

NAPA COUNTY PLANNING COMMISSION HEARING

PROCEEDINGS REPORTED FROM THE VIDEOTAPED RECORDING

SPECIAL HEARING

SYAR NAPA QUARRY EXPANSION PROJECT - SURFACE MINING

PERMIT (P08-0337-SMP)

August 12, 2015

REPORTED BY:

DIANE L. FREEMAN, CSR NO. 5884, RPR

FREEMAN REPORTING
Certified Shorthand Reporters
One Sansome Street, Suite 3500
San Francisco, California 94104
(415) 641-1000 Fax (415) 382-2012

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

3 CHAIRWOMAN PHILLIPS: Welcome to the August 12,
4 2015 special meeting here at the corporate building.
5 Lisa, could you please do the roll?

6 MS. BLACKMON: Let the record reflect that
7 Commissioner Cottrell is excused. Commissioner Basayne.

8 COMMISSIONER BASAYNE: Present.

9 MS. BLACKMON: Commissioner Scott.

10 COMMISSIONER SCOTT: Here.

11 MS. BLACKMON: Commissioner Pope.

12 COMMISSIONER POPE: Pope.

13 MS. BLACKMON: Chair Phillips.

14 CHAIRWOMAN PHILLIPS: Here.

15 Don, I'm going to ask you to lead us in the
16 pledge of allegiance.

17 (Pledge of allegiance.)

18 CHAIRWOMAN PHILLIPS: Citizens comments and
19 recommendations. The Commission invites citizen
20 comments and recommendations concerning current problems
21 and future prospects which were in the current
22 jurisdiction of the Planning Commission. Anyone who
23 wishes to speak to the Commission on such a matter, if
24 it is not on the agenda, may do so at this time.

25 Seeing that there is nobody that cares to

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1 speak, we'll move on to disclosures. Commissioner
2 Basayne.

3 COMMISSIONER BASAYNE: Like all of my fellow
4 commissioners, I am in receipt of many emails, and over
5 the course of time here certainly we've attended various
6 meetings relating to this particular agenda item.

7 I've also had conversations with individuals
8 representing Syar as well as individuals representing
9 local residents and Skyline Park; and if I was to get
10 too specific at this point I think we wouldn't leave
11 until about midnight tonight. So I'd like to pass that
12 on to Commissioner Scott.

13 COMMISSIONER SCOTT: Likewise.

14 CHAIRWOMAN PHILLIPS: Likewise.

15 COMMISSIONER SCOTT: Yeah, you know, I think
16 we've all seen -- tried to forward as many emails as
17 we've received. I know I've had a number of meetings, I
18 honestly don't remember if they were before the last
19 hearing or not, with representatives of Skyline,
20 representatives of Syar.

21 I received a few calls in the last 24 hours
22 from representatives of local labor with interest in
23 this project; and, yeah, the same disclosures as the
24 other commissioners.

25 CHAIRWOMAN PHILLIPS: Thank you. It's always

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1 so heartening to see so many people here to partake in
2 the process.

3 What I'd like to do is kind of review a few
4 items and also kind of set some expectations about what
5 we're going to -- how we're going to approach this
6 tonight. So I guess we can call these the ground rules.

7 We're really going to ask, once we open the
8 public comment, to limit each person to three minutes.
9 The clerk will be keeping time, and remember again that
10 you must fill out a speaker card in order to be called.

11 Two, refrain from reiterating topics that have
12 already been brought up by other commenters. We really
13 want to be sure everybody is heard. If somebody said
14 something, instead of repeating them, if you really want
15 to make your point known, you can get up and say "I
16 concur" at your specific time.

17 Those in need of an interpreter or
18 interpretation services, we have a Spanish interpreter
19 available. So please let us know if that is something
20 you would care to utilize.

21 As we get started here, I was wondering if I
22 could get a raise of hands of the potential number of
23 speakers that were planning on participating tonight so
24 we can kind of get a sense for what we're looking at.

25 This is a nice number. So we have a lot. Very

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1 good. I know that we had received one email, and if
2 there are any groups that are planning on having one
3 representative express the group's concern and then ask
4 for additional time, please let us know before you start
5 speaking.

6 Lastly, we're going to have a comfort snack
7 break at approximately 8:00 p.m., and we may take
8 additional restroom breaks. So don't worry, but just to
9 let people know, the bathrooms are located basically
10 behind this back wall.

11 As I said, our goal is to allow as many people
12 to be heard tonight. So I'd like to refrain from any
13 clapping or any type of reaction after speakers so that
14 we can really do this as efficiently as possible.

15 So that -- so the way this is going to work is
16 we'll have our staff planner will give a quick
17 presentation. We'll have some county consultants do
18 some presentations. Then the applicant will do a 10 to
19 15 minute presentation, and we will then open the public
20 comment.

21 With that being said, I'm going to turn it over
22 to staff for their presentation.

23 MR. McDOWELL: Can I dive in, Chair Phillips?

24 CHAIRWOMAN PHILLIPS: Did I forget anything?

25 MR. McDOWELL: I just -- John McDowell

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1 representing planning division. I'm planning director.

2 Just for the audience, we have a number of
3 seats. I see people already starting to stand. We
4 expect more people to show up as this hearing
5 progresses. So I ask we all be neighborly and slide
6 over and make seats available so everybody can have an
7 opportunity to sit who wants to sit.

8 We also need to be mindful of a large crowd in
9 a confined space. We need to, in the event of an
10 emergency, say, like an earthquake since we know a
11 little bit about those, we have exits, be mindful of
12 that and be ready to be out of here if we're having an
13 emergency. Anyway, thank you.

14 CHAIRWOMAN PHILLIPS: Thank you.

15 MR. McDOWELL: If anybody needs anything during
16 the course of the hearing, please, I'll be over in this
17 area here, you can look me up and I'll try to facilitate
18 your needs.

19 CHAIRWOMAN PHILLIPS: Thank you, Deputy
20 Director McDowell.

21 Mr. Barrella, would you care to --

22 MR. BARRELLA: Yes. Chair Phillips, members of
23 the Commission, Don Barrella with the Planning Division.
24 As you noted, we are here to start discussing the Syar
25 project or continue discussions on that and possibly

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1 consider certification of the EIR and discuss the merits
2 of surface mining permit.

3 As you mentioned, after I give my presentation,
4 we have our consultants here to speak on various topics.
5 We have James Alcorn here that will talk about
6 aesthetics. Michael Thill talking about noise and
7 vibration. Scott Cohen talking about air quality, and
8 Ken O'Brien groundwater hydrology.

9 Before you, you also have communications that
10 aren't in your packet, that's this large stack of
11 information that we received in this last week and as
12 late as the end of the day yesterday.

13 We did get a few more correspondence this
14 afternoon including more signatures on a petition. So
15 those will go up on the website hopefully tomorrow or
16 the next day as well as all the other communications.

17 I just want to do a little background. At the
18 previous hearings we had on this --

19 CHAIRWOMAN PHILLIPS: I am sorry, Don, just for
20 the audience benefit, Don's presentation is on screens,
21 but it's behind you. So if you would like to follow
22 along nonverbally, it is actually located back there.

23 MR. BARRELLA: Hopefully I will catch all of
24 that verbally.

25 CHAIRWOMAN PHILLIPS: Right.

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1 MR. BARRELLA: But when we get to the pictures.

2 So at the last hearings you gave us direction
3 to evaluate and respond to the comments we received
4 during the hearing process and prior to that. You also
5 asked us to further detail the pros and cons, plusses
6 and minuses of the alternatives that were outlined in
7 the EIR, and that is in -- excuse me, back up.

8 Attachment B has the responses to the comments
9 that we received in your staff report.

10 Attachment C talks about the alternatives that
11 were in the draft EIR, and explains those more, gives
12 the plusses and minuses as well as talks about the
13 additional or hybrid alternative you asked us to develop
14 for your consideration.

15 Then you also directed us to really clarify and
16 refine the proposed mitigation measures and conditions
17 of approval, and we'll get to that here shortly, and
18 that is attachment D.

19 As I mentioned, the consultants will all be
20 talking about those various topics here when I finish my
21 presentation.

22 The current entitlements that are on this
23 facility include two use permits and a reclamation plan.
24 The original use permit was issued in '93, and it was
25 pretty vague on what that mean and it actually says to

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1 bring all existing and future manufacturing quarry
2 operations into conformance with code. It is really
3 more specific to the Baselite plant that used to be in
4 the front of the quarry, which is no longer there, and
5 will now be the jail site prison.

6 The second use permit was specific to one of
7 the mining pits, the State Gray Pit, and had to do with
8 some elevations; and I'm going to show a slide here in a
9 bit that shows where all these features are in the
10 quarry so we know what we're talking about.

11 Then in '84 there was a reclamation plan
12 approved, but it's not really clear what the bounds are
13 and other limitations in the mining process.

14 So the intent of this surface mining permit is
15 to bring all this facility under one permit that has
16 more regulatory teeth in it, if you will, and greater
17 oversight.

18 CHAIRWOMAN PHILLIPS: Don, you mentioned that
19 the permit had been approved in '93. On the screen --

20 MR. BARRELLA: Oh, I'm sorry.

21 CHAIRWOMAN PHILLIPS: Commissioner Scott had
22 pointed out it's '73.

23 MR. BARRELLA: '73, it is '73. I am sorry.

24 CHAIRWOMAN PHILLIPS: Thank you.

25 MR. BARRELLA: So this slide here shows the

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1 major facilities or features of the quarry.

