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**Planning, Building & Environmental Services**

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**David Morrison**  
Director

To: Chair Phillips and Members of the Planning Commission	From: Donald Barrella Planner III
Date: August 4, 2015	Re: Syar Napa Quarry Surface Mining Permit P08-00337 General Plan and Zoning Designation Consistency Analysis

**I. PURPOSE:**

The Syar Napa Quarry Site is located in unincorporated Napa County, approximately two miles southeast of downtown Napa. The site currently contains mining activities and associated operations, conducted by Syar Industries Inc. A review of the Reduced Production and Reduced Footprint (Hybrid) Alternative's (identified in the County's Alternative Analysis, July 2015) consistency with the Napa County General Plan is provided below. Prior to taking action on the Surface Mining Permit (SMP) to allow an expansion to the Syar Napa Quarry including an increase in production, the Commission must consider whether the Project is consistent with the Napa County General Plan. This memorandum provides a basis upon which the Commission could find consistency.

This memorandum also details the zoning designations covering the quarry including mineral resource designations and provides a discussion and analysis of zoning consistency.

**III. GENERAL PLAN CONSISTENCY ANALYSIS:**

This memorandum outlines the relevant goals and policies of the County's General Plan, and analyzes whether the Reduced Production and Reduced Footprint (Hybrid) Alternative is consistent with the General Plan. It also details the zoning designations covering the quarry including mineral resource designations and provides a discussion and analysis of zoning consistency as it relates to mineral resource production and conservation.

The parcels within the Syar holding have the following General Plan Designations: Parcels 045-360-005, 046-370-012, -013, -015, 046-390-002, -003, Agriculture, Watershed and Open Space (AWOS); Parcel 046-370-022 Industrial (I); Parcel 046-370-025 AWOS and I; Parcel 046-450-071 AWOS and Public-Institutional (PI). A majority of the surface mining activities, both existing and proposed, would occur in AWOS designated areas: the proposed expansion areas would occur exclusively within AWOS designated areas. Mining and associated operations would also continue to occur in areas that have already been disturbed by past and on-going operations in the following land use designations: AWOS where facilities such as the State Blue Pit, Snake Pit and the Aggregate Base

Plant (A/B Plant) are located; PI where the State Grey Pit is located; and, I where facilities such as the quarry office, Blue Rock processing plant, Asphalt plant, sand plant, quarry shop, weigh station/scale house, and surplus equipment storage are located.

**A. The Agricultural Preservation and Land Use Element:**

Within the Introduction section of the Agricultural Preservation and Land Use (AG/LU) Element of the General Plan it is stated that *"The County's long history of, and close attention to, agricultural preservation and land use planning makes this a critically important Element of this General Plan. In the pages of this Element, you will find the County's policies on a wide range of issues related to the use of land, the continued viability of agriculture, and coordination with other agencies. For additional policies regarding conservation of natural areas, open space and recreation use, see the Conservation and Recreation and Open Space Elements."* (Page AG/LU-3). See the discussion under these respective element sections below.

- **Policy AG/LU-9:** The County shall evaluate discretionary development projects, re-zonings, and public projects to determine their potential for impacts on farmlands mapped by the State Farmland Mapping and Monitoring Program, while recognizing that the state's farmland terminology and definitions are not always the most relevant to Napa County, and shall avoid converting farmland where feasible.
- **Policy AG/LU-51:** The following standards shall apply to lands designated as Industrial on the Land Use Map of this General Plan.

Intent: To provide an environment exclusively for and conducive to the development and protection of a variety of industrial uses such as warehouses, manufacturing, wineries and food processing facilities that are industrial in character, and research and development. Administrative facilities, research institutions, limited office and commercial uses and related facilities which are ancillary to the primary industrial uses may also be accommodated.

- **Policy AG/LU-55:** The County shall ensure that the special features in each geographic area shown in this General Plan shall be retained or enhanced and shall consider these features in its review of any proposed development project.
- **Policy AG/LU-56:** The policies set forth for each geographic area are extensions or refinements of County-wide policy. The role of these local policies is to identify more specific land uses and local conditions within the general parameters established by the County-wide goals and policies.
- **Policy AG/LU-93:** The County supports the continued concentration of industrial uses in the South County area as an alternative to the conversion of agricultural land for industrial use elsewhere in the county.

**Analysis:** The holding and project area are not within any areas that have been mapped by the State as farmland: undisturbed areas within the holding have been mapped as Grazing Land by the

State (*Napa County Important Farmland 2012 Map*, California Department of Conservation, Division of Land Resource Protection). Industrial activities associated with the quarry operations, including aggregate crushing and processing, and asphalt production is primarily located in the industrial designated portions of the property. Within the overall General Plan Land Use Map (General Plan Land Use Map, Figure AG/LU-3) and within the specified South County Industrial geographic area (General Plan page AG/LU-53), a majority of the holding and project area is designated a Mineral Resource Area. The proposed project and associated surface mining permit will retain this feature. Furthermore, the South County Industrial Areas (page AG/LU-54) represents the largest urbanized (non-agricultural) area in the unincorporated county and contains a variety of uses including Syar rock quarry operations. Consistent with Policy AG/LU55 and 56, one of the special features in the South County Industrial Area (i.e. the Mineral Resource area) would be enhanced through the project.

The Project would not displace agriculture or remove agricultural lands from agricultural use. The Project will be located in an area that is already been disturbed or experiences the effects of mining and related activities. The Project proposes continued operation of quarry and aggregate related operations including aggregate processing and asphalt production, which occurs on lands zoned Industrial, the intent of which allows for industrial uses. While the Project itself does not support agricultural land uses, it is not anticipated that the Project will result in adverse effects to those parcels that currently or in the foreseeable future to support agriculture.

**Conclusion:** Consistent.

**B. The Circulation Element:**

- **GOAL CIR-2:** The County's transportation system shall provide for safe and efficient movement on well-maintained roads throughout the County, meeting the needs of Napa County residents, businesses, employees, visitors, special needs populations, and the elderly.
- **Policy CIR-16:** The County shall seek to maintain an adequate level of service on roads and at intersections as follows. The desired level of service shall be measured at peak hours on weekdays.
  - The County shall seek to maintain an arterial LOS D or better on all county roadways, except where maintaining this desired level of service would require the installation of more travel lanes than shown on the Circulation Map.
  - The County shall seek to maintain a LOS D or better at all signalized intersections, except where the level of service already exceeds this standard (i.e., LOS E or F) and where increased intersection capacity is not feasible within the existing right-of-way.
  - No single level of service standard is appropriate for unsignalized intersections, which shall be evaluated on a case-by case basis to determine if signal warrants are met.
- **Policy CIR-19:** Applicants proposing new discretionary development projects with the potential to significantly affect traffic operations shall be required to prepare a traffic analysis

prior to consideration of their project by the County and shall be required to mitigate project impacts and to pay their fair share of countywide cumulative traffic improvements based on their contribution to the need for these improvements.

