

NAPA COUNTY PLANNING COMMISSION HEARING

PROCEEDINGS REPORTED FROM THE VIDEOTAPED RECORDING
SPECIAL HEARING

SYAR NAPA QUARRY EXPANSION PROJECT - SURFACE MINING
PERMIT (P08-0337-SMP)

November 18, 2015

REPORTED BY:

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11/18/15 Syar Expansion Project

1 NOVEMBER 18, 2015

2 P R O C E E D I N G S

3 MS. ANDERSON: On the Syar item, the public
4 hearing is closed, but the public will have the
5 opportunity as well as the Commission to make comments
6 on the resolution that's in front of you and whether or
7 not it accurately reflects the intended action that you
8 took on the 21st.

9 So that will be the scope of the public
10 comment.

11 CHAIRWOMAN PHILLIPS: So the scope is limited
12 to the language of the resolution.

13 MS. ANDERSON: Right, and whether or not the
14 Commission should act in accordance with its intent.

15 CHAIRWOMAN PHILLIPS: I will, since I failed to
16 do that before in our last item, public comment, if
17 there is any, would be limited to three minutes.

18 With regard to, it's 12:42 and out of respect
19 for the staff and the Commission, would you like to
20 take -- our two options are to take a five-minute break
21 and come back an try to address that or to take a longer
22 break and return.

23 COMMISSIONER BASAYNE: Lunch.

24 CHAIRWOMAN PHILLIPS: You are saying lunch.

25 COMMISSIONER POPE: I would rather keep going.

1 CHAIRWOMAN PHILLIPS: Keep going? We are going
2 to take a 10-minute break and return for the Syar.

3 (Recess taken.)

4 CHAIRWOMAN PHILLIPS: Welcome back to the
5 Planning Commission meeting. It brings us to
6 Administrative Item 10-A, Syar Napa Quarry CEQA findings
7 and project approval.

8 MR. BARRELLA: Good afternoon, Chair Phillips
9 and members of the Commission. Don Barrella with the
10 Planning Department. Today we are here for the final
11 action on the Syar surface mining permit.

12 The project before the Commission at this point
13 is considered the Syar modified project plus Area C, and
14 that was based on the direction from the October 21st
15 hearing.

16 The project includes 108 -- 106 acres of
17 expansion, an annual production limit of 1.3 million
18 tons a year, preservation of existing Skyline Wilderness
19 Park trails that are on Syar properties, additional tree
20 plantings around the Pasini Knoll area; and with respect
21 to the direction provided from the last hearing, there
22 is -- that was a slide I just went over, kind of the big
23 points of the permit.

24 Based on the Commission's direction, we have
25 provided or had Syar develop a site plan footprint map

1 showing areas that were to be removed based on your
2 direction, and this area down here was the area
3 identified as Area C, which has been removed from that
4 footprint, and these areas, these are the additional
5 tree planting shown in Pasini Knoll.

6 Also in association with that we looked at
7 areas that could be reclaimed in the near-term, midterm,
8 and long-term as part of this.

9 You'll see on this plan that the area around
10 the State Blue Pit, as directed by the Commission, is
11 going to be reclaimed in the near term. There is also
12 another area here and here that will be reclaimed as
13 part of the plan and the permit.

14 We added into the definition for reclamation,
15 these things, and definitions when mining is considered
16 complete, such as when they reach the limits of the
17 bounds shown on the mining and reclamation plan or
18 getting within 10 feet of the groundwater elevation
19 quarry areas that have not been mined for more than
20 three years.

21 With respect to completion of mining, we did
22 add in a definition detailing when that is. That is in
23 condition number 11. We added that definition saying
24 when mining is complete, and essentially follows what I
25 just described, when they hit their bounds or it hasn't

1 been mined in a certain amount of time.

2 With respect to the Planning Commission
3 compliance review, we've added language to that
4 condition, which is number 1F, to ensure that any
5 compliance issues that we find through our inspection we
6 would follow our enforcement procedures. So if they're
7 not corrected we can get them back in front of the
8 Commission at the soon as possible time.

9 With the annual compliance and assurance update
10 report that we'll have yearly, the Commission wanted to
11 ensure that a third party can review and/or prepare that
12 compliance report. We added language into that
13 condition, which is number 2L. So that is clear and can
14 happen.

15 With respect to upgrading the quarry equipment
16 fleet, we also added a condition to the air -- a
17 provision to the air quality condition, which is 2M,
18 requiring that at least three pieces of equipment will
19 be retired; tier 0 equipment retired and replaced with
20 higher tier equipment over a five-year period. After
21 that, equipment updates and fleet updates will follow to
22 comply with any of the mitigation measures we have as
23 well as any state requirements in fleet update.

24 There was a question on fencing, and that the
25 fencing provided does not impose impediments to

1 wildlife. We modified the condition of approval to
2 exclude barbed wire fencing in any new fencing that goes
3 on as well as adding the final design and location of
4 fencing subject to Planning Department review.

5 Lastly on that there was a question about the
6 timing of blasting and when that would occur; and
7 blasting in the morning may be even more disruptive to
8 Skyline Wilderness Park.

9 When we looked at the condition as proposed,
10 previously proposed, it limited blasting from 10:00 in
11 the morning to 3:00 in the afternoon regardless of the
12 location on the property, and we felt that was
13 sufficient enough.