2 We'll start kind of -- I don't know if I can do
3 this. This here is called the State Gray Pit. That's
4 the State Gray Pit there. This is the State Blue Pit in
5 this area here. This area here is the Eagle's Nest
6 area. In this area is where all the processing occurs
7 and the batch plants are.

8 Down here is what's known as the Snake Pit
9 area, and this hashed area is the Pasini parcel with the
10 Pasini Knoll. Skyline Park is all this area around
11 here, and then Napa State Hospital residences to the
12 north, scale house and other offices in this area of the
13 quarry.

14 So if you need a refresher on where things are,
15 let me know and I'll point those out again.

16 Those projects as modified this April by Syar
17 reduced the total expansion area down to 110 acres, and
18 I'll have a slide here next that shows that. It also
19 preserved all the existing trails in Skyline Park and
20 would include a license agreement to maintain those
21 trails for public use. It also limited hours of certain
22 operations in certain areas, mostly mining close to
23 boundaries and within sight of the park essentially. It
24 also provided for additional tree plan planting in the
25 Pasini Knoll area to provide additional screening of

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1 mining activities, and also provided advance
2 notification of blasting events.

3 This was the original proposal that includes
4 all the expansion areas in Pasini and next to the State
5 Blue Pit. So you'll see here this was -- this was a
6 major part of the expansion area in through here as well
7 as here in the Pasini area, and then looking at going a
8 little deeper in some other areas, there was really no
9 change in the State Gray Pit in this proposal. Then
10 extending down into this area south of the Pasini Knoll.

11 On the modifications that Syar made included
12 taking out approximately 11 acres right near the State
13 Blue Pit, which is where all the trails are that
14 encroach into the Syar property that will be maintained
15 and then adding a little extra buffer around the Pasini
16 area, which is backing off another 50 feet from where
17 they originally proposed that mining boundary to be.

18 We did get -- entitlements. Back up. Just
19 backing up one a little bit, I want to mention under the
20 current entitlements, in review of our records and
21 inspecting the facility, we haven't recognized or had
22 any violations or non-compliance issues out there.

23 There is a question about starting reclamation
24 in certain areas. It isn't that clear, but we haven't
25 directed Syar to do that, commence reclamation in

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1 certain areas. So they're in compliance at this point
2 in time. I apologize for backing up like that.

3 We did get some questions and concerns about is
4 quarrying allowed in these agricultural areas that are
5 zoned or designated agriculture. When you look at the
6 General Plan, it recognizes mining in a couple different
7 areas in the General Plan. When you look first at the
8 agricultural preservation and land use element, it
9 directs you to the recreation's open space and
10 conservation elements for policies around mining.

11 In the recreation and open space element, it
12 indicates that open space -- benefits of the open space
13 include the preservation of natural resources as well as
14 the managed production of resources including aggregate
15 resources.

16 Like I said, the conservation element has
17 specific goals about that managed production.

18 Also, within the zoning ordinance, it allows
19 mining within any zoning district provided you have a
20 surface mining permit. So as that relates to Measure J,
21 we don't need a Measure J vote to look at this permit
22 and act on it.

23 I'd also like to mention that it came up about
24 the mineral resource designations. Let me go to the
25 next slide here that shows the General Plan designations

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1 on the left-hand side and the zoning designations on the
2 right-hand side.

3 The mineral resources areas don't obligate the
4 county to approve a mining permit. All the mineral
5 resource designations do is protect that resource from
6 any use we're considering over the top of it and our
7 ability to potentially get it in the future.

8 As an example, if we were proposing a hospital
9 over this area, we would be obligated to tell the state
10 why we're putting that use over the top of this.

11 Uses that they consider consist -- compatible
12 with these mining resource designation areas are things
13 like very low residential and, oddly enough, low
14 intensity parks. So they look at these areas and say,
15 hmm, this is somewhere where we can get to this resource
16 and there is a resource in it so we map it as that, and
17 we are only obligated to explain why we're putting a use
18 over it that may limit its ability to get at it later.
19 So it doesn't obligate you to approve anything.

20 CHAIRWOMAN PHILLIPS: Don, because I know the
21 permitting issue is confusing, and the analogy that I
22 was using and wondering if it is correct, is that it is
23 similar to a winery use permit where if you have 10
24 acres it is an allowable use to have a fruit production
25 facility. So it is a discretionary permit. It's not a

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1 by-right. It is discretion.

2 MR. BARRELLA: Essentially the surface mining
3 permit is a use permit specific to mining and quarrying.
4 That's why, I know there was some question does the
5 board decide on this. No, it's a use permit. So it's
6 just specific to mining. We have a section in the code
7 that is specific to mining, Chapter 16.12, and goes
8 through all the mining obligations and the findings,
9 et cetera, around mining.

10 So yes, that's exactly right, it is a use
11 permit for mining.

12 In attachment C of your staff report, we have
13 the alternatives analysis, and we tried to expand on
14 those and explain those a little more, and that's all in
15 that attachment. The draft EIR laid out three different
16 alternatives: The no-project alternative so that would
17 be what we have today; the reduced production
18 alternative, which would reduce the proposed production
19 from 2 million down to 1.3 million a year; and we also
20 have the reduced conserve -- the reduced footprint
21 conservation alternative, and that reduced the
22 footprint, proposed footprint in certain areas, and I'll
23 get to a slide that shows that here in just a second.

24 The hybrid alternative that you directed us to
25 develop includes the 1.3 million production level,

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1 because we needed to do that to avoid significant and
2 unavoidable impacts, primarily greenhouse gas, also some
3 other air quality impacts.

4 So this slide here shows the reduced footprint
5 conservation alternative out of the draft environmental
6 impact report.

7 You'll see on the left slide, the
8 salmon-colored areas what they were proposing to mine.
9 You will see kind of along the property line a small red
10 dotted line. This alternative increased that buffer
11 along there. Then when we got into the Pasini Knoll
12 area, it pretty much preserved the entire area of the
13 Pasini Knoll as well as some features in the southeast
14 corner that kept the water course feeding the Pasini
15 pond in place.

16 So this hashed area here would have come out
17 under that alternative, and mining would only go -- be
18 allowed in this area down through here and then mining
19 allowed through here. So it's that strip, the knoll,
20 and the corner down here.

21 The hybrid alternative took some of those
22 components as well as Syar's recent project change into
23 account. This alternative was also developed after
24 going through the General Plan another couple times and
25 really looking at this proposal in context of all the

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1 General Plan elements and policies, kind of drove this
2 hybrid alternative; and what it would do is increase the
3 buffers substantially in the State Blue Pit area, and
4 you'll see those hashed areas around there, and it would
5 also allow mining in the Pasini Knoll area, but it would
6 increase buffers in that area; and in the Pasini area
7 right here there is a rock wall and some other rock
8 features that would be preserved through this as well as
9 increased buffers and maintaining vegetation here to
10 screen the facility and increase buffers here. It would
11 also include this area here coming out of the mining
12 footprint. Of course all this area as well as this
13 larger area that's adjacent to a trail up here.

14 This boundary right here was determined by a
15 slope break. If you've ever been up on Skyline Trail
16 and you see the rock wall, it kind of leveled off and
17 then drops off, that boundary would be below that
18 drop-off. So we maintained some of these ideas that
19 were in the EIR about screening and shielding.

20 So we have more of that in this alternative.

21 Overall this alternative would reduce 47 acres
22 from the proposed project, I think bring it down to
23 about 77 acres and maintain another 30 acres of oak
24 woodland. The reduced footprint that was in the EIR
25 would have removed about 35 acres.

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1 In attachment G of your staff report are the
2 revised clarified mitigation measures, draft conditions
3 of approval.

4 In all the applicable measures, we put in
5 mandatory reporting of records being kept that were
6 required and tried to instill compliance that
7 would -- if there was a compliance issue, that they
8 would have to correct it. So we've tried to do that in
9 all the mitigation measures. We think we have.

10 A couple -- another component is we clarified
11 the timing of mitigation. There was a comment that it
12 was unclear when this was to happen. Oak mitigation
13 we've set up is any preserved areas would have to be
14 locked up pretty much immediately through deed
15 restriction or another mechanism. There was, I think,
16 about 12 or so acres of oak planting that was going on.
17 That would have to occur with the first year, and then
18 any off-site mitigation that was necessary would happen
19 before they can exceed a certain amount of oak woodland
20 removal, and that's in the staff report, the numbers are
21 in there and in the revised mitigation measures.

22 In the conditions of approval, the big thing we
23 did was added a whole litany of definitions. So we know
24 what activities are going on and what it means by
25 asphalt production or quarry operations, mining

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1 operations. So when we look at hours of operation, we
2 can say these activities are only allowed in this time
3 frame, and these activities are only allowed in this
4 time frame. So we've really tried to point to here is
5 what can happen in given hours at the facility.

6 We also included a provision to use what's
7 called discriminating backup alarms, and those are
8 backup alarms that don't just start beeping when you put
9 the vehicle in reverse. They have a laser sensor or --
10 I forget the exact term that was used, but a sensor that
11 if it does sense something then the alarm sounds. So
12 it's not constant.