- **GOAL CIR-3**: The County's transportation system shall encompass the use of private vehicles, local and regional transit, paratransit, walking, bicycling, air travel, rail, and water transport.
- **Policy CIR-25**: Preserve rail corridors and the navigable sections of the Napa River as regional transportation assets, encouraging and not precluding their future use for recreational travel as well as for the movement of passengers and goods.

**Analysis**: A traffic analysis has been prepared for the Project and associated Environmental Impact Report, in which the finding has been presented to the Commission for its consideration. The traffic levels associated with intersections studied in the traffic analysis are expected to continue to operate at the same level of service as they do under existing conditions, with implementation of the Reduced Production and Reduced Footprint (Hybrid) Alternative. Operation of the quarry would continue to utilize rail and barge transportation systems to effectively, economically, and safely move products to and from the facility, thereby preserving existing alternative transportation systems as assets.

Furthermore, the Project is consistent with goals and policies related to the safe and efficient movement of goods via rail and water transport.

**Conclusion**: Consistent.

#### C. The Community Character Element:

##### ***Cultural Resources***

- **Goal CC-4**: Identify and preserve Napa County's irreplaceable cultural and historic resources for present and future generation to appreciate and enjoy.
- **Policy CC-19**: The County supports the identification and preservation of resources from the County's historic and prehistoric periods.
- **Policy CC-21**: Rock walls constructed prior to 1920 are important reminders of the County's agricultural past. Rock walls which follow property lines or designated scenic roadways shall be retained to the extent feasible and modified only to permit required repairs and allow for openings necessary to provide for access.
- **Policy CC-23**: The County supports continued research into and documentation of the county's history and prehistory, and shall protect significant cultural resources from inadvertent damage during grading, excavation, and construction activities.

**Analysis**: Based on specific on-site studies, cultural and historic resources have been identified both within the quarry property and project area. However, the project as designed would avoid

a majority of the cultural and historic resources identified within the quarry, in particular, the sites exhibiting homestead activities and rock walls located along property lines. Additionally, mitigation measures have been incorporated into the project, as well as the incorporation of standard conditions to ensure any discovered resources during operations are protected (Impact Action Item CC-23.1), to protect retained rock walls from ongoing quarry activities.

Furthermore, implementation of the Reduced Production and Reduced Footprint (Hybrid) Alternative, more of the cultural features within the project site, in particular rock walls associated with the “Pasini Ranch” and along a property located immediately east of the State Blue Pit would be preserved. While some of the rock walls associated on the Pasini Ranch are not located on property lines they are considered historical resources of the County.

**Conclusion:** Consistent.

**Noise**

- **Goal CC-8:** Place compatible land uses where high noise levels already exist and minimize noise impacts by placing new noise-generating uses in appropriate areas.
- **Policy CC-38:** The following are the County’s standards for maximum exterior noise levels for various types of land uses established in the County’s Noise Ordinance. Additional standards are provided in the Noise Ordinance for construction activities (i.e., intermittent or temporary noise).
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**EXTERIOR NOISE LEVEL STANDARDS  
 (LEVELS NOT TO BE EXCEEDED MORE THAN 30 MINUTES IN ANY HOUR)**

Land Use Types	Time Period	Noise Level (dBA) by Noise Zone Classification		
		Rural	Suburban	Urban
Single-Family Homes and Duplexes	10 p.m. to 7 a.m.	45	45	50
	7 a.m. to 10 p.m.	50	55	60
Multiple Residential 3 or More Units Per Building (Triplex +)	10 p.m. to 7 a.m.	45	50	55
	7 a.m. to 10 p.m.	50	55	60
Office and Retail	10 p.m. to 7 a.m.	60		
	7 a.m. to 10 p.m.	65		
Industrial and Wineries	Anytime	75		

- a) For the purposes of implementing this policy, standards for residential uses shall be measured at the housing unit in areas subject to noise levels in excess of the desired levels shown above.
  - b) Industrial noise limits are intended primarily for use at the boundary of industrial zones rather than for noise reduction at the industrial use.
  - c) Where projected noise levels for a given location are not included in this Element, site-specific noise modeling may need to be conducted in order to apply the County's Noise policies.
- Policy CC-39: The following are noise compatibility guidelines for use in determining the general compatibility of planned land uses:

**NOISE COMPATIBILITY GUIDELINES  
 (EXPRESSED AS A 24-HOUR DAY-NIGHT AVERAGE OR LDN)**

<i>Land Use</i>	<i>Completely Compatible</i>	<i>Tentatively Compatible</i>	<i>Normally Incompatible</i>	<i>Completely Incompatible</i>
<i>Residential</i>	<i>Less than 55 dBA</i>	<i>55-60 dBA</i>	<i>60-75 dBA</i>	<i>Greater than 75 dBA</i>
<i>Commercial</i>	<i>Less than 65 dBA</i>	<i>65-75 dBA</i>	<i>75-80 dBA</i>	<i>Greater than 80 dBA</i>
<i>Industrial</i>	<i>Less than 70 dBA</i>	<i>70-80 dBA</i>	<i>80-85 dBA</i>	<i>Greater than 85 dBA</i>

See Policy CC-43 for the definitions of these four levels of compatibility.

- Policy CC-42: The following are the County's standards for acceptable indoor intermittent noise levels for various types of land uses. These standards should receive special attention when projects are considered in "Tentatively Compatible" or "Normally Incompatible" areas as determined by Policies CC-39 and CC-43, and new uses shall incorporate design features to ensure that these standards are met.

**INTERIOR NOISE LEVEL CRITERIA FOR INTERMITTENT NOISE**

<b>Land Use Type</b>	<b>Acceptable Noise Level (dBA CNEL)</b>
Residential (Single- and Multi-Family)	
Living Areas, Daytime	60 dBA
Living Areas, Nighttime	55 dBA
Sleeping Areas	45 dBA
School Classrooms or Library	55 dBA
Church Sanctuary	45 dBA
Commercial, Educational, Office, Light and Heavy Industrial, Warehousing	Conform with applicable state and federal workplace safety standards

*Note: Standards for public schools are set and enforced by the State of California and are not regulated by the County.*

- **Policy CC-43:** The following definitions shall be used in combination with the standards in the Noise Compatibility Guidelines shown above.
  - a) “Completely Compatible” means that the specified land use is satisfactory and both the indoor and outdoor environments are pleasant.
  - b) “Tentatively Compatible” means that noise exposure may be of concern, but common building construction practices will make the indoor living environment acceptable, even for sleeping quarters, and the outdoor environment will be reasonably pleasant.
  - c) “Normally Incompatible” means that noise exposure warrants special attention, and new construction or development should generally be undertaken only after a detailed analysis of noise reduction requirements is made and needed noise insulation features are included in the design. Careful site planning or exterior barriers may be needed to make the outdoor environment tolerable.
  - d) “Completely Incompatible” means that the noise exposure is so severe that new construction or development should generally not be undertaken.
- **Policy CC-48:** Where proposed commercial or industrial land uses are likely to produce noise levels exceeding the standards contained in this Element at existing or planned noise-sensitive uses, an acoustical analysis shall be required as part of the environmental review process so that noise mitigation may be included in the project design.

