

RESOLUTION NO. 2015-__

**A RESOLUTION OF THE NAPA COUNTY PLANNING COMMISSION,
STATE OF CALIFORNIA CERTIFYING THE FINAL ENVIRONMENTAL
IMPACT REPORT PREPARED FOR THE SYAR NAPA QUARRY
EXPANSION PROJECT - SURFACE MINING PERMIT (P08-00337-SMP) IN
ACCORDANCE WITH THE CALIFORNIA ENVIRONMENTAL QUALITY
ACT (CEQA), THE STATE CEQA GUIDELINES AND NAPA COUNTY'S
LOCAL PROCEDURES FOR IMPLEMENTING CEQA**

WHEREAS, on or about May 7, 2008, Syar Industries, Inc. (Syar or the Applicant) submitted an application for Surface Mining Permit No. P08-00337-SMP to the Napa County Planning, Building and Environmental Services (PBES) Department (formerly the Conservation, Development and Planning Department) requesting approval of a Surface Mining Permit (SMP) to modify the mining and reclamation plan and associated aggregate processing, production and sales as currently permitted under UP-128182, UP-27374, and County Agreement No. 2225 to allow: a) an approximate 124-acre expansion of the current surfacing mining and reclamation plan for a 35 year term; b) an increase in mining depth from approximately 300 feet and 150 feet above mean sea level (msl) to no greater than 50 feet above msl; c) an increase in production of aggregate materials from approximately 1 million tons per year to 2 million tons per year; d) addition of Reclaimed Asphalt Pavement (RAP) handling equipment to the existing asphalt batch plant; and e) relocating and improving portions of Skyline Trail that were originally constructed on the quarry property back onto Skyline Wilderness Park lands (the proposed Project or Syar Project);

WHEREAS, the Project is located on the east side of State Highway 221 (Napa-Vallejo Highway) at its intersection with Basalt Road at 2301 Napa-Vallejo Highway, within the unincorporated portion of Napa County and zoned Agricultural Watershed (AW) on parcels 045-360-005, 046-370-012, -013, -015, 046-390-002, -003, and 046-450-071. Zoned Industrial (I) on parcels 046-370-022 and -025. The southern end of Parcel 045-360-005 is within the Airport Compatibility Combination District (Zone D); however, no Project activities are proposed in this area;

WHEREAS, in March 2009, the PBES Department assisted by planning consultant GHD (formerly Winzler & Kelly) initiated the environmental review process required by the California Environmental Quality Act (CEQA), to analyze the potential environmental impacts of the Syar Project;

WHEREAS, in June 2009, an Initial Study/Environmental Checklist was prepared to identify areas to be further discussed in an environmental impact report (EIR);

WHEREAS, on June 10, 2009, a formal Notice of Preparation of an EIR (NOP) was issued soliciting public input regarding the Draft EIR for the Syar Project. The comment period was from June 10, 2009 through July 14, 2009;

WHEREAS, on July 1, 2009, the Napa County Planning Commission held a public scoping session, in conjunction with circulation of the NOP, to elicit additional comments from the public on the scope and content of the DEIR;

WHEREAS, on September 23, 2009, the PBES Department held a public information meeting on the proposed Project;

WHEREAS, during the NOP period and scoping session (June 10 through July 14, 2009) the County received over 150 comments. These comments were considered in the preparation of the DEIR;

WHEREAS, the County, as lead agency, caused to be prepared a Draft EIR (or DEIR) for the Syar Napa Quarry Expansion Project (August 2013) (State Clearinghouse No. 2009062054);

WHEREAS, in accordance with CEQA, the Draft EIR was released for public and agency review on September 6, 2013. The public comment period ran from September 6, 2013 through December 5, 2013;

WHEREAS, on October 2, 2013, the County held two public hearings on the Draft EIR for purposes of receiving public comment: one hearing was held in the morning before the Napa County Planning Commission and one was held in the evening before the Director of the PBES Department;