13 Some recent events that have occurred out there
14 is -- was it Thursday the 6th? We took a tour of the
15 facility with several Bay Area Air Quality Management
16 District inspectors so they could see the facility, see
17 where we're at in our process, and at this point they
18 haven't recognized any violations or compliance issues.

19 So we've at least met with them and they're
20 essentially waiting for us to approve something so they
21 can start implementing their permit conditions and
22 review things and start having more regulation over the
23 facility as well.

24 We've also gotten the 2014-'15 water quality
25 data from their storm water management plan, and also

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1 obtained the '13, '14, '12, and '13 years, so three
2 years of water quality data, and put that together so we
3 can start looking at trends and see if they're exceeding
4 benchmarks and how their practices are out there. We
5 haven't gotten too far into analyzing anything with
6 that, but I just want to let you know we have pulled
7 that up and started trying to manipulate it so we can
8 review it.

9 I mentioned other correspondence. You have
10 quite a bit in front of you at this point. I know we
11 haven't had a chance to really go through it at all to
12 see what's in there to see if what we've done in our
13 response to comments has been addressed or there is new
14 information. So we'll have to get some time to look
15 through that and see what it says.

16 At this point I will turn it over to the
17 consultants to give their presentation.

18 CHAIRWOMAN PHILLIPS: If you could begin with
19 your name and address for the record.

20 MR. ALCORN: Good afternoon, Commissioners.
21 James Alcorn with GHD. I am going to go through the
22 resource category of aesthetics.

23 The first two slides are response to comments
24 that are received since the last Planning Commission,
25 hearing and the last few slides are photo simulations

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1 from Imola Avenue looking south.

2 The first comment said the draft ER did not
3 address foreground visual impacts, but in reality four
4 of the 12 visual simulations presented were analyzed in
5 the draft EIR and were foreground views.

6 The next comment was draft EIR doesn't provide
7 any views from Imola. We have since added some photo
8 simulations that show views looking south from Imola
9 Avenue.

10 The next comment, figures in the draft EIR
11 should have topographic overlays. Several figures in
12 this aesthetic section used two-dimensional views, which
13 does provide a good view -- a good sense of topography.
14 Topographic overlays on some of the aesthetic figures
15 just would be too cluttered and a little too, busy and
16 there are a number of other figures in the draft ER that
17 does include contour lines.

18 The next comment, views through the scenic
19 property from Skyline Wilderness Park are important.
20 Yes, they are. And views from the proposed project from
21 its southern extent in the park and as seen from the
22 park were considered. There were two visual simulations
23 that were prepared from this side of the project site
24 and are analyzed in the draft EIR and are also included
25 in the master response comment document.

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1 Existing views from Skyline Wilderness Park
2 also include existing quarry activities, and there will
3 be additional trees planted for screening as well.

4 Same comment continued. Project activities
5 into the Pasini property will take a number of years and
6 will be dependent on the aggregate need in the region.
7 The greatest visual changes in that area will be towards
8 the end of the 35-year project time frame; and the
9 reduced expansion area proposed by Syar in March will
10 further reduce those views of quarry activities by
11 doubling the setback and planting -- planting of oak
12 trees and native species like oaks.

13 Additionally, the draft EIR already includes
14 minimization strategies that Syar currently does, and
15 those include retention of existing topographic screens,
16 vegetative screening, and directional quarrying. Those
17 are also in the master response to comments document as
18 well.

19 These next few slides. This first one is
20 looking south from Imola just a few months back when
21 everything was still green, and you can see Skyline
22 Wilderness Park obviously over in this area, fields here
23 kind of blocking the views of the quarry over the hill.

24 This first simulation is the proposed project
25 at -- as analyzed in the draft EIR at 35-year time

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1 frame, but doesn't include any interim or final
2 reclamation. So this is really kind of a worst case
3 scenario view, because they're required to do
4 reclamation.

5 The next photo simulation would be at the
6 reduced expansion area and in this one it also includes
7 no reclamation and the area would be right in here
8 because these hills right here and the vegetation would
9 essentially block existing and proposed activities in
10 the quarry.

11 Lastly, this is the reduced expansion area once
12 again but with -- at 35 years buildout with vegetation
13 planted. Even though these trees may not be actually to
14 scale, it just gives you an idea of the planting that
15 would take place after reclamation.

16 That's it for aesthetics.

17 MR. BARRELLA: Up next noise, Michael Thill.

18 MR. THILL: Good afternoon, Madam Chair and
19 fellow Commissioners. My name is Michael Thill. I'm a
20 principal consultant with Illingworth & Rodkin out of
21 Petaluma, California. I was the principal investigator
22 on noise and vibration assessment for this project.

23 CHAIRWOMAN PHILLIPS: Irony. It's hard to hear
24 you.

25 MR. THILL: I'm always listening.

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1 COMMISSIONER BASAYNE: Making way too much
2 noise.

3 MR. THILL: Is that better?

4 CHAIRWOMAN PHILLIPS: Can everyone hear him
5 now? Can you speak, testing, testing.

6 MR. THILL: Test, test.

7 Let me just dive into the first slide here.
8 Our noise and vibration assessment is comprised of two
9 sections, both the setting section and the impacts and
10 mitigation measures section.

11 The setting section provides information on
12 acoustics, vibration, and blasting, summarizes
13 applicable regulatory criteria, and establishes existing
14 conditions in the project vicinity.

15 Impacts and measures mitigation section
16 evaluate the impacts with regard to the CEQA checklist
17 questions and the Napa County regulatory criteria.

18 The impacts and mitigation measures section
19 also identifies mitigation to reduce the significant
20 impacts to less than significant levels.

21 The setting section establishes existing noise
22 and vibration levels at sensitive receptors near Syar
23 Napa quarry.

24 So baseline noise conditions were documented at
25 representative receptor locations surrounding the

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1 quarry. The noise monitoring locations included both
2 long-term and short-term noise measurements. Long-term
3 noise measurements were made five locations surrounding
4 the quarry. Short-term measurements were made at two
5 additional locations. There were also measurements made
6 within the quarry near the operating equipment to
7 quantify source noise levels. During our noise survey
8 the regular operations were occurring at the quarry.

9 The results of the noise monitoring survey
10 showed that existing operational noise levels are in
11 compliance with the Napa County General Plan and zoning
12 ordinance limits. Quarry sounds are audible and
13 detectible at receptors in the project vicinity in the
14 absence of other local noise sources, which is traffic
15 and aircraft.

16 One of the most important results of the
17 measurement showed that there was little variation
18 between the noise levels during quarry operational hours
19 versus non-quarry operational hours.

20 Our firm also measured ground-borne vibration
21 and air blast over pressures during two blasting events
22 within the State Blue Pit.

23 One blast was a pit blast otherwise known as a
24 sink shot, and the second blast was a wall blast. The
25 blasts were monitored at three locations, at locations

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1 representative of the closest sensitive receptors to the
2 north along Imola Avenue.

3 The results of the surveys showed that blasting
4 produces vibration levels that are barely perceptible to
5 most humans and below the federal thresholds used to
6 avoid damage to structures.

7 The sound of the blast itself is inaudible to
8 humans because it's comprised of low frequency sound
9 energy below the threshold for human hearing.

10 The only audible sounds related to the blasting
11 events occurred prior to and after the blast. Such
12 sources included the warning sirens sounded to ensure
13 safety protocols; ignition of the blasting caps, which
14 qualitatively sound like firecrackers in the distance;
15 and the rock fall itself.

16 The setting section of the report also
17 establishes the regulatory framework used for
18 comparative purposes in the impact assessment. The Napa
19 County General Plan and noise ordinance established the
20 applicable noise limits, and for quarrying noise or
21 steady noise, the L50, which is the noise level that
22 exceeded 30 minutes or more during any hour, is the most
23 restricted noise limit; and this would be exceeded
24 before any of the other standards contained in the
25 ordinance.

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1 So moving on from the setting section, the
2 impacts and mitigation measures section summarizes the
3 evaluation of noise and vibration produced by the
4 project. Impact 4.11-1 of the draft EIR identifies a
5 potentially significant noise impact at residential and
6 educational land uses along Imola Avenue as well as at
7 established activity areas in Skyline Wilderness Park
8 due to aggregate mining activities and operations on
9 the ridge lines.

10 I just want to describe the mining process
11 briefly. Heavy equipment, including rock drills,
12 dozers, loaders, excavators, and rock trucks will be
13 used for aggregate mining operations on the ridge line.

14 The quarry would be gradually expanded over
15 time from the existing disturbed areas such as the State
16 Blue Pit and Snake Pit based on demand for basalt rock.

17 The expansion into undisturbed territories,
18 known as a step back, and during the step back process
19 trees and shrubs are first removed. Depending on the
20 density of the trees in the step back area, this process
21 can last between one and two weeks. The overburden
22 would be removed in the step back area, and that would
23 also take approximately a week. Finally, the step back
24 area would be drilled for blasting of the first bench
25 for a period of approximately two days.

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1 So the overall process would take about two to
2 three weeks. Once these activities are complete, the
3 benching, the removal of material, would continue at a
4 rate dependent on demand at the time. This process
5 repeats itself until the quarrying activities reach the
6 quarry floor. So mining that wedge of material could
7 take upwards of a year or more.