**Analysis:** The quarry is already located in an area of the County that experiences higher noise levels. There are a variety of surrounding uses, including industrial, office/warehouse, public institutional, and agriculture, in addition to State Highway 221, that contribute substantially to the environment that make up the areas ambient noise characteristics. Noise studies have been conducted as part of the environmental review of the project and mitigation measures have been included to reduce potential noise impacts on adjacent uses so that long-term operational noise, including mobile equipment related noises, would not result in the exposure of persons to or generate noise levels in excess of applicable standards, or substantial temporary increases in ambient noise levels in the vicinity of the Project. It is anticipated that noise levels associated with the operation would not typically exceed 50dBA L<sub>50</sub> within the surrounding community, which would be consider compatible with surrounding uses and within the interior noise level criteria.

Additionally, implementation of the Reduced Production and Reduced Footprint (Hybrid) Alternative would locate the limits of mining further from adjacent uses and maintain more screening topography and vegetation which would further reduce noise from the facility.

**Conclusion:** Consistent.

#### ***Odors***

- **Goal CC-51:** Place compatible land uses where unacceptable odors already exist and minimize any new uses that generate such odors.

- **Policy CC-53:** Odors associated with industrial and commercial uses – in particular, those generated by chemical or industrial processes – are considered generally unacceptable, and shall be required to mitigate their effects on nearby businesses and residences in accordance with standards of the Bay Area Air Quality Management District (BAAQMD).

**Analysis:** The operations primary industrial components (i.e. asphalt plant, sand plant, and blue rock plant, and scale house and office) are within the western portion of the site in close proximity to other industrial uses and State Highway 221, as well as, more intensive agricultural uses (i.e. cultivated crops) to the south. These existing facilities are not proposed to be relocated. Additionally, no new odor producing sources are proposed as part of the project. Therefore, the Project is not anticipated to result in adverse odor impacts because the facilities odor causing uses are in an area where odors already exist and no new odor sources are proposed.

Additionally, through mitigation and project specific conditions the facility will need to be operated in accordance with BAAQMD standards and permitting consistent with regulatory requirements.

**Conclusion:** Consistent.

#### **D. The Conservation Element:**

Within the Conservation (CON) Element of the General Plan the managed production of resources is specifically identified and addressed through specific Goals and Policies. On Pages CON-17 and CON-18 of the General Plan under **Managed Production of Resources** it states that, "*Preserving **open space** resources to meet the community's conservation goals while also addressing local needs for productive raw natural materials (e.g. primarily aggregate/gravel, sand, and stone, and to a lesser extent merchantable timber) requires a balanced approach.*". It is further indicated under **Mineral Resources** that "*This Element contains specific goals and policies that address open space as it pertains to the conservation of natural resources, agricultural land, and rangeland. Additionally, this Element stresses the preservation of forests and woodlands and conservation and prudent management of the County's mineral resources for current and future generations.*"

Specific Goals and Policies that address open space as it pertains to the conservation of natural resources, include Goal CON-7 which states "*Identify and conserve areas containing significant mineral deposits for future use and promote reasonable safe and orderly operation of mining and extraction and management activities where environmental aesthetic and adjacent land use compatibility can be adequately addressed.*" Conservation Policies CON-37, CON-39 and CON-40, in general: encourage the identification, improvement, and conservation of areas containing significant mineral deposits to ensure the long-term production and supply; promote the reasonable operation of mining and extraction activities, while considering and addressing the environmental implications thereof; and, encourage the ongoing reclamation of mining areas through reclamation plans. Furthermore, Policy CON-37(e) "*Encourages compatible use of resource areas such as low density recreation, wildlife habitat or agriculture and protect resource areas form incompatible use.*"



Therefore, the Project would be consistent with applicable County Land Use designations with the granting of a SMP. Further evidence that quarrying activities have been contemplated in open space and agricultural areas, and that these goals and policies would apply, is due to the Mineral Resource Designations covering a majority of the quarry property (as discussed below in Mineral Resource Designations), in addition to the zoning designation discussion below.

#### *Open Space Conservation*

- **Goal CON-1:** The County of Napa will conserve resources by determining the most appropriate use of land, matching land uses and activities to the land's natural suitability, and minimizing conflicts with the natural environment and the agriculture it supports.
- **Policy CON-1:** The County will preserve land for greenbelts, forest, recreation, flood control, adequate water supply, air quality improvement, habitat for fish, wildlife and wildlife movement, native vegetation, and natural beauty. The County will encourage management of these areas in ways that promote wildlife habitat renewal, diversification, and protection.

**Analysis:** A majority of the subject holding and project site has been identified as a Mineral Resource area in the General Plan. The industrial identified areas of the site are utilized for the primary industrial facilities of the operation. Therefore, the County has conserved suitable lands for mineral production and associated activities.

Through project design, mitigation measures, and project specific conditions, which include protections for air quality, water quality and use, and biological resources the projects potential conflicts with the natural environment or agricultural would be minimize. The project has been designed to avoid the northeast corner and the southern portion of the holding, thereby preserving these areas in their existing condition to provide visual buffering of the project. Additionally, other exclusion areas within the quarry operation, such as in between the State Blue and State Grey pits, and knoll south of the Eagles Nest area, have been preserved to maintain some natural visual elements within the quarry.

Furthermore, within implementation of the Reduce Production and Reduced Footprint (Hybrid) Alternative approximately 47-acres of open space land (containing approximately 30-acres of oak woodland) would be preserved.

**Conclusion:** Consistent.

#### *Natural Resources*

- **Goal CON 2:** Maintain and enhance the existing level of biodiversity.
- **Goal CON-3:** Protect the continued presence of special status species, including special-status plants, special-status wildlife, and their habitats, and comply with all applicable state, federal, or local laws or regulations.

