



A Tradition of Stewardship
A Commitment to Service

Agenda Date: 9/2/2015

Agenda Placement: 12A

Continued From: 8-12-2015 Special Meeting

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 certification of the Final Environmental Impact Report (EIR) prepared for the proposed project. A Final Environmental Report (EIR) has been prepared and circulated. 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, and 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 lists of hazardous waste sites enumerated under Government Code Section 65962.5.

Request: Approval of request for a Surface Mining Permit (SMP) P08-00337-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 110-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 1.3 million tons per year; and d) add Reclaimed Asphalt Pavement (RAP) handling equipment to the existing asphalt batch plant and an increase in asphalt production up to 300,000 tons per year (inclusive of total annual production). This SMP would replace UP-128182, UP-27374, and County Agreement No. 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 and 2301 Napa-Vallejo Highway, within the unincorporated portion of Napa County within both the Industrial and Agricultural Watershed 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: Open public hearing, take testimony, provide direction to Staff, and continue item to a date certain. As of the date this agenda report was printed, Staff and the consultant were still determining the next meeting date. Staff will have a recommended date for the Commission to consider at the hearing.

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

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

CONTINUED FROM THE AUGUST 12, 2015 SPECIAL PLANNING COMMISSION MEETING

(THIS ITEM IS SET TO BE DISCUSSED AT 1:30 P.M.)

EXECUTIVE SUMMARY

Proposed Action:

That the Planning Commission take additional testimony and then continue the public hearing item to a date certain that will be announced by Staff at the meeting.

Discussion:

On August 12, 2015, the Planning Commission opened the public hearing to consider 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, significant additional comments and technical reports were received on project. 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 September 2, 2015, so that Staff and the County's Consultants could evaluate and respond to recently received comments (from June 1, 2015 through August 13, 2015). Due to the extensive nature of the comments, staff requests a continuance to a date certain to allow sufficient time to thoroughly review all additional information. Staff will have a recommended date for the Commission's consideration at this hearing.

FISCAL IMPACT

Is there a Fiscal Impact? No

ENVIRONMENTAL IMPACT

A Final Environmental Impact (Final EIR) has been prepared and circulated. 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. As a result of additional comments received before, during and after the January 7th

hearing on the adequacy of the EIR, Staff presented expanded and clarified responses to these comments at the August 12th hearing within *Appendix B to the Final EIR: Master Responses to comments received after Publication of the November 2014 Final EIR* in the following impact areas: Aesthetics, Air Quality, Hydrology, and Noise and Vibration.

The Draft EIR was 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 at the request of the public, resulting in a 90 day review and comment period. The formal comment period closed on December 5, 2013. 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. The Planning Commission will consider approval or denial of the project following certification of the Final EIR.

BACKGROUND AND DISCUSSION

Summary of Commission Hearings:

On January 7, 2015, the Planning Commission conducted a public hearing to consider certification of the EIR and the merits of the proposed quarry expansion and associated SMP. 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 primarily by interested parties. At the conclusion of the proceedings, the Commission continued the hearing to February 18, 2015 and directed staff to: evaluate and respond to public comments; clarify potential impacts and how they were assessed; clarify the benefits and disadvantages of the project alternatives identified in the EIR; provide a hybrid project alternative for consideration; and clarify and refine proposed mitigation measures and conditions of approval.

On February 18, 2015, the Commission received additional testimony and comments from interested parties on the EIR and project. At staff's request, the Commission continued the item to the April 1, 2015 to allow staff and the consultant additional time to evaluate and respond to comments. The Commission also directed staff, at the request of interested parties, to explore the option of conducting a special meeting on the proposed project to allow a more convenient opportunity for the public to attend and participate in the hearing process.

On April 1, 2015, the Commission dropped the item from its agenda so that it could be re-noticed for a special meeting to allow staff adequate time to evaluate the applicant's project modifications and to develop a hybrid alternative.

On August 12, 2015, at 4:00 PM the Planning Commission conducted a special public hearing to consider certification of the EIR and the merits of the proposed quarry expansion and associated SMP. Public notice of this meeting was mailed, posted and published on July 11, 2015. Immediately prior to the hearing, extensive comments and technical reports were received on the project. During the hearing, there were several hours of testimony presented primarily by interested parties. At the conclusion of the proceedings, the Commission continued the hearing to September 2, 2015, to allow time for Staff and County consultants to review and evaluate the comments.

Request:

Staff is requesting that the item be continued to a date certain 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,

as well as, further clarify proposed mitigation measures and conditions. Staff and the consultant are working diligently to access and address the comments and concerns that have been raised. The public hearing remains open and Staff is encouraging those that did not have the opportunity to speak at the August 12th hearing to provide comment at this hearing. Staff is also encouraging commenters to wait until after reviewing forthcoming additional analysis before providing further feedback unless a commenter has new information or concerns that have not been previously raised.

Comments Received and Project Documents:

For comments received from June 1, 2015 through August 13, 2015, including comments and petitions submitted during the August 12, 2015 Commission hearing, as well as, other pertinent documents associated with this matter, 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 August 12, 2015 Staff Report (including other previous Commission Staff Reports associated with this item - January 7, February 18 and April 1, 2015), please go the Napa County Planning Commission Agenda and Minutes Webpage - http://napa.granicus.com/ViewPublisher.php?view_id=21

SUPPORTING DOCUMENTS

A . Previous Staff Reports

Napa County Planning Commission: Approve

Reviewed By: Charlene Gallina