8 Our analysis evaluated mining noise at Imola
9 Avenue receptors. The analysis found that noise levels
10 would exceed the daytime Napa County noise ordinance
11 limits during step back period when mining activities at
12 the perimeter of the quarry are within the view of
13 receptors.

14 As the mining progresses down towards the
15 quarry floor, the natural shielding provided by the
16 intervening terrain is going to reduce noise, and to
17 mitigate this impact Syar Napa Quarry is going to be
18 required to maintain the acoustical shielding for as
19 long as possible, use the quietest equipment available
20 when removing topsoil and overburden and monitor and
21 report noise levels to the county to ensure compliance.

22 Within Skyline Wilderness Park, the focus of
23 the draft EIR noise assessment was at receptor positions
24 along established trails where park users could actually
25 be exposed to noise levels for a period of 30 minutes or

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1 more.

2 For example, in the vicinity of Pasini Knoll,
3 the Skyline Trail is typically located 3- to 500 feet
4 from Skyline Wilderness Park, a review of the cross
5 sections through those areas show that they generally
6 will not have a view from established trails to the
7 actual quarrying activities.

8 Intervening topographical shielding provided by
9 terrain will be sufficient to result in noise levels
10 below the Napa County General Plan and Napa County noise
11 ordinance limits.

12 Noise levels were calculated to exceed the
13 noise ordinance limits at vantage points overlooking the
14 quarry when trail users would go off trail to observe
15 operations.

16 This impact was determined to be less than
17 significant because trail users are directed by Skyline
18 Wilderness Park to stay on mapped trails. The quarry
19 has mined areas adjacent to these trails for many years,
20 and the trail users may be accustomed to the noise, the
21 transitory nature of the use limits, the cumulative
22 exposure of the receptor to noise at any given point,
23 and there are many other established trails or use areas
24 that would be shielded from mining noise.

25 Our analysis also evaluated blasting and

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1 vibration. This impact in this evaluation is summarized
2 in impact 4.11-2. Based on the analysis using a
3 worst-case charge weight per delay, blasting could
4 generate distinctly perceptible ground-borne vibration
5 levels that would exceed the 0.2 inch particle velocity
6 limit established by in federal agencies.

7 The draft EIR identifies blasting reduction
8 measures, including monitoring during each blast; blast
9 modification procedures, such as stemming and reducing
10 the charge weight per delay; and notification, and these
11 mitigation measures were determined to reduce the impact
12 to a less than significant level.

13 Finally, this is just a slide of quantitative
14 comparison of noise and vibration between the DEIR
15 project and the proposed modifications to the project.
16 As it was previously noted, the modifications will
17 reduce the size of the expansion areas, the limit
18 overburden removal activities to between the hours of
19 7:00 a.m. and noon on weekdays and blasting to the hours
20 of 10:00 a.m. and 4:00 p.m. on weekdays, and will also
21 provide 48 hours notice in advance of blasting.

22 So the plan modification would reduce predicted
23 noise levels contained in the DEIR by 3 to 6 dBA because
24 of the additional distance between the receptors and the
25 noise source, and the implementation of the mitigation

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1 measures would reduce the impact to less than a
2 significant level. The additional distance between the
3 nearest receptors and the areas proposed for blasting
4 would also result in vibration levels below the 0.2 inch
5 second limit.

6 Syar will further limit blasting activities and
7 provide advance notification to anyone requiring or
8 requesting notification.

9 This concludes my presentation. Unless there
10 are questions at this time, I will turn over the
11 microphone to Scott Cohen to answer air quality
12 questions.

13 MR. COHEN: Madam Chair, Commissioners, good
14 evening. My name is Scott Cohen. I work for Sespe
15 Consulting in San Diego, California. I'm here to talk
16 about air quality and health risk assessment that was
17 performed for the Syar Napa Quarry. Specifically I'm
18 going to address the comments from the last Planning
19 Commission meeting on January 7th, 2015.

20 The topics to be discussed, I'm going to do a
21 quick overview, show the receptor locations, talk about
22 the air and health risk assessment results, and then
23 I'll go into a little more detail on the responses to
24 the comments. Go ahead, Donald. Do I have it? Sorry,
25 my bad. Spin around okay. All right. So for the project, primary

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1 All right. So for the project, primary
2 pollutants are dust and diesel exhaust. The primary
3 effects of those pollutants are cancer risk; the ozone
4 precursor, oxides and nitrogen or NOx; nuisance; and
5 deposition from dust.

6 The primary sources for the project are road
7 dust and diesel engines, off-road equipment, and
8 material haul trucks. There are other sources on site
9 including the aggregates and recycle plants, the asphalt
10 plants, mining, blasting, stockpile area operations,
11 wind erosion, locomotives, and the barge.

12 So on a regional level, the impacts to air
13 quality, this table shows the thresholds of significance
14 and the impacts that are were calculated for the
15 project, the mitigated emissions of reactive organic
16 gases or ROG were 4.67 tons per year, which is less than
17 the 10-ton significance threshold. So that impact is
18 less than significant.

19 NOx emissions for the mitigated project were
20 9.53, which is less than the 10-ton per year
21 significance threshold, and that's less than significant
22 impact.

23 The PM10 and the PM2.5 were mitigated to less
24 than the baseline level, which is also less than the
25 significance threshold of 15 tons per year of PM10 and

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1 PM2.5, 10 tons per year. So those would actually be
2 beneficial impacts of the mitigated project.

3 This is just an aerial of the -- from the air
4 quality impact assessment showing both worker receptors
5 and residential or sensitive receptors and the preschool
6 there and there is another school up to the north. To
7 the south obviously is more worker receptors and
8 vineyards.

9 So the local health risk impact results, the
10 thresholds were from the Bay Area AQMD guidelines that
11 were in place at the time that the work was done to do
12 the air quality health risk assessment. There are two
13 types of risk that we look at; one is is the incremental
14 risk due to the project and the other is the cumulative
15 risk when you add the risk from the project to other
16 sources around the project, in this case the existing
17 facility.

18 So the incremental change in cancer risk was
19 calculated for the mitigated project, to be 8.8 excess
20 cancer cases per million people exposed, and
21 significance threshold is 10, and it's not exceeded, and
22 that's not a significant impact.

23 The chronic hazard index is .05, and that
24 significance threshold is 1. Also, not a significant
25 impact.

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1 The acute, likewise, is fairly low, .085, and
2 that significance threshold is 1. Also not a
3 significant impact.

4 On the cumulative risk, the cancer risk, when
5 you add it to what's already there, the maximum cancer
6 risk is 94.3, which is less than the 100 significance
7 threshold. Not a significant impact.

8 The chronic risk is 1.2, and that significance
9 threshold is 10, and that's not a significant impact.

10 CHAIRWOMAN PHILLIPS: Mr. Cohen, I have a quick
11 question for you.

12 MR. COHEN: Yes.

13 CHAIRWOMAN PHILLIPS: You used the phrase in
14 place at the time. Have those thresholds changed or
15 is -- it just struck me.

16 MR. COHEN: That's a very good question. Yes,
17 the thresholds changed. The air district was sued
18 specifically over the cumulative risk threshold. So
19 they rescinded those thresholds, but they were retained
20 for this project in order to be conservative.

21 CHAIRWOMAN PHILLIPS: I am sorry. In order to
22 be?

23 MR. COHEN: Conservative.

24 CHAIRWOMAN PHILLIPS: Conservative.

25 MR. COHEN: The local criteria pollutant impact

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1 results, we modeled PM2.5. That has incremental and
2 cumulative, at least at the time it did.

3 The modeled result for the incremental is less
4 than the significance threshold. The cumulative is
5 greater than the significance threshold, however, the
6 PM2.5 is not increasing at the site and the health risk
7 assessment is a more precise way of measuring what the
8 risk is to people's health because it tells you what the
9 chemical composition of the particulates is.

10 The other aspect that plays into this decision
11 is the fact that the Bay Area AQMD methodology doesn't
12 include road dust, and it's focused on diesel exhaust
13 particulates; and so we included the road dust for
14 completeness and disclosure purposes; and so when all
15 that taken into account, we set this aside in favor of
16 the health risk assessment results.

17 So the air issues that were in the master
18 response to comments to the comments that were made at
19 the January Planning Commission hearing are listed on
20 the slide there.

21 Health effects of fugitive dust and silica, the
22 methods that were used for health risk assessment; and
23 actually I just touched on that in the previous slide a
24 little bit. The effects at Skyline Regional Park and
25 from removing from Pasini Knoll, dust deposition at the

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1 vineyards and possibly to Arroyo Creek. The Bay Area
2 AQMD wind data that was used for the modeling and other
3 wind data that some of the commenters had found, and
4 then the adequacy of the dust mitigation measures, some
5 of the commenters cited other projects and wanted to
6 know if this project was doing as much as those.

7 Also, whether air monitoring could be required
8 or should be required and whether loads should be
9 covered, and we can go into detail on any of those that
10 you like. I put what I think is was important in the
11 following slides.

12 So respirable crystalline silica, it doesn't
13 cause cancer at ambient exposure levels. There is no
14 approved cancer potency factor approved by the Office of
15 Environmental Health Hazard Assessment.

