmental Review of the proposed new use of the parcel.

Next I challenge the Planners descriptions of surrounding land uses. What is failed to be pointed out is that the site is directly across from the Scenic Corridor designation. The property is also adjacent to CH (highway visitor commercial) zoning, general commercial and both high and low density residential zoning. In fact the site can be seen from my RL home. This parcel is the most southerly HI parcel before the land use changes and is only 1 1/2 blocks from the Central Business district. While this parcel is zoned heavy industrial, let me refresh the commission on the definition:

Heavy Industrial (IH)

This designation is intended for a range of heavy industrial uses including manufacturing, assembly and processing, and the storage and distribution of raw materials, aggregate plants, and related heavy industrial uses which are generally incompatible with and require locations removed from residential and visitor serving uses.

let me repeat, Require locations removed from residential and visitor serving areas.

Historically the HI section on N Franklin was in the county and was there because of the railroad. Fuel oil deliveries were off loaded from the train into the nearby tanks. Times have changed and environmental concerns have evolved. No longer is N Franklin away from residential and visitor serving areas but in the heart of Fort Bragg. No longer do we lightly take the potential impact to our environment of chemicals and potential dangers to our citizens.

This is a new use for this parcel and although it is technically permitted I question the wisdom of permitting a propane bulk plant in this location. Which brings to my real concern, the safety of this proposed propane bulk plant. NFPA 58, the rules governing the fire safety for propane, require a FSA (fire safety assessment) before the installation of any new propane bulk plant. Propane is extremely volatile. This fire safety assessment has not been done and it is a requirement that it be done during the planning stages of any new bulk plants. The FSA documents further recommend that if there are safety concerns that the bulk plant should be redesigned and or relocated. Setback distances per NFPA 58 and the required FSA are based not only upon the tank siting but also include the various points of transfers. No indication on the site map indicate piping or the filling and transfer points of propane. Critical details are missing. The site map is not even scale. Many of the safety concerns voiced in FSA documents are to be found at this site. Acetylene and oxygen are stored in the County maintenance building next door, metal working across the street, a main line railroad and crossing not to mention the proximity to places of gathering, i.e. St. Michaels church and the Casper Garden preschool. While propane explosions are rare they do happen as it did in Cleone a few years ago, the blast was felt all the way into Fort Bragg and that was only a small residential storage tank. If a bobtail delivery truck catches fire and explodes the blast devastation area is approximately 250 feet. If the fire department cannot respond and have substantial amounts cooling water on the 30,000 propane tank within 10 minutes the storage tank itself will explode and devastation will be wide and substantial. Please Google 30,000 gallon propane tank explosions. This is why propane bulk plants are located from population centers as are the two existing propane bulk plants in Fort Bragg.

I respectfully ask that the Planning Commission deny this Design Review and request that the applicant resubmit with complete plans designed by an engineer experienced with propane bulk plant designs. Further require both an Environmental Review and NFPA 58 FSA done by a licensed professional of said plans with at least a 30 day period of review for the public before approving any plans for propane storage at this location.

Sincerely, Janet Kabel