- **Goal CON-5:** Protect connectivity and continuous habitat areas for wildlife movement.
- **Policy CON-11:** The County shall maintain and improve fisheries habitat through a variety of appropriate measures, including: Control sediment production from mines, roads, development projects, agricultural activities, and other potential sediment sources.
- **Policy CON-13:** The County shall require that all discretionary residential, commercial, industrial, recreational, agricultural, and water development projects consider and address impacts to wildlife habitat and avoid impacts to fisheries and habitat supporting special-status species to the extent feasible. Where impacts to wildlife and special-status species cannot be avoided, projects shall include effective mitigation measures and management plans including provisions to:
- **Policy CON-16:** The County shall require a biological resources evaluation for discretionary projects in areas identified to contain or potentially contain special-status species based upon data provided in the Baseline Data Report (BDR), California Natural Diversity Database (CNDDB), or other technical materials. This evaluation shall be conducted prior to the approval of any earthmoving activities. The county shall also encourage the development of programs to protect special-status species and disseminate updated information to state and federal resource agencies.
- **Policy CON-17:** Preserve and protect native grasslands, serpentine grasslands, mixed serpentine chaparral, and other sensitive biotic communities and habitats of limited distribution. The county, in its discretion, shall require mitigation that results in the following standards:
- **Policy CON-18:** To reduce impacts on habitat conservation and connectivity: The county shall require discretionary projects to retain movement corridors of adequate size and habitat quality to allow for continued wildlife use based on the needs of the species occupying the habitat.
- **Policy CON-24:** Maintain and improve oak woodland habitat to provide for slope stabilization, soil protection, species diversity, and wildlife habitat through appropriate measures including one or more of the following:
  - a) Preserve, to the extent feasible, oak trees and other significant vegetation that occur near the heads of drainages or depressions to maintain diversity of vegetation type and wildlife habitat as part of agricultural projects.
  - c) Provide replacement of lost oak woodlands or preservation of like habitat at a 2:1 ratio when retention of existing vegetation is found to be infeasible. Removal of oak species limited in distribution shall be avoided to the maximum extent feasible.

- **Policy CON-30:** All public and private projects shall avoid impacts to wetlands to the extent feasible. If avoidance is not feasible, projects shall mitigate impacts to wetlands consistent with state and federal policies providing for no net loss of wetland function.

***Analysis:*** Because of the historic surface mining use of the site, and its location at the interface between more intensive urban uses located to the north and west within both the City and County of Napa (including State Highway 221) as well as more intensive agriculture uses including cultivated crops to the south, the biological characteristics and resources of the site and surrounding areas have been augmented. Biological surveys have been conducted for the site and mitigation has been incorporated to protect and replace special-status species that have been identified within the project area or have the potential to occur within or adjacent to the project area. Potential native grasslands occurring in the property have been avoided through project design. Avoiding and maintaining Arroyo Creek and areas south of Arroyo Creek in its current condition would maintain an existing wildlife movement and use areas that have not experience historic disturbances through surrounding development and mining activities. Mitigation has been included to preserve and replace oak woodlands at a 2:1 ratio.

Impacts to fisheries habitat will be minimized through ongoing maintenance of a Storm Water Pollution Prevention Plan (SWPPP) required by the San Francisco Regional Water Quality Control Board (SFRWQCB), mitigation, conditions, and the County's Stormwater Ordinance. The SWPPP utilizes specific site design and treatment control Best Management Practices (BMPs) to control on-site erosion and protect water quality. Furthermore, the SWPPP will be updated as necessary as part of the annual mining plan to take into account changing conditions of the site and operations as a result of ongoing mining.

Impacts to riparian areas have been minimized through a project design that provides a minimum 50 foot setback from Arroyo Creek, and the implementation of mitigation that results in larger setbacks from Arroyo Creek of 85 feet. Extensive wetlands have not been identified in the project area. Although approximately 0.5-acres of wetland would be removed with project design, mitigation has been included that would result in the replacement of removed wetland so that there is no net loss of wetlands as a result of the project.

***Conclusion:*** Consistent.

### ***Mineral Resources***

- **Goal CON-7:** Identify and conserve areas containing significant mineral deposits for future use and promote the reasonable, safe, and orderly operation of mining and extraction and management activities, where environmental, aesthetic, and adjacent land use compatibility impacts can be adequately addressed.
- **Policy CON-37:** The County shall identify, improve, and conserve mineral and aggregate resources and ensure the long-term production and supply as follows:

- d) Fulfill the County's responsibilities under the Surface Mining and Reclamation Act (SMARA).
- e) Encourage compatible use of resource areas such as low density recreation, wildlife habitat, or agriculture and protect resource areas from incompatible uses.
- **Policy CON-39:** Resource extraction activities (e.g., mining and geothermal development) shall fully address environmental implications, such as air pollution, visual distractions, siltation of nearby streams, increase in surface runoff, removal of underground water by pumping, increase in erosion or landslide hazard, disposal of chemical wastes, creation of impervious layers and surface compaction, extent of vegetation removal, and site rehabilitation procedures.
- **Policy CON-40:** Encourage the ongoing reclamation of sand and gravel mining areas through the implementation of reclamation plans. In conformance with state law, all mining operations shall have up-to-date reclamation plans and adequate financial assurances to the satisfaction of the County.

***Analysis:*** The County has previously identified this area as containing mineral resources through the General Plan Mineral Resource designation that covers a majority of the holding and project area. Through this Surface Mining Permit (SMP), with incorporation of the Reduced Production Alternative, mitigation, and conditions of approval, the County will be promoting the reasonable and orderly extraction and processing of aggregate resources. Furthermore, the County and operator would continue to fulfill their responsibilities under the Surface Mining and Reclamation Act (SMARA) and maintain an up to date reclamation plan and financial assurances. Additionally, the associated environmental review of the SMP takes into consideration potential environmental affects and incorporates mitigation where necessary to reduce impacts.

Furthermore, pursuant to Public Contract Code Sections 10295.5 and 20676 mining operations that are not being operated to meet provisions set forth under the Surface Mining and Reclamation Act ((SMARA – specifically California's Public Resources Code, Section 2717(b)) are precluded from selling sand, gravel, aggregates or other mined materials to state or local agencies. Facilities that are operated in compliance with SMARA are included on what is typically referred to as the AB3089 List, for the legislation that established it. The next closest operations to Napa on the AB 3089 List are located in Sonoma and Solano Counties. Therefore, maintaining this operation in compliance with SMARA is beneficial to both the County and local cities by providing and maintaining a local source of aggregate for public projects: also see Section E (Economic Development).