16 The non-cancer effect is silicosis. It's only
17 an inhalation hazard. It's not a hazard if you ingest
18 it. It's not a hazard if you get it on your skin. So
19 if it's deposited into the Arroyo Creek, you wouldn't be
20 inhaling it, it should not be a hazard.

21 Rock on site, it's not high in crystalline
22 silica, and a pre-mitigation emissions levels the
23 crystalline silica contributes .12 hazard index to the
24 risk amount, and the threshold is 1, and that
25 corresponds to a concentration of 3.26 grams per cubic

1 meter.

2 Regarding deposition and wind data. High wind
3 for blasting mitigation was changed, as suggested by the
4 commenter, to 20 miles an hour for a 2 minute average.
5 So if the wind is higher than that, the blasting cannot
6 commence.

7 The wind's direction fluctuates over time, but
8 should be relatively constant from year to year. There
9 are some years when the wind is slightly different.

10 A commenter mentioned that in the 1973 EIR it
11 said the wind came from the southwest, and the wind in
12 the model and the windrows that's provided currently by
13 the air district is mostly from the south.

14 CHAIRWOMAN PHILLIPS: I have one quick question
15 on that.

16 MR. COHEN: Yes.

17 CHAIRWOMAN PHILLIPS: The 20 miles per hour
18 that was chosen, is that a standard? The commenter
19 brought it up, but is there a reason behind?

20 MR. COHEN: Well, the South Coast AQMD has a
21 rule 403, and high wind in that rule is 25 miles an hour
22 instantaneous; and it works in that rule because that
23 rule is about fugitive dust and your ongoing activities
24 that are creating fugitive dust. So when the wind goes
25 above 25 even for an instance you are supposed to stop

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1 and do control measures

2 For the blasting, you can't tell what it is
3 instantaneously until you hit the button and you blast.
4 So it made sense to do an average -- a short period
5 average of, say, two minutes; and based on that previous
6 two minutes, if it's less than 20, then the blasting
7 could continue.

8 So there are slightly different purposes. I
9 could probably find you a half a dozen different
10 definitions of high wind in different literature, but
11 the main one is that South Coast rule; and the other
12 thing is the wind data that was online that the
13 commenter had provided in their comment was a two-minute
14 average.

15 So with respect to the Pasini Knoll removal,
16 removing the knoll does not expose Skyline Park visitors
17 to greater air flow or dust. The existing land form
18 gently slopes, stream lines there can pass without
19 disruption.

20 The project land form on the other hand has a
21 steep slope with a sharp edge at the top, and this would
22 increase turbulence and vertical mixing which in turn
23 would reduce the ground level concentrations from that
24 configuration.

25 The dust mitigation measure. In the master

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1 response to comments, there is some discussion that was
2 prepared comparing the -- what the quarry does now and
3 mitigation the measure that was proposed to the basic
4 construction mitigations that are I believe in the Bay
5 Area it can be guidelines.

6 So all of those have been included, and there
7 is a table in the master response.

8 Most of the sources on site are controlled
9 already by rule or permit condition. The mitigation
10 that's recommended or proposed is comparable to the
11 other quarry projects. There is I think a bulleted list
12 in the master response that goes through those. And the
13 EIR demonstrates the less than significant PM10 and
14 PM2.5 emissions levels can easily be achieved with
15 mitigations.

16 One of the commenters had asked about why the
17 county isn't requiring air monitoring, and the county
18 could require air monitoring as a condition of approval.
19 The mitigations as far as CEQA goes are sufficient like
20 they are, but as a condition of approval, it could be
21 required but there are some reasons not to do so.

22 Because the monitoring, here we've got a very
23 large site with a lot of sources of dust around it as
24 far as agricultural activities, roads, what have you.

25 So the monitoring program would have to be able

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1 to differentiate between dust that comes from the quarry
2 and dust that comes from these other sources, and in
3 addition, in order to do that you would have to take
4 upwind and downwind measurements so that you could
5 subtract the upwind from the downwind and figure out
6 what the contribution from the quarry is; but the wind
7 direction fluctuates, it changes, and so you would have
8 to set up multiple monitors in different directions
9 across this relatively large area to really have a good
10 sense that you had captured what the effect of the
11 quarry is.

12 Not only that, but there are criteria that
13 govern where you should or shouldn't put a monitor, and
14 you would have to stay within that as well.

15 Instead, the county is requiring an emissions
16 inventory be prepared. So in summary, the emissions and
17 health risk impacts are less than the significance
18 threshold after mitigation. The draft EIR analysis was
19 based on 2 million tons per year. The project is now
20 limited to 1.3 million tons per year, which will have
21 lower impact.

22 The draft EIR analysis is conservative, and
23 I'll be happy to answer any questions that you have.

24 CHAIRWOMAN PHILLIPS: Commissioner Pope.

25 COMMISSIONER POPE: Could you just describe

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1 just a little bit about the mechanics of the emissions
2 inventory that you just mentioned there at the end that
3 the county will be requiring.

4 MR. COHEN: Sure. Emissions inventorying,
5 basically you go source by source type. The biggest
6 sources here, at least with respect to the dust, are the
7 roads; and so there is a document, EPA document called
8 AP 42, and that's kind of the reference for air
9 emissions inventories.

10 Some of the air districts have their own
11 methodologies that they use, but in general the EPA,
12 AP 42 explains use of the roads so each source has a
13 section devoted to it.

14 It describes, like the roads are a pretty
15 simple example, I guess, but, you know, take an asphalt
16 plant, it's got combustion, it's got organics, and it's
17 got dust, and all of that is made of chemicals. So
18 there is also the breakdown of dust in the organics into
19 what other species there are within that.

20 So I guess the mechanics of the emissions
21 inventory is to take a certain activity level, how many
22 miles you traveled on the road, how many tons of asphalt
23 you produced, multiply it by the factor that's in the
24 AP 42 or other district guidelines, and you come out
25 with pounds of emissions per year, per day, per hour

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1 basically.

2 CHAIRWOMAN PHILLIPS: Then that information
3 would be used for what purpose? Is that baselines or --

4 MR. COHEN: Well, in the mitigation measure as
5 it's written in the kind of attached to the master
6 response document, the way that the air quality
7 assessment was done, I controlled the -- I chose to
8 control the roads, because those were the biggest
9 source, and I went from watering two times a day to
10 applying chemical dust suppressants, and I found some
11 reference -- references to support different percent
12 control. You get more control from the chemicals than
13 you do from just watering, at least theoretically.

14 Watering -- if you read the AP42, watering can
15 get 95 percent. I think that I've heard at least one
16 air district say, well, we knock it down because we
17 don't know if you are always doing your watering. So
18 the air districts prefer the chemicals for that reason.

19 Anyways, the watering was 61 percent reduction,
20 the chemicals were 84 percent reduction. So that's what
21 created that.

22 For the paved roads, there are several
23 different kinds of sweeper trucks, some of which, like a
24 regular broom truck, has a certain level of collection
25 efficiency of the dust that's on the road. So loading

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1 is what you call it in air quality speak.

2 So the more of that silt the truck picks up,
3 the lower the emissions from the vehicles that pass
4 along that road. So the mitigation for the road, the
5 paved roads, was based on a broom truck versus a PM10
6 efficient vacuum truck; and if I recall correctly, it
7 was something like went from 60-ish percent to 86
8 percent based on the reference material that I found.

9 CHAIRWOMAN PHILLIPS: Thank you.

10 MR. COHEN: Thank you.

11 CHAIRWOMAN PHILLIPS: Last but not least.

12 MR. O'BRIAN: My name is Kent O'Brian. I'm a
13 hydrogeologist with GHD. We are out of Santa Rosa.

14 What we did is the water, the surface water and
15 the groundwater project, I have parts here. I'm
16 responding mostly to the --

17 CHAIRWOMAN PHILLIPS: Mr. O'Brien, can I ask
18 you speak into the microphone so we make sure it's
19 captured for the record. Thank you.

20 MR. O'BRIAN: I'm responding mostly to the
21 letters that came in after our last conference. I have
22 this on the back board. Unfortunately the room is set
23 up a little funny.

24 We had three different styles of letters that
25 came in. One was addressing water availability and use

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1 concerns

2 There was another style that was talking about
3 rainfall runoff, how do you control the sediment loading
4 in the creeks, rivers, that sort of thing.

5 Then there was how do you protect the aquifer.
6 So three primary types.

7 So I'm going to go over a little bit about the
8 mine the way it is today under the current site
9 conditions. The way it's set up today -- the reason I'm
10 showing this is because I'm going to go through the same
11 kind of figure on the other slides. I'm just trying to
12 get some of the background in.

13 The groundwater supplies some administrative
14 uses, it also supplies the production facility, sand
15 washing, gravel washing, that sort of thing. They also
16 have trucks that take out water to water the roads.

17 There are surface discharge control points,
18 these are generally where these red dots are. These red
19 dots are actually the compliance points where surface
20 water samples are collected. So the discharge from
21 areas of operation, if you heard about the snake pit
22 earlier, that's a main area of operation, they've got
23 compliance below that.

24 This is another areas where mining
25 happens. Then down in here is sand processing. They

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1 bring it down to a central area, wash it, treat it, that
2 sort of thing. You also have piles of, you know,
3 asphalt, concrete in this area.

