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Agenda Date: 2/18/2015
Agenda Placement: 9A
Continued From: January 7, 2015

Napa County Planning Commission Board Agenda Letter

TO: Napa County Planning Commission
FROM: Charlene Gallina for David Morrison - Director
Planning, Building and Environmental Services
REPORT BY: DONALD BARRELLA, PLANNER III - 707-299-1338
SUBJECT: Syar Napa Quarry EIR Public Hearing

RECOMMENDATION

SYAR NAPA QUARRY EXPANSION PROJECT - SURFACE MINING PERMIT (P08-00337-SMP)

California Environmental Quality Act (CEQA) Status: Consideration and possible motion of intent to adopt a resolution certifying the Final Environmental Impact Report (EIR) that has been prepared for the proposed project (State Clearinghouse #2009062054). Prior to consideration of the associated Surface Mining Permit, the Planning Commission is required to review and consider the Final EIR and to certify that the final EIR has been prepared in compliance with the California Environmental Quality Act (CEQA), the State CEQA Guidelines, Local Procedures for implementing CEQA, and that the Final EIR reflects the County's independent judgment and analysis. The project site is not on any of the list of hazardous waste sites enumerated under Government Code Section 65962.5.

Request: Approval of a request for 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 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) add Reclaimed Asphalt Pavement (RAP) handling equipment to the existing asphalt batch plant; and e) relocate and improve portions of Skyline Trail that are located on the quarry property back onto Skyline Wilderness Park lands.

This SMP is intended to replace UP-128182, UP-27374, and County Agreement 2225, and bring existing and expanded mining and reclamation areas and associated aggregate processing, production and sales under one permit.

The project site is located on the east side of State Highway 221 (Napa-Vallejo Highway) at its intersection with Basalt Road east of 2301 Napa-Vallejo Highway, within the unincorporated portion of Napa County (AW - Agricultural Watershed and I - Industrial Zoning Districts). Assessor's Parcel Numbers (APNs) 045-360-005,046-

370-012, -013, -015, -022, -025, 046-390-002, -003, and 046-450-071.

Staff Recommendation: Continue the item to the April 1, 2015 Planning Commission Meeting.

Staff Contact: Donald Barrella, 707-299-1338 or donald.barrella@countyofnapa.org

Applicant Contact: Jennifer Gomez, 707-259-5728 or jgomez@syr.com

CONTINUED FROM THE JANUARY 7, 2015 COMMISSION MEETING

TO BE CONTINUED TO THE APRIL 1, 2015 COMMISSION MEETING

EXECUTIVE SUMMARY

Proposed Action:

That the Planning Commission:

1. Continue the item to the Planning Commission meeting on April 1, 2015.

Discussion:

On January 7, 2015, the Planning Commission opened the public hearing and considered the adequacy of the proposed project's EIR, and the merits of the proposed quarry expansion and associated Surface Mining Permit. Prior to the hearing, comments were received on the project as well as the adequacy of the proposed Final EIR. During the hearing there were several hours of testimony presented by staff, the applicant's representative, and interested parties.

At the conclusion of the day's proceedings the Planning Commission voted to continue the item to February 18, 2015, and directed staff to: evaluate and respond to comments received to date (including comments received after the hearing); clarify potential impacts and how they were assessed; describe in more detail the pros and cons of the project alternatives identified in the EIR; provide a hybrid project alternative for consideration; and clarify and refine proposed mitigation measures and conditions to ensure impact areas are adequately addressed and the permit contains robust regulatory requirements and oversight. In order to accomplish these tasks, staff requests a continuance to April 1st.

FISCAL IMPACT

Is there a Fiscal Impact? No

ENVIRONMENTAL IMPACT

Consideration and possible adoption of a Final Environmental Impact Report (Final EIR) that has been prepared for the Syar Napa Quarry proposed project (State Clearinghouse #2009062054). Written responses to comments received during the public review and comment period have been incorporated into the Final EIR which consists of the Draft EIR, public and agency comments, responses to comments, and required clarifications and changes to

the text of the Draft EIR. The Final EIR will also include clarifications to responses to comments, clarified mitigation measures, and responses to comments received prior to, during, and after the January 7, 2015 Planning Commission hearing on this application.

The Draft EIR circulated for public review and comment on September 6, 2013. The statutory 45 day review and comment period pursuant to CEQA was extended an additional 45 days by the County at the request of the public, resulting in a 90 day review and comment period. Public hearings on the Draft EIR took place on October 2, 2013 in front of the Planning Commission (a.m.) and the Napa County Main Library (p.m.).

Prior to taking an action on the proposed Surface Mining Permit (SMP) for the Syar Napa Quarry Expansion Project, the Planning Commission is required to review and consider the Final EIR and to certify that the Final EIR has been prepared in compliance with CEQA, the State CEQA Guidelines, and the County's Local Procedures for Implementing CEQA.

BACKGROUND AND DISCUSSION

The applicant is requesting approval of a request for 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 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) add Reclaimed Asphalt Pavement (RAP) handling equipment to the existing asphalt batch plant; and e) relocate and improve portions of Skyline Trail that are located on the quarry property back onto Skyline Wilderness Park lands.

Staff is requesting that the item be continued to the April 1, 2015 Planning Commission meeting to allow staff and the consultant additional time to adequately evaluate and respond to the numerous comments received on the adequacy of the proposed Final EIR, provide clarification of the benefits and detriments of the project alternatives identified in the Draft EIR, and clarify proposed mitigation measures and conditions. Staff and the consultant are working diligently to address the comments and concerns that have been raised by the Commission and the public. The public hearing remains open however staff would encourage commenters to wait until after reviewing the additional analysis (which will be provided in advance of the April 1st meeting) before providing further feedback unless a commenter has new information or concerns that have not been previously raised.

Comments Received

Attached to this report are comments received from January 5, 2015 through February 9, 2015, on the project.

Additionally the staff planner has also received voicemail messages for the following people expressing their opposition to the project:

Ms. Hene Ventura, Napa Resident
Mr. Austin Robertson, Napa Resident
Ms. Maurine Fitzgibbon, 213 Lakeview Drive, Napa
Ms. Sophie Mendez, 213 Lakeview Drive, Napa
Ms. Patricia Wood/Castro, 118 DeWitt Avenue, Napa
Mr. Chris Gillespie, 1504 King Avenue, Napa
Mr. Timothy Perry, 1978 Trower Avenue, Napa
Mr. Jason Hagan, Cuttings Wharf, Napa

SUPPORTING DOCUMENTS

A . Public Correspondence and Comments 1-5-15 to 2-9-15

Napa County Planning Commission: Approve

Reviewed By: Charlene Gallina