***Conclusion:*** Consistent.

***Water Resources***

- **Goal CON-9:** Control urban and rural storm water runoff and related non-point source pollutants, reducing to acceptable levels pollutant discharges from land-based activities throughout the County.
- **Goal CON-10:** Conserve, enhance and manage water resources on a sustainable basis to attempt to ensure that sufficient amounts of water will be available for the uses allowed by this General Plan, for the natural environment, and for future generations.
- **Goal CON-11:** Prioritize the use of available groundwater for agricultural and rural residential uses rather than for urbanized areas and ensure that land use decisions recognize the long term availability and value of water resources in Napa County.
- **Policy CON-47:** The County shall comply with applicable Water Quality Control/Basin Plans as amended through the Total Maximum Daily Load (TMDL) process to improve water quality. In its efforts to comply, the following may be undertaken:
  - e) Ensuring continued effectiveness of the National Pollution Discharge Elimination System (NPDES) program and storm water pollution prevention.
- **Policy CON-48:** Proposed developments shall implement project-specific sediment and erosion control measures (e.g., erosion control plans and/or stormwater pollution prevention plans) that maintain pre-development sediment erosion conditions or at minimum comply with state water quality pollution control (i.e., Basin Plan) requirements and are protective of the County's sensitive domestic supply watersheds. Technical reports and/or erosion control plans that recommend site-specific erosion control measures shall meet the requirements of the County Code and provide detailed information regarding site specific geologic, soil, and hydrologic conditions and how the proposed measure will function.
- **Policy CON-50:** The County will take appropriate steps to protect surface water quality and quantity, including the following:
  - a) Preserve riparian areas through adequate buffering and pursue retention, maintenance, and enhancement of existing native vegetation along all intermittent and perennial streams through existing stream setbacks in the County's Conservation Regulations
  - c) The County shall require discretionary projects to meet performance standards designed to ensure peak runoff in 2-, 10-, 50-, and 100-year events following development is not greater than predevelopment conditions.
  - e) In conformance with National Pollution Discharge Elimination System (NPDES) requirements, prohibit grading and excavation unless it can be demonstrated that such activities will not result in significant soil erosion, silting of lower slopes or waterways, slide damage, flooding problems, or damage to wildlife and fishery habitats

- **Policy CON-53:** The County shall ensure that the intensity and timing of new development are consistent with the capacity of water supplies and protect groundwater and other water supplies by requiring all applicants for discretionary projects to demonstrate the availability of an adequate water supply prior to approval. Depending on the site location and the specific circumstances, adequate demonstration of availability may include evidence or calculation of groundwater availability via an appropriate hydrogeologic analysis or may be satisfied by compliance with County Code “fair-share” provisions or applicable State law. In some areas, evidence may be provided through coordination with applicable municipalities and public and private water purveyors to verify water supply sufficiency.
- **Policy CON-55:** The County shall consider existing water uses during the review of new water uses associated with discretionary projects, and where hydrogeologic studies have shown that the new water uses will cause significant adverse well interference or substantial reductions in groundwater discharge to surface waters that would alter critical flows to sustain riparian habitat and fisheries or exacerbate conditions of overdraft, the County shall curtail those new or expanded water uses.
- **Policy CON-62:** As stated in Policy AG/LU-74, the County supports the extension of recycled water to the Coombsville area to reduce reliance on groundwater in the MST groundwater basin and exploration of other alternatives. Also, the County shall identify and support ways to utilize recycled water for irrigation and non-potable uses to offset dependency on groundwater and surface waters and ensure adequate wastewater treatment capacity through the following measures:
  - d) Encourage the use of non-potable/recycled water wherever recycled water is available and require the use of recycled water for golf courses where feasible.

**Analysis: Water Quality** - The Project will comply with requirements of the San Francisco Regional Water Quality Control Board (SFRWQCB) through preparation and maintenance of a Stormwater Pollution Prevention Plan (SWPPP) that includes the incorporation of source control, site design, and treatment control Best Management Practices (BMPs) to control on-site erosion and pollutants to protect water quality. The operator/permittee will be required through the SWPPP and County Stormwater Management Ordinance to implement BMPs and best available control stormwater management principles during project operations and subsequent reclamation. The SWPPP will be annually reviewed and updated as necessary to control stormwater runoff and maintain water quality. Furthermore, with project specific standards and incorporation of mitigation, the annually maintained and updated SWPPP for the site will be designed and prepared to demonstrate that project runoff flow characteristics following mining and reclamation activities are not greater than predevelopment conditions.

**Analysis: Water Supply** – Groundwater use and protections measures include a maximum allowable annual groundwater use provision for the project and permit, and provisions to avoid

mining into the groundwater table. These measures are expected to protect groundwater resources and allow for continued groundwater infiltration. Furthermore, these measures in conjunction with the site's and operator/permittee's ability to access recycled water will encourage the operator/permittee to minimize groundwater use while encouraging the use of recycled water. Incorporation of these measures and the Reduced Production Alternative are also anticipated to reduce potential impacts to agricultural water sources located to the south.

**Conclusion:** Consistent.

### ***Climate Protection and Environmental Health***

- **Goal CON-15:** Reduce emissions of local greenhouse gases that contribute to climate change.
- **Goal CON-17:** Reduce air pollution and reduce local contributions to regional air quality problems, achieving and maintaining air quality in Napa County which meets or exceeds state and federal standards.
- **Policy CON-65:** The County shall support efforts to reduce and offset GHG emissions and strive to maintain and enhance the County's current level of carbon sequestration functions through the following measures:
  - b. Preserve and enhance the values of Napa County's plant life as carbon sequestration systems to recycle greenhouse gases.
  - e. Consider GHG emissions in the review of discretionary projects. Consideration may include an inventory of GHG emissions produced by the traffic expected to be generated by the project, any changes in carbon sequestration capacities caused by the project, and anticipated fuel needs generated by building heating, cooling, lighting systems, manufacturing, or commercial activities on the premises. Projects shall consider methods to reduce GHG emissions and incorporate permanent and verifiable emission offsets.
- **Policy CON-66:** The County shall promote the implementation of sustainable practices and green technology in agriculture, commercial, industrial, and residential development through the following actions:
  - a.2) Minimize, reuse, and recycle construction-related waste.
  - a.3) Utilize alternative fuels in construction equipment and require construction equipment to utilize the best available technology to reduce emissions.
- **Policy CON-77:** All new discretionary projects shall be evaluated to determine potential significant project-specific air quality impacts and shall be required to incorporate appropriate design, construction, and operational features to reduce emissions of criteria pollutants regulated by the state and federal governments below the applicable significance standard(s)

or implement alternate and equally effective mitigation strategies consistent with BAAQMD's air quality improvement programs to reduce emissions.

- **Policy CON-80:** The County shall seek to reduce particulate emissions and avoid exceedances of state particulate matter (PM) standards by:
  - e. Requiring implementation of dust control measures during construction and grading activities and enforcing winter grading deadlines.

***Analysis:*** The Project is anticipated to result in Greenhouse Gas (GHG) and other emissions, including particulate matter, which affects air quality through project operations and transport of materials. Through implementation of the Reduced Production and Reduced Footprint (Hybrid) Alternative, mitigation measures, and project specific conditions, operational emissions that contribute to GHG and other emissions, including particulate matter, which are detrimental to air quality and associated health risks would be substantially reduced to less than significant levels. Additionally, measures are included to require mining and processing equipment to utilize the best available technology to reduce GHG and other emissions detrimental to air quality in order to reduce associated health risks.

Mitigation to preserve and replace oak woodlands would assist in preserving and enhancing carbon sequestration systems. Furthermore the project would continue ongoing construction material recycling and reuse, including the increased ability to utilize recycled materials through introduction of the Reclaimed Asphalt Pavement handling equipment to the operations asphalt plant.