4 So the recharge to the aquifer occurs
5 through -- during surface runoff when it's raining. It
6 also occurs in ponds. So you pond the water, you hold
7 it for a while, it recharges the aquifer. Those are
8 general concepts that I'll talk about in a little bit.

9 Groundwater flow, it's downhill. So hits the
10 ground, flows downhill. If you have that watershed,
11 which is everything within the topo lines in the valley,
12 it's coming downhill, getting into the creek, that's
13 your watershed, the big V. So when it gets in that
14 watershed it's captured either as surface flow or
15 groundwater.

16 So the MST, that's the aquifer area that's
17 underneath the perimeter part of the valley that
18 surrounds the site on the north side and the west. So
19 north to west is the MST where a lot of the agricultural
20 things are going on.

21 So when we were talking about water
22 availabilities, when questions came up, how do you pick
23 a number? We went back to 2009, because that's when the
24 notice of intent for CEQA was filed. The way you do
25 CEQA, you pick a baseline, and it's when you file a

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1 notice of intent.

2 2009 is the year that you are supposed to use
3 as the baseline, and you compare the project to that.
4 So you're operating 2009, you add project to that, you
5 analyze it to get the effects of it.

6 So the way we figured it out was there is a
7 combination of measuring the water flow in the
8 production areas and also doing truck counts. You know,
9 when they take water out of the ponds, put it in their
10 trucks, count the trucks, put meters on the wells, you
11 monitor it. So we went back to 2009, calibrated
12 everything to 2009 use.

13 So the baseline demand is about -- for 810,000
14 tons of production, is about 141 acre feet. That's a
15 baseline demand. In 2009 that's what all the
16 calculation was about. Then you add the project to
17 that. There is a bunch of math that goes onto that. So
18 if project goes up to 2 million tons a year, it's 190
19 acre feet.

20 Lot of questions, like, how do you more than
21 double production and not double the water use. Well, a
22 lot of the water use, it's dust control. You are doing
23 the dust control anyway. So that's already done. The
24 incremental part that you have to add is all the sand
25 washing and gravel washing, and that's actually a small

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1 component of the water use. It's mostly dust control

2 So the fact you are operating at all at the 141
3 acre feet, when you increase production, you are really
4 just moving more material, you've already spent the
5 water.

6 So the county's made -- from mitigation the
7 county has made this easy. They say you get as much
8 water as you had in 2009, and that's it. It's pretty
9 simple.

10 So it causes some trouble for Syar, because to
11 increase production you have to do a better job, more
12 efficient use of the water. You have to capture,
13 re-infiltrate it, better accounting for it, using
14 chemicals on the roads rather than water, that sort of
15 thing.

16 So it's a forced efficiency by setting your
17 baseline to what you had in 2009. You also have to
18 report it, right. This is new to everybody. Reporting
19 groundwater use is new to California. That's the big
20 thing about the new sustainable groundwater management
21 act, which also came up. You have to report it now.
22 That makes all the difference.

23 I am a Nixon era guy. So you know, how do you
24 trust Syar? You get in trouble for not telling the
25 truth when you are reporting. Right. So as a

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1 professional geologist engineer, you have to tell the
2 truth on the data. That's how you monitor these things.
3 That's how they do hazardous waste reporting, all that
4 kind of thing. Just you have to tell the truth when you
5 report the data you are required to report. So that's
6 one of the main mitigation measures for water demand.

7 Okay. So now we are going to talk about
8 surface water, how do you control the flow.

9 CHAIRWOMAN PHILLIPS: Mr. O'Brien, I just had
10 one quick question on the last slide. Just to clarify,
11 so the baseline for the water usage was set on two
12 factors. One, the number of trucks; and two, that the
13 wells were metered for one whole year?

14 MR. O'BRIAN: Yeah. They were metered in 2011.
15 Then what we did is we compared to production in 2011,
16 actually an average, and in 2009.

17 CHAIRWOMAN PHILLIPS: 2009, and it was a whole
18 year of metering.

19 MR. O'BRIAN: Yeah. It was -- yeah, that's in
20 the water supply assessment.

21 CHAIRWOMAN PHILLIPS: Just for clarification,
22 too, what is the difference between metering a well and
23 monitoring a well? Is there a difference?

24 MR. O'BRIAN: Yeah. Metering is a term you use
25 when you put a meter on it for volume. Monitoring a

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1 well is you see what the elevation of water in the well
2 is. So metering is we're using 200 acre feet of water.

3 CHAIRWOMAN PHILLIPS: Okay. Thank you.

4 MR. O'BRIAN: Monitoring is groundwater
5 elevations at 30 feet.

6 CHAIRWOMAN PHILLIPS: Thank you for the
7 clarification.

8 COMMISSIONER BASAYNE: Mr. O'Brian, just with
9 regard to the recharge mechanisms that were alluded to
10 in the report in the response, you mentioned or the term
11 mentioned in the report is a perched aquifer. What is
12 that?

13 MR. O'BRIAN: Okay. So at Syar you've got
14 perched aquifers. There is a regional aquifer, which is
15 connected, that's kind of the base where water can't
16 fall any further.

17 A perched aquifer is water is coming down
18 through the ground, it's infiltrating through the soil,
19 makes it past the roots, it hits something that stops it
20 like a small clay layer. Stops, slides sideways, and
21 falls further to the regional aquifer.

22 So you see this in Syar in the form of
23 fractures where the water is primarily vertical through
24 the fractures and hits the regional aquifer, then it
25 starts flowing sideways.

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1 That's -- is that?

2 COMMISSIONER BASAYNE: Yes, thank you.

3 CHAIRWOMAN PHILLIPS: See how much we're all
4 learning here today?

5 MR. O'BRIAN: So going back to the figure,
6 there are five watersheds in the area, and what I mean
7 by watershed, that's that topographic structure that
8 captures the water -- that's the valley. Generally the
9 water, the groundwater is under that valley flowing in
10 the same direction in general.

11 So what we have at Syar, we have five
12 watersheds, but only four are in the work area. So two
13 of them are what I call closed, meaning right now the
14 way the grading is they're bowls. Water falls in them,
15 and it goes into the center and essentially infiltrates
16 through the fractures and goes to the MST, right, into
17 the regional aquifer.

18 So it's these two, it's State Blue Pit, State
19 Gray Pit, there are bowls, they get water, there is a
20 lake there. That lake is regional aquifer elevation, it
21 fills up a little bit. Then it goes down as the water
22 is pushed through the fractures generally north to the
23 MST.

24 So all that water is recharged. It's like a
25 recharge pit you might find in Southern California.

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1 That's exactly what they do, they dig a pit, let the
2 water fall into it, let it recharge the aquifer.

3 These valleys, this Arroyo Valley and this
4 small Sand Plant area, these are valleys. They have a
5 creek in the bottom, and this is a combination of
6 surface water and groundwater flow.

7 So that's the general structure. We're not
8 doing anything with the Central Valley here, which is
9 the watershed just to the south.

10 Let's see. So all the good stuff is at the
11 bottom of the slide, which is behind everyone's head.
12 So hopefully you can see it.

13 UNIDENTIFIED SPEAKER: What is the name of the
14 watershed? You said five.

15 MR. O'BRIAN: That's five. There is Central
16 Valley -- there is Central, Arroyo, Sand Plant, State
17 Gray, State Blue.

18 CHAIRWOMAN PHILLIPS: So for the record, the
19 question was what are the five watersheds.

20 MR. O'BRIAN: Like Jeopardy, right?

21 CHAIRWOMAN PHILLIPS: Yes. Right, but you
22 don't get to win the million dollars.

23 MR. O'BRIAN: Apparently not, yeah.

24 So you know, these figures are from the draft
25 EIR, you know, they're complex. I didn't want to bring

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1 up a whole bunch of new figures.

2 The Arroyo Creek is this one here, but the
3 project, as it was put into the original project, was
4 making blue, State Blue deeper, Gray Pit deeper, and
5 then these large headwalls in the Snake Pit area.

6 So the way you manage the surface flow is kind
7 of shown here in this diagram here. You have topography
8 as you see it today is gently sloping, rain falls on it
9 and it starts its path going down into the soil or along
10 the surface, bouncing along; and the mining changes
11 that, what it does is it takes something that is
12 generally like this and makes it like that. It makes
13 the bottom part flat and the steeper part steeper.

14 So the game is to figure out what the pattern
15 was and then adjust the retention time on the water. So
16 the water still falls in the same watershed, but what
17 you are doing is you are capturing it at the bottom and
18 you retain it in ponds. You design the pond in a
19 certain area to allow for infiltration, and then you set
20 the weir height so the pond will discharge to the creek
21 to mimic the patterns of rain, which are, you know,
22 peaky, up and down.

23 So during a major storm the pond will fill up,
24 it will start pouring off, and you get a peak that mimics
25 what used to happen when you had topography.

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1 MR. BASAYNE: Are there any pumps that are used
2 to augment the discharge or is it just something
3 natural.

4 MR. O'BRIAN: No, this is all natural. This is
5 standard stuff. You know, this is the way you do an
6 infiltration pond, overflow weirs and that kind of
7 thing. You can put multiple weirs on the same pond so
8 they discharge at different levels, that kind of thing.
9 It's all about elevation.

