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Agenda Date: 4/1/2015  
Agenda Placement: 8A  
Continued From: 1/7/15 & 2/18/15

## Napa County Planning Commission Board Agenda Letter

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**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

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### **RECOMMENDATION**

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

**California Environmental Quality Act (CEQA) Status:** Consideration of 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:** Drop item from the agenda and renote for a future hearing date.

**Staff Contact:** Donald Barrella, 707-299-1338 or [donald.barrella@countyofnapa.org](mailto:donald.barrella@countyofnapa.org)

**Applicant Contact:** Jennifer Gomez, 707-259-5728 or [jgomez@syar.com](mailto:jgomez@syar.com)

**CONTINUED FROM THE JANUARY 7 AND FEBRUARY 18, 2015 COMMISSION MEETINGS.**

**TO BE DROPPED FROM THE AGENDA AND RENOTICED FOR A FUTURE SPECIAL MEETING**

### **EXECUTIVE SUMMARY**

#### **Proposed Action:**

That the Planning Commission:

1. Drop the item from the agenda for renoting to a future special meeting.

#### **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, At the conclusion of the day's proceedings the Planning Commission continued the item to the February 18, 2015 Commission hearing and directed staff to: evaluate and respond to comments received (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.

The Planning Commission resumed the public hearing on February 18, 2015, and received additional testimony and comments from interested parties. At the request of staff, the Commission voted to continue the item to the April 1, 2015 Commission hearing, to allow staff and the consultant additional time to adequately evaluate and respond to the comments received. At this hearing the Commission also directed staff to explore the possibility of conducting a special night hearing on this project. It is requested that the item be dropped from the agenda so that it can be renoted to a future special meeting date. The applicant supports this recommendation.

### **FISCAL IMPACT**

Is there a Fiscal Impact?                      No

### **ENVIRONMENTAL IMPACT**

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 pending 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.

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**

Staff is requesting that the item be dropped from the agenda so that it can be re-noticed to a future Special Planning Commission Hearing to be held in the evening, and that recent project modifications proposed by Syar, can be adequately incorporated into the noticing and evaluation of the project to be heard at the future meeting.

On February 13, 2015 Syar proposed modifications to the project in an effort to address some of the concerns raised by the Commission and members of public. At the conclusion of the February 18, 2015, Planning Commission hearing on this item, the Commission requested staff explore the ability to conduct a meeting starting at a later time to provide a more convenient opportunity for interested parties to attend and participate in the hearing process. To that end, staff has consulted with the Planning Commission and will be conducting a special meeting for this item. Currently, staff is coordinating with the Planning Commission on availability, as well as, availability of local venues with the capacity to hold said hearing.

Dropping the item from the agenda will provide the County with the opportunity to schedule and re-notice the item to a special meeting date and time to accommodate the Commission and public. This action will also allow staff to take into account the recent modifications to the project proposed by the owner/applicant.

Staff is encouraging commenters that want to address the Commission wait until the future special hearing that is being specifically arranged for this project to do so, unless a commenter has new information or concerns that have not been previously raised. This will also allow interested parties the ability to review the staff report and associated documents for the future meeting before providing further feedback.

## **Comments Received**

For comments received from December 16, 2014 through March 23, 2015, including comments and petitions submitted during the February 18, 2015 Commission hearing, please go to the County Planning, Building and Environmental Services Department Current Projects Webpage for this project - <http://www.countyofnapa.org/Syar/>

For copies of the January 7, 2015 and February 18, 2015 staff reports on this project, please go to the Napa County Planning Commission Agenda and Minutes Webpage - [http://napa.granicus.com/ViewPublisher.php?view\\_id=21](http://napa.granicus.com/ViewPublisher.php?view_id=21)

## **SUPPORTING DOCUMENTS**

None

Napa County Planning Commission: Approve

Reviewed By: Charlene Gallina