***Conclusion:*** Consistent.

## E. Recreation and Open Space

The Recreation and Open Space (ROS) Element describes the **Use of Open Space** as follows: "*The term 'open space' as used in Napa County does not denote a single land use, nor is it a designation for empty, unused, or not-yet-developed places. Rather, open space is best understood as lands that support an array of activities and amenities, both measurable and intangible, which both derive from and directly depend on the lands sustainable natural resources. Other open space benefits include the preservation of natural resources, the managed production of resources including forestlands, rangelands, and agricultural lands, the recharge of groundwater supplies, and protection of the public health and safety. More information on other uses and benefits of open space can be found in other elements of this General Plan as outlined as follows". One of which states that "Large, connected open space areas allows for a range of natural communities that offer habitat necessary to sustain wildlife and plan biodiversity. These open space benefits are addressed primarily in the Conservation Element, which contains policies and actions intended to conserve open space lands that contain important natural resources." (pages ROS-1 through ROS-3).*

While recreation is one of the appropriate and desirable uses of open space, this element also identifies other open space benefits which include: the preservation of natural resources, the managed



production of resources including forestlands, rangelands, and agricultural lands, the recharge of groundwater supplies, and protection of public health and safety. Because this Element primarily focuses on the recreational uses of open space other uses more information and benefits of open space are found in other Elements of this General Plan, as noted above.

- **Goal ROS-1:** To ensure an extensive landscape of open spaces in which recreation, the protection of natural, cultural, and archaeological resources, agricultural production, and private property are mutually supportive and complementary.
- **Goal ROS-2:** To create and maintain a high-quality system of parks, trails, and recreational, interpretive, and environmental education facilities.

**Analysis:** The modified project would maintain existing Skyline Wilderness Park (SWP) trails and allow for continued use. Implementation of the Reduced Production and Reduced Footprint (Hybrid) Alternative would also maintain existing park trails for continued public use as well as further protect cultural resources. Furthermore, this alternative would increase buffers/exclusion areas adjacent to SWP and associated trails to further reduce potential effects of mining adjacent to the park. While the extent of Goals and Policies in the ROS Element are specific to designated parks and parklands the Goals identified above are also construed to (or interpreted to) include potential effects of surrounding uses on the County's parks. In particular how those uses may affect the ability of the County to maintain high-quality park and trail systems.

**Conclusion:** Mostly consistent - As indicated the project with implementation of the Reduced Production and Reduced Footprint (Hybrid) Alternative would maintain existing SWP trails and provide for increased buffer from the park as well as maintain additional cultural resources; however given the proximity of mining to SWP the quality of the park and trails could be negatively affected. Because the quality of a park or trails is somewhat subjective and the Hybrid Alternative would maintain trails and provide for greater buffers staff has determined that the project would be mostly consistent with these ROS goals.

#### **F. Economic Development:**

- **GoalE-2:** Develop and promote a diversity of business opportunities which do not conflict with agriculture.

**Analysis:** The project and associated surface mining permit would maintain and promote a diversity of business and provide for a local long term local source of aggregate. This source will continue to support local and regional private and public development, including a local source to maintain existing infrastructure, in particular roadways of the County and its incorporated cities.

Furthermore, pursuant to Public Contract Code Sections 10295.5 and 20676 mining operations that are not being operated to meet provisions set forth under the Surface Mining and Reclamation Act ((SMARA – specifically California's Public Resources Code, Section 2717(b)) are precluded from selling sand, gravel, aggregates or other mined materials to state or local agencies. Facilities that

are operated in compliance with SMARA are included on what is typically referred to as the AB3089 List, for the legislation that established it. The next closest operations to Napa on the AB 3089 List are located in Sonoma and Solano Counties. Therefore, maintaining this operation in compliance with SMARA promotes business diversity that is beneficial to both the County and surrounding cities by providing and maintaining a local source of aggregate for public projects.

**Conclusion:** Consistent.

#### **G. The Safety Element:**

- **Policy SAF-8:** Consistent with County ordinances, require a geotechnical study for new projects and modifications of existing projects or structures located in or near known geologic hazard areas, and restrict new development atop or astride identified active seismic faults in order to prevent catastrophic damage caused by movement along the fault. Geologic studies shall identify site design (such as setbacks from active faults and avoidance of on-site soil-geologic conditions that could become unstable or fail during a seismic event) and structural measures to prevent injury, death and catastrophic damage to structures and infrastructure improvements (such as pipelines, roadways and water surface impoundments not subject to regulation by the Division of Safety of Dams of the California Department of Water Resources) from seismic events or failure from other natural circumstances.
- **Policy SAF-30:** Potential hazards resulting from the release of liquids (wine, water, petroleum products, etc.) from the possible rupture or collapse of aboveground tanks should be considered as part of the review and permitting of these projects.

**Analysis:** A Geotechnical study has been prepared for the project and associated environmental review. The Syar Napa Quarry maintains a Hazardous Materials Business Plan as part of current operations to address potential hazards occurring at the site. The project's EIR reviewed potential damage to infrastructure as a result of blasting and found that surrounding infrastructure is not expected to experience damage due to blasting. Additionally, specific mitigation and conditions of approval have been incorporated to further reduce potential geologic and stability impacts associated with mining, and protect the public and environment from potential hazardous materials utilized and transported to and from the site as part of mining operations.

**Conclusion:** Consistent.

#### **H. Measure P (Formally Measure J)**

For the reasons detailed above the proposed project would be consistent with the properties General Plan Land Use and Zoning Designations, and therefore a general plan land use and/or a zoning designation change is not necessary to accommodate the Project. As such, the provisions of Measure P are not triggered and do not apply.

## I. Mineral Resource Designations

All parcels within the holding except for 046-390-002 (the Pasini Parcel) and 046-370-022 (a 5-acre parcel at the entrance of the quarry) have been designated in the Napa General Plan as a Mineral Resource (MR) area. This is the only area in the County that has a MR designation. The County MR Designation generally follows the 1987 State Mineral Resource Designation which is described in greater detail below.

In 1987 the Syar Napa Quarry was designated by the state as a Mineral Resource Zone (Sector H, MRZ-2), which identified the quarry site as a known mineral resource of regional and economic significance. As indicated this MRZ-2 zone was generally consistent with the County MR Designation. In November of 2013 the State Mining and Geology Board accepted the *Update of Mineral Land Classification: Aggregated Materials in the north San Francisco Bay Production-Consumption Region, Sonoma, Napa, Marin, and Southwestern Solano Counties, California: Special Report 205*, prepared by California Geological Survey (California Geological Survey, 2013). This report classified an additional 513-acres of land located immediately east of the quarry (Sector MM) as MRZ-2 for construction aggregates. This expanded zone generally extends from the north and south ends of the quarry to Marie Creek, covering portions of Skyline Wilderness Park, the entirety of the Pasini Parcel, and a small portion of the Suscol Mountain Vineyard property. Mineral Resource Sectors identified by the State Geologist are those portions of land that have been classified as an MRZ-2 and that have current land uses deemed compatible with mining based on criteria provided by the State Mining and Geology Board, which include: non-urbanized or very low-density residential developments; land without high-cost improvements; and land used for agriculture, grazing, or open space.