10 So the blue over here is the area, like, stamp
11 of when the project as designed was complete, that's how
12 much pond surface area you would need in these different
13 design -- in these different areas. So we have
14 different -- these blue things match to, like, upper by
15 Snake Pit, you would need that much surface area of pond
16 to mimic the infiltration.

17 So as the project progresses what happens is
18 you adjust the pond size seasonably as you do in your
19 excavation to make it bigger as you are taking out more
20 of the mining or smaller as you are moving rock around.

21 So that gets adjusted. At the end of the
22 project this is what it would look like in general. So
23 that's the surface water combined.

24 So let's talk about groundwater. Groundwater,
25 this is really complex. So the way groundwater --

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1 groundwater flows downhill. It's just like surface
2 water.

3 So it tends to want to find its own level. So
4 even though the permeabilities are a little different,
5 like you've got fractures, when it hits that regional
6 aquifer it's pretty flat. If you look at the
7 groundwater table in the MST it's pretty flat. The
8 groundwater is 30 feet here, you go four blocks down
9 there it's still 30 feet. It's pretty flat.

10 When you go up into the hills, what it's doing
11 is it goes up into the hill at a reasonably predictable
12 rate. It's going up the hill at some slope, and that
13 slope is pretty predictable, right.

14 So when you are out there you can actually
15 predict where you are going to find water by knowing
16 where it is by calculating that slope. So that's the
17 mitigation measure is keep track of the water table,
18 project where it's going to be, and when your mining is
19 within 50 feet start drilling and confirming.

20 Once you drill and confirm, then you can go
21 down 10 feet. Now, this mine is not going to happen
22 overnight. So this is data that's going to develop over
23 the next 35 years starting with this; but every year
24 there is a requirement for a geologist to go out there,
25 map out the groundwater in the spring when it's the

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1 highest, project it in the hillside and that's your
2 limit. So that's where they bind to. Should be the
3 same or very close year after year after year up here in
4 the hills. Simple.

5 Oh well, I bleeped my punch line.

6 So that's it. So the mitigation measures that
7 are applied on this are pretty simple. You have a set
8 quantity of water, you have to re-infiltrate and design
9 to recharge the aquifer, and you have to know where the
10 aquifer is before you go blasting and cutting too close,
11 and you report annually every year.

12 Any questions?

13 CHAIRWOMAN PHILLIPS: You report annually every
14 year.

15 Are there any questions for Mr. O'Brien?

16 Thank you very much.

17 Now I'm going to ask the applicant if they
18 would like to make any opening comments, and then we
19 will open up the public comment period.

20 MR. ADAMS: Hello Commissioners. Tom Adams
21 representing Syar Industries.

22 First of all, I'd like to enter into the record
23 some support cards that we had filled out by members of
24 the community.

25 Okay. So got a good turn out continue. Good

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1 to see everyone here. I think that was a very useful
2 presentation by staff and the consultants that have
3 worked for quite a number of years on this project along
4 with the Syar team.

5 From the Syar team, we've got Jim Syar, we've
6 got John Perry, we've got Mike Corrigan, and we've got
7 Jennifer Gomez along with a number of other employees
8 here. We're happy to be seeing some progress moving
9 this process forward.

10 One of the key components of understanding this
11 project for us is to understand what the big picture is
12 here. What are the economic and environmental
13 implications of the project, because we believe that
14 it's important to understand the uniqueness of this
15 project compared to other projects that the county
16 typically deals with.

17 This is the first time this project has been in
18 front of the Planning Commission or the Board since the
19 '80s.

20 So first of all, we have to recognize that it's
21 the only quarry in Napa County. It's responsible for
22 providing all of our aggregate for our local projects.

23 That aggregate -- the aggregate products that
24 it provides really are seen everywhere. Before I
25 started working on this project and for Syar, you know,

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1 I knew what aggregate was, obviously, but I didn't have
2 nearly the appreciation of how instrumental it is to our
3 daily lives.

4 The impact that the quarry has had on the
5 community for the past, the present, and what it's going
6 to have in the future is something that's also important
7 to understand.

8 If you look at the past, you can look at the
9 development of Napa and see the State Hospital, our
10 world class wine industry, all the development -- the
11 hospitals, the parks, the schools, the Highway 12
12 widening project, the earthquake restoration
13 reconstruction, it all relied on rock and aggregate from
14 the Syar Quarry; and today and moving forward we know
15 that we have some challenges ahead of us specifically as
16 it relates to primarily to maintaining our existing
17 infrastructure.

18 As you know, our current budgets are extremely
19 short in funding for road maintenance, and in response
20 to that the citizens of Napa County stemmed up and voted
21 for Measure T which is intended to raise 300 million
22 dollars in tax revenue to be used forever road
23 maintenance. Those road projects are going to require
24 aggregate product, and Syar is the closest source for
25 that. There are a lot of reasons why you want a local

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1 resource for your aggregate products. In addition to
2 Measure T maintenance, we've got the Napa County
3 transportation planning agencies, vision 2040 report
4 that estimated they needed 800 million dollars for
5 projects to address our traffic congestion problems for
6 the current problems and anticipated increased traffic
7 into the future.

8 So these are some major challenges that are
9 just going to require some thought and some policy
10 consideration as it relates to this project as to how
11 are we going to meet those challenges.

12 In addition to the roads, we also have just the
13 regular run-of-the-mill things, like Napa Pipe, the
14 hotel development. We have other projects that are
15 important to the community, Costco, you know, that's
16 going on. Everyone wants a Costco. The Vine Trail, for
17 example, you know, that's going to require aggregate.
18 Well, some of us want a Costco.

19 So the bottom line I think is that without the
20 quarry we would have to rely on imported aggregate. And
21 imported aggregate would have to come from jurisdictions
22 that are outside of the immediate area. We might be
23 able to get some aggregate from adjacent counties in the
24 short term, but there really is a -- there is a
25 shortfall of aggregate available in the region.

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1 When you look at the impacts of importing
2 aggregate, they're significant. I just list them here,
3 and you've probably seen them before, but you increase
4 the number of trucks on the road. So you are increasing
5 traffic, you are increasing the cost of the material,
6 because aggregate is a high volume, low cost product,
7 and the hauling costs are a major driver of price.

8 You increase your road wear and tear, and
9 therefore, you are kind of creating more problems as it
10 relates to road maintenance, you increase greenhouse
11 gas emissions and diesel emissions, which contain
12 known air contaminants. You decrease our tax revenue
13 because we're taking our sales tax dollars and we're
14 spending them in someone else's county. You also
15 decrease the number of local jobs, and these are good
16 jobs.

17 So I think that smart, sustainable planning
18 requires us to take a hard look at this and make sure we
19 really protect our aggregate resources for today and
20 into the future.

21 So it may be obvious to some, but I think we
22 need to answer the question, why are we here? Why do we
23 need to expand the quarry? As I mentioned, aggregate
24 materials are essential to Napa County and to the rest
25 of the state for maintaining and growing, you know and

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1 existing economy.

2 So there are a couple main components here.
3 One of the things we're asking for is an expansion of
4 our quarry so we can have access to high quality basalt.
5 We are running out of basalt. The current reserves are
6 estimated to last up to a year for basalt. We have
7 probably five years worth of supply of other lower grade
8 material that can't really be used for road repaving
9 projects and construction projects.

10 We also are asking for 1.3 million in
11 production. Currently our permit has no production
12 limit, but we have a baseline of 800,000 based on just
13 what CEQA requires as picking a date, using that as the
14 baseline; but we want to go up to 1.3 million as our
15 limit, because that's the amount of rock that Napa
16 County needs.

17 We didn't come up with the numbers. We used
18 numbers developed by the state, they're substantiated by
19 many different agencies across the United States to show
20 that the average per capita demand for aggregate
21 products in the United States is roughly 9 tons per
22 person per year to support our current lifestyle and our
23 future economic growth. It's a lot of aggregate.

24 The third thing we're asking for is to upgrade
25 our permit. This permit upgrade is going to allow us to

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1 install a recycled asphalt plant that will actually take
2 the asphalt that you grind off of the street before you
3 repave it and enable Syar to incorporate that back into
4 the asphalt product; therefore, saving aggregate and
5 saving hydrocarbons further reducing environmental
6 impacts, as well as upgrading our mitigation measures,
7 our reclamation plan to reflect modern standards.

8 So we heard some discussion earlier by staff
9 about our current permit, but I think it is worth
10 mentioning again here. Our current permit was issued in
11 1973, although there has been mining on the property for
12 over a hundred years; but up until 1973 you didn't need
13 a permit.

14 The last modification was in 1984. Our current
15 permit is outdated. There is no expiration date. There
16 is limited environmental restrictions, and it includes
17 no production limit.

18 Additional mining under the existing permit for
19 us to continue to produce the high quality basalt would
20 require us to really begin aggressive and remove visual
21 screening from the interior of the mine that screens the
22 public from a lot of the mining activity. It would
23 require us to begin to mine beneath the regional
24 groundwater table, which we are currently allowed to do,
25 but we have not done recently in the hopes of getting

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1 this permit.

2 Even if we were to do that, we would be limited
3 to the amount of basalt that we could ultimately produce
4 to approximately we estimate 900,000 tons of high
5 quality basalt, maybe two years supply on average, with
6 another 4,500,000 of lesser quality salable material.