WHEREAS, between the start of the public comment period on September 6, 2013, and its end on December 5, 2013, the County received 26 public and agency written comments on the Draft EIR;

WHEREAS, in accordance with CEQA, all comments received on the Draft EIR during the comment period were responded to and included in a Final EIR or FEIR. The Final EIR includes the Draft EIR and comments and responses to comments on the Draft EIR and minor text changes to the Draft EIR, the FEIR (November 2014), Appendix B to the FEIR (June 2015), Appendix C to the FEIR (October 2015) and the following Planning Commission staff reports including attachments: January 1, February 18, August 12, and October 21 and all other related information in the County's file for the Syar Project;

WHEREAS, on November 11, 2014, in accordance with CEQA, the Final EIR was mailed to all commenting state and local agencies, organizations and individuals at least ten days prior to the Planning Commission's action on the Syar Project;

WHEREAS, the FEIR is on file with the PBES Department along with all other documents constituting the record of proceedings;

WHEREAS, on November 21, 2014, notice of a public hearing on the Syar Project before the Napa County Planning Commission was mailed, published and posted in accordance with County Code Section 16.12.370;

WHEREAS, on January 7, 2015, the Planning Commission held a duly noticed public hearing on, among other items, adoption of this Resolution certifying the Final EIR. After several hours of testimony, the Planning Commission continued the hearing to February 18, 2015;

WHEREAS, on February 18, 2015, the Planning Commission held a continued public hearing and at staff's request continued the item to April 1, 2015;

WHEREAS, on April 1, 2015, the Planning Commission dropped the item from their agenda so that it could be re-noticed to a special meeting upon staff's completion of additional analysis on the Syar Project;

WHEREAS, on July 11, 2015, notice of a public hearing on the Syar Project before the Napa County Planning Commission to be held on August 12, 2015, was mailed, published and posted in accordance with County Code Section 16.12.370;

WHEREAS, on August 12, 2015, the Planning Commission held a duly noticed public hearing on, among other items, adoption of this Resolution certifying the Final EIR. After several hours of testimony, the Planning Commission continued the hearing to September 2, 2015;

WHEREAS, on September 2, 2015, the Planning Commission held a continued public hearing and at staff's request continued the item to October 21, 2015;

WHEREAS, on October 21, 2015, the Planning Commission held a duly noticed public hearing on, among other items, adoption of this Resolution certifying the Final EIR. After considering all verbal and written testimony, the Planning Commission closed the public hearing; and

WHEREAS, the Planning Commission now desires to adopt this Resolution.

NOW, THEREFORE, BE IT RESOLVED by the Napa County Planning Commission, that in reference to the Final Environmental Impact Report for the Syar Project this Planning Commission hereby finds and certifies as follows:

1. The Final EIR has been completed in compliance with CEQA; and
2. The Final EIR reflects the Planning Commission's independent judgment and analysis; and

3. The Final EIR was presented to the Planning Commission, and the Planning Commission has reviewed and considered the information contained in the Final EIR prior to taking an action on the Syar Project (P08-00337-SMP).

THE FOREGOING RESOLUTION WAS DULY AND REGULARLY ADOPTED by the Napa County Planning Commission, State of California, at a special meeting of the Planning Commission held on the ____ day of _____, 2015, by the following vote:

AYES: COMMISSIONERS _____

NOES: COMMISSIONERS _____

ABSENT: COMMISSIONERS _____

 HEATHER PHILLIPS, Chair
 Napa County Planning Commission

<p>APPROVED AS TO FORM Office of County Counsel</p> <p>By: <u>Laura J. Anderson</u> Deputy County Counsel</p> <p>Date: <u>October 14, 2015</u></p>	<p>APPROVED BY THE NAPA COUNTY PLANNING COMMISSION</p> <p>Date: _____</p> <p>Processed By: _____ Clerk of the Commission</p>	<p>ATTEST: MELISSA FROST Clerk of the Commission</p> <p>By: _____</p>
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