Pursuant to Public Resources Code Section 2762(d) any areas classified by the State Geologist as having important minerals to be protected, whether or not it has been formally identified the Lead Agency's general plan as a mineral resource zone, requires the Lead Agency, prior to permitting a use that could threaten the potential to extract minerals in that area, to prepare a statement specifying its reasons for permitting the proposed use.

With regard to the County MR Zone designation, as provided for in Conservation Goal CON-7 and Policy CON-37 the County recognizes that the extraction of minerals is important to the continued economic well-being of the County and that surface mining takes place in diverse areas where environmental and social conditions are significantly different, which is why these provisions stress the identification and conservation of significant mineral resources to ensure long-term production and supply. Specifically Policy CON-37(b) specifies that known mineral resources, based on State of California mapping, be identified on the General Plan Land Use Map, and Policy CON-37(c) encourages the application of zoning for mineral resources areas and appropriate surrounding areas to allow for resource management and future resource availability.

In short the Local and State MR Designation do not require or otherwise obligate the County to approve mineral extraction uses in these areas, but it does obligate the County to consider the

underlying mineral resource when considering uses that could inhibit its future extraction. Furthermore, for the reasons detailed in the General Plan and Zoning discussion above, an area does not need to be designated as a mineral resource area, either by the State or the County, for mining operations to be conducted.

Because the project is not proposing a use that would threaten the potential to extract mineral resources (such as residential, commercial, or industrial) either within the County's identified MR Zone or the newly identified State Mineral Resource Zone, the proposed project is consistent with these designations.

*Special Report 146, Part III, Mineral Land Classification: Aggregate Materials in the San Francisco - Monterey Bay Area Bay* (California Department of Conservation Division of Mines and Geology, 1987) included a 50-year forecast of aggregate needs, which estimated that the per capita aggregate demand/consumption would be approximately 8.8 tons annually for the region. In a 2013 update to Special Report 146 (*Special Report 205, Update of Mineral Land Classification: Aggregate Materials in the North San Francisco Bay Production-Consumption Region, Sonoma, Napa, Marin, and Southwestern Solano Counties, California*, California Geological Survey, 2013) increased this anticipated annual demand to 8.9 tons per capita.

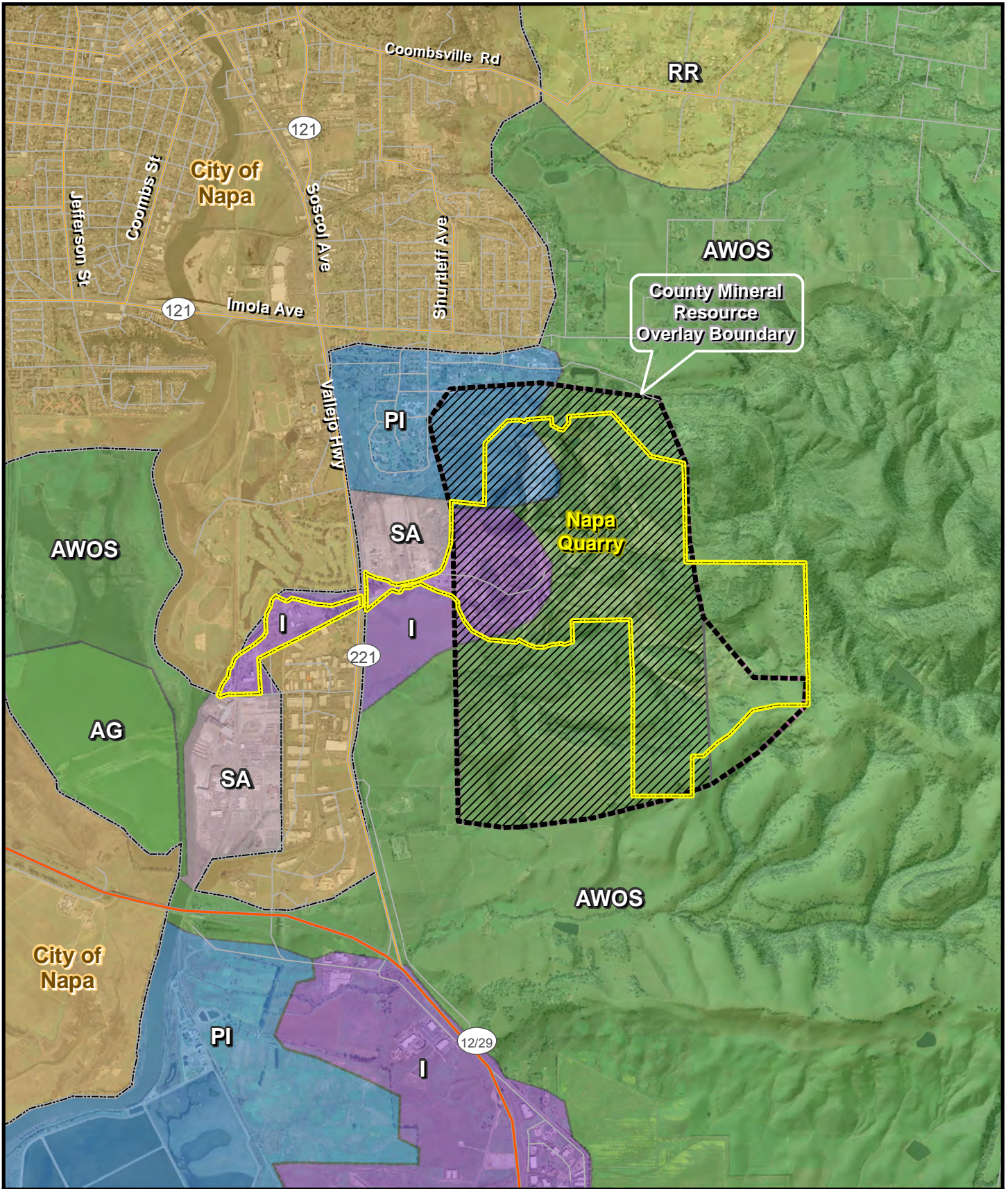
#### **IV. ZONING CONSISTENCY**

There are two zoning districts that cover the Napa Quarry, Industrial (I) which predominately occurs in the western end of the holding (APNs 046-370-022 and -025) that contains the facility's office, processing, and manufacturing functions (i.e. the Quarry Office and Materials Testing Lab, Maintenance and Service Buildings, and Scale House including truck wheel wash, the Blue Rock Plant, Sand Plant and the Asphalt Plant), the remainder of the holding is Agricultural Watershed (AW). The proposed expansion areas would occur exclusively on AW designated parcels. The intent of the Industrial designation is to provide an environment exclusively for and conducive to the development and protection of a variety of industrial uses such as administrative facilities, research institutions, and specialized manufacturing organizations (Napa County Code Section 18.36.010.). The intent of the Agricultural Watershed designation is to provide in those areas of the county where the predominant use is agriculturally oriented, where watershed areas, reservoirs and floodplain tributaries are located, where development would adversely impact on all such uses (Napa County Code Section 18.20.010.).