14 On that condition, you'll see on Attachment B,
15 Condition 1F, there is some language that was added in
16 parenthesis that would limit blasting within 400 feet of
17 Skyline Park to noon to 3:00. That was inadvertently
18 inserted in that condition. So the condition will read
19 as previously proposed, which would be blasting limited
20 from 10:00 to 3:00, Monday through Fridays, no holidays
21 or weekends.

22 With that, I will turn it over to Laura to
23 provide some details on the resolution, and then we can
24 answer any questions.

25 MS. ANDERSON: So what you have in front of you

1 is proposed CEQA findings. It's also the final
2 documents approving the surface mining permit, making
3 the general plan consistency findings, and also the
4 conditions of approval.

5 Pursuant to CEQA, this is the final stage in
6 terms of completing the CEQA process. The resolution
7 identifies all of the environmental impacts, you'll see
8 the mitigation measures, rejects the alternatives, and
9 as I mentioned before, includes the findings required
10 for the surface mining permit.

11 So we would recommend that if the Commission
12 has any comments or questions on the resolution, let us
13 know.

14 As we said before, the scope of the public
15 comment is limited to whether or not the resolution
16 accurately reflects the intent of the Commission
17 expressed at your last meeting on the 21st; and assuming
18 that it accurately reflects it, we would request
19 adoption.

20 CHAIRWOMAN PHILLIPS: Is there anyone here that
21 is here to speak on the resolution? I'll open the
22 public hearing.

23 MS. ANDERSON: It's not a public.

24 CHAIRWOMAN PHILLIPS: Oh, right, right.

25 MR. ADAMS: Good afternoon Madam Chair and all

1 the Commissioners. I just wanted to thank you all for
2 all the hard work that you've put into this process. I
3 know it's been a long road. We're a little over
4 seven-and-a-half years into it as of now; and as a
5 result of that process, as you can see in the resolution
6 and the conditions of approval and findings, et cetera,
7 I think you've shaped the project into something that I
8 think we can all be proud of.

9 It provides the aggregate we need as a
10 community while at the same time imposing kind of an
11 unprecedented set of overview and review by the county
12 moving forward.

13 So we're in agreement with staff
14 recommendations. We've reviewed the conditions of
15 approval and findings of the resolution; and we think it
16 is consistent with what the direction you gave to staff
17 was on October 21st, and we would ask that you would go
18 ahead and follow staff's recommendations and approve the
19 project.

20 If you have any questions as it relates to any
21 items you asked staff to address in the October 21st
22 meeting, we'd be happy to answer any questions either
23 now or at any time during the meeting.

24 CHAIRWOMAN PHILLIPS: Thank you.

25 MR. ADAMS: Okay, thanks.

1 CHAIRWOMAN PHILLIPS. Thank you. Okay. I'm
2 going to bring it back to the Commission for either a
3 comment or for a motion. Commissioner Cottrell.

4 COMMISSIONER COTTRELL: Commissioner Cottrell.
5 Thank you, Chair Phillips. Thank you, Mr. Adams and
6 members of the public, and Syar for again this long
7 process and the patience of everyone going through it.

8 I, as I said in the last meeting, am supportive
9 of Syar's expansion of its mining operations on the
10 property. I continue to have concerns about the right
11 amount of buffer to prevent the impacts of the mining
12 from affecting the surrounding areas, specifically
13 Skyline Park.

14 So at this point, I would make a motion that --
15 in support of staff's recommendation of the hybrid
16 alternative as opposed to the one set out in the
17 findings today.

18 CHAIRWOMAN PHILLIPS: Do I hear a second?

19 Am I able -- I can second the motion? So I
20 would second that motion.

21 We'll take a roll call vote. Commissioner
22 Basayne.

23 COMMISSIONER BASAYNE: No.

24 CHAIRWOMAN PHILLIPS: Commissioner Scott.

25 COMMISSIONER SCOTT: No.

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1 COMMISSIONER PHILLIPS: Commissioner Phillips.
2 Yes.

3 Commissioner Gil.

4 COMMISSIONER GIL: No.

5 CHAIRWOMAN PHILLIPS: Commissioner Cottrell.

6 COMMISSIONER COTTRELL: Yes.

7 CHAIRWOMAN PHILLIPS: Okay. That motion falls.

8 COMMISSIONER SCOTT: Therefore, I would move
9 that the Planning Commission adopt the proposed rec --
10 resolution with: One, adopting findings and rejecting
11 their proposed project, no-project alternative, and the
12 reduced footprint conservative alternative pursuant to
13 CEQA; two, finding the Syar modified project plus Area C
14 reduced production alternative consistent with the Napa
15 General Plan; and three, adopting the mitigation
16 monitoring and reporting program; four, adopting the
17 Syar modified project plus Area C with reduced
18 production alternative; and five, approve surface mining
19 permit number P08-00337-SMP subject to modified
20 conditions of approval.

21 COMMISSIONER POPE: Second.

22 CHAIRWOMAN PHILLIPS: I have a motion and a
23 second. All in favor?

24 COMMISSIONER BASAYNE: Aye.

25 COMMISSIONER SCOTT: Aye.

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1 CHAIRWOMAN PHILLIPS: Opposed?

2 COMMISSIONER COTTRELL: Nay.

3 COMMISSIONER GIL: Nay.

4 CHAIRWOMAN PHILLIPS: That motion passes, and
5 congratulations. We will move on. Our work here is
6 done.

7 (Proceedings on Agenda Item 10-A adjourned.)

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DATED: JANUARY 8, 2016

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