The most southern parcel in the Syar holding (APN 045-360-005) is also covered by an Airport Compatibility (AC) Combining District. Zone E of the Napa County Airport Land Use Compatibility Plan only extends far enough to cover the very southwestern corner of this parcel where no mining activities are proposed. Zone E has a limited risk of accident potential and allows for any permitted use: examples of uses not normally acceptable in this zone include schools, libraries, hospitals, shopping malls or those uses where large assemblages of people may occur or that are hazardous to

flight, such as landfills. Therefore, the project does not need a consistency determination from the Airport Land Use Commission.

Pursuant to Napa County Code (NCC) Section 18.120.010(B)(3) (Exceptions to use limitations) the commercial excavation or extraction of natural materials may be permitted in any zoning district upon the granting of a use permit. Pursuant to NCC Chapter 16.12 (Surface Mining and Reclamation) and more specifically Section 16.12.040, mining may occur in any zoning district provided a Surface Mining Permit (SMP) is obtained to do so. Furthermore NCC Section 18.108.050(P) (Conservation Regulations - Exemptions) exempts earthmoving activities associated with mining and mining-related activities conducted pursuant to and in compliance with and approved surface mining and reclamation permit pursuant to Chapter 16.12. Therefore, surface mining operations including the proposed expansion of mining and reclamation activities of the Syar Quarry, can occur within the zoning districts that currently cover the holding. See also Attachment F (of the August 12 Commission meeting report) which contains the draft findings in support of grant of an SMP.



Cartography: GLD

Project Site	State Designated Sector H Mineral Resource Zone - MRZ-2 (a)
<b>Land Use</b>	Industrial - I
County Mineral Resource Overlay	Public-Institution - PI
Agricultural Resources - AG	Rural Residential - RR
Agriculture, Watershed and Open Space - AWOS	Study Area -SA
Cities	Urban Residential - UR

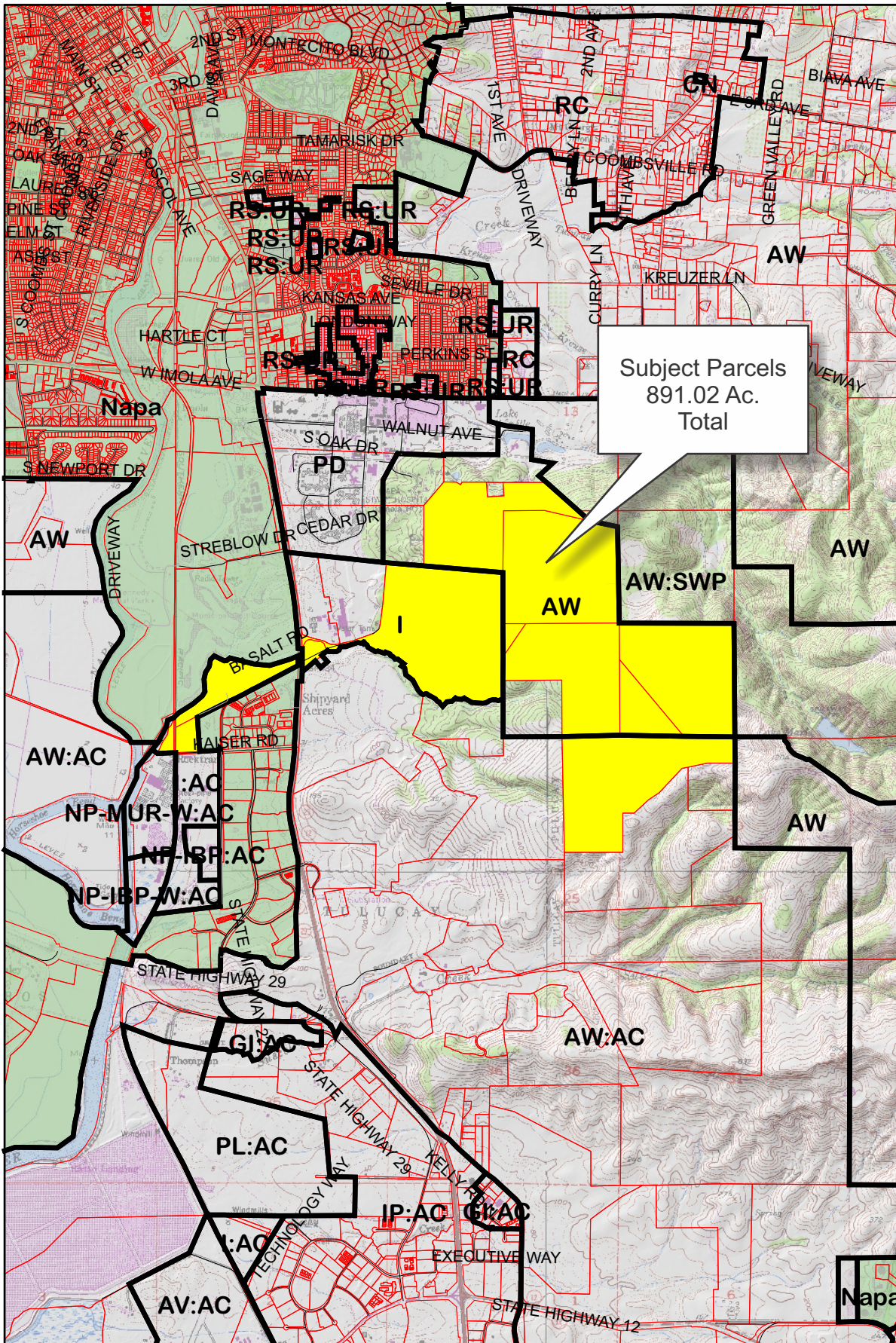
0 1,500 3,000 ft  
 1 inch = 3,000 feet printed at 8.5x11

Sources: 2007 Napa County Orthophoto 1 meter resolution; Napa Co. GIS - Land Use; ESRI - streets

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**Figure 4.9-1**  
**Land Use and Mineral Resource Overlay Map**  
 Draft EIR  
 Syar Napa Quarry Expansion

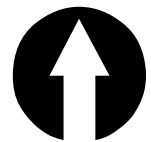
# SYAR NAPA QUARRY EXPANSION



Subject Parcels  
891.02 Ac.  
Total

## Parcel List

- 045-360-005
- 046-370-001
- 046-370-002
- 046-370-003
- 046-370-012
- 046-370-013
- 046-370-015
- 046-370-022
- 046-370-025
- 046-390-002
- 046-390-003
- 046-450-071



## Legend

- Zoning
- Subject Parcels
- Parcels