7 So continued mining under our existing permit
8 is going to really require us to create greater
9 environmental impacts, there will be less oversight by
10 the county and other agencies and basically result in us
11 producing significantly less aggregate material for the
12 county, and we wouldn't be able to meet their needs.

13 The Pasini parcel. We also hear a lot about
14 the Pasini parcel. It's the main area where we've
15 determined basalt to be.

16 Pasini parcel is owned by Syar Industries, and
17 it's been designated as a mineral resource zone too by
18 the state as of 2013.

19 So the first thing we did to kind of determine
20 and answer questions about how much rock is in there and
21 how much do you really need, do you really need to
22 expand to the extent that you are asking for, is that
23 first we looked at our basalt demand, not our overall
24 1.3 million production limit, but how much high quality
25 basalt do we need.

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1 We used projections based on historical data,
2 Measure T, Vision 2040, the reductions that would be
3 implemented through the recycled asphalt plan and other
4 factors, and we came up with an average of 500- to
5 600,000 tons a year on average is the amount of basalt
6 that we anticipate needing to meet the county's supply
7 moving forward; and that's over a 35-year permit life.

8 So that, depending on the 500- or the 600-
9 number, leaves you with 17.5 million tons to 21 million
10 tons of basalt.

11 When we looked at the revised expansion area
12 that Syar has proposed in response to public comments
13 received at our last public hearing, we calculated the
14 amount of basalt available to be 22.4 million tons. So
15 a little over, but right about where we think we need to
16 be to supply, you know, a local source of high quality
17 aggregate for the community moving forward for the life
18 of the permit.

19 Now, the hybrid expansion area, which is what
20 staff, you know, went back and came up with, when we
21 calculated that out, we end up with 12.3 million tons of
22 salable basalt; and that's just simply not enough, I
23 think it only takes us to about 20, 25 years.

24 So we're falling short with that hybrid. It
25 just doesn't provide enough aggregate to meet the

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1 county's demands.

2 So why don't we import aggregate? Why not just
3 get the aggregate from Lake Herman Quarry? Syar owns
4 that. It's right in Solano County. Why don't we get it
5 from Sonoma County? Why don't we ship it in from
6 Canada?

7 Well, the region has a shortage of aggregate,
8 and the Lake Herman Quarry recently received a new
9 permit, and that permit has a cap of 3 million tons of
10 production. There is a reason for that cap. They right
11 sized their production according to their own population
12 demand, just like we are trying to do for Napa. If you
13 multiply the population of Solano County by 9
14 million -- 9 tons of aggregate, you are going to come up
15 where an annual demand of approximately 3 million tons a
16 year. That's what their permit was approved for.

17 Solano County doesn't want to produce aggregate
18 for Napa County, just like Napa county doesn't want to
19 produce aggregate for other counties.

20 Also, Sonoma County is a net importer of
21 aggregate. The region as a whole imports 10 percent of
22 the aggregate from Canada. They ship it down from
23 British Columbia in a ship, bring it into the
24 har -- into the bay, put it on trucks, and haul it to
25 the work site or to the quarry to be processed and then

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1 eventually shipped, trucked off to the actual work site.

2 So these are real economic and environmental
3 impacts that need to be considered. Couple examples I
4 think are useful. From an economic impact standpoint,
5 if you look at, you know, a recent small project, you can
6 look at the Napa Sanitation District MST recycled water
7 pipeline that went out Imola Avenue. Well, they
8 recently required 50,000 tons of aggregate to be
9 delivered from Napa quarry to backfill or for the
10 pipeline construction in the trenching.

11 If that aggregate was to come from Lake Herman
12 Quarry, which is only 14 miles further away, it would
13 have increased the cost of the hauling -- it would
14 increase the cost of the hauling \$100,000. Which ended
15 up being in this case a 700 percent increase in the
16 aggregate hauling cost for that project, because the
17 cost of aggregate is directly related to the miles that
18 it takes to take it from the plant to the jobsite.

19 Now, an environmental example as to why it
20 doesn't make sense to import aggregate is if you look at
21 Canada for an example, you can think, you say, well, you
22 put a bunch of aggregate in a ship, it comes down the
23 coast, maybe that's better for the environment, maybe
24 the ship, you know, when you do the math has fewer
25 emissions.

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1 So it's 1100 miles from Canada to Richmond.
2 Then from Richmond they -- you have to put it on a truck
3 and truck it 40 miles to the Napa County line. So when
4 you do the math, you end up with an equivalent of a
5 220-mile truck trip.

6 So that's the same as if we were to get our
7 aggregate from Reno, Fresno, or Redding. So that's a
8 lot of vehicle miles traveled and it's a big hit on our
9 climate action plan, I would say, since vehicle miles
10 traveled have been the biggest -- have been identified
11 by at least the draft climate action plan is the biggest
12 source of greenhouse gas in the county.

13 Now, we spent seven years in this environmental
14 review process, and, as you've seen the experts
15 summarize, there has been a lot of work that's gone into
16 this. Staff has spent a lot of time.

17 We're not asking to mine at the cost or expense
18 of the public. We have spent many and many a year and
19 many dollars evaluating environmental impacts and coming
20 up with mitigation measures, or, I should say, the
21 county and the consultants have.

22 As we heard, the EIR evaluated the 200
23 million -- or the 2 million ton annual production
24 project; and what we're proposing now is a reduced
25 project of 1.3. So that's a 35 percent decrease in

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1 activity at the site.

2 Even at 2 million, the only significant
3 unavoidable impact was greenhouse gases. All the other
4 impacts, the park to air quality to water to traffic
5 were less than significant already.

6 So we've taken it down a significant step below
7 that. Taken it -- not only reducing other impacts to
8 well below the level of significance, but also bringing
9 the greenhouse gas emissions down to a level of less
10 than significant.

11 There was discussion of the health risk
12 assessment. We know that's important. It was
13 identified early on as an important component of the
14 environmental analysis. That's why it was done. It is
15 very conservative, as was stated. It was again 2
16 million tons of production. It assumed a flat terrain
17 model as opposed to a hilly terrain model. It used
18 ultraconservative assumptions in order to provide the
19 public with a sense of security that the conclusions
20 were not only adequate, but went a step further and
21 provided some buffer that there would be no impacts.

22 But new industrial general permit for storm
23 water, the State Water Resource Control Board has
24 increased the level of oversight dramatically, and that
25 goes into effect August 14th.

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1 We've already submitted our storm water
2 pollute -- notice of intent on our storm water pollution
3 prevention plan for that, and it requires specific
4 actions when you have an exceedance of a benchmark, and
5 oversight and reporting to the Regional Water Quality
6 Control Board.

7 When you have a second exceedance you move up
8 the level of compliance and you have to do more and show
9 that you actually have a plan in place to address any
10 discharges that are in exceedance to the benchmarks
11 including sediment or any other pollutant that might be
12 a concern.

13 It also takes into consideration the Napa TMDL.
14 The Regional Water Control Board has been directed to
15 come up with thresholds for that. They're still working
16 on that, but I think in 2016 they're supposed to have
17 those numbers. So that will be incorporated into our
18 industrial general permit for storm water.

19 We heard that the noise mitigation requires
20 compliance with what I interpreted to be interior
21 residential standards. Okay. We have to monitor it
22 actively at the property line where the trail is there.
23 So the trail users are sensitive receptors.

24 The fugitive dust mitigation, I mean we heard
25 it. It has the potential to decrease dust below the

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1 current level of dust emissions from the plant and the
2 property. Some people may find that hard to believe,
3 but that's what -- that's the conclusion. It has a lot
4 to do with the fact that we've got an outdated permit.
5 Okay. Updating the permit has a lot of benefits.

6 There'll be no increase to groundwater
7 extraction, and there will be no change in recharge as
8 was just explained through a very complicated monitoring
9 program; and we've got almost 300 acres of avoidance of
10 biological -- for biological and water quality issues on
11 site.

12 We are retaining the Skyline Wilderness Park
13 trails. We've increased our setbacks. We are planting
14 trees within the setbacks to provide additional buffers,
15 even though the aesthetic's analysis there was no
16 significant impact.

17 Our operational limits say that when we are
18 within 400 feet of areas in which there is going to be a
19 potential impact on Skyline Wilderness Park, we are
20 going to not only monitor the noise to ensure we don't
21 exceed the county noise ordinance, but we're only going
22 to operate during the weekdays from 7:00 a.m. until
23 noon, and we have 48 hours of advance notice for
24 blasting.

25 So I think when we look at this I think it's

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1 important for us to recognize that we have a -- I
2 believe that we have, the county as well as everyone in
3 the public has a responsibility to evaluate the project
4 and the public comments based on facts and professional
5 and expert opinion, an analysis that's been provided in
6 the EIR, in the final EIR in response to comments.

7 The EIR is a culmination of seven years worth
8 of work, work that involves extensive public input from
9 the very onset over seven years ago. Okay. It has been
10 undertaken at great expense and cost in time and money
11 by the county and the applicant.

12 So the conclusions in the EIR deserve to be
13 given great weight. I mean, the conclusions are that
14 the project, as Syar proposed with their revisions,
15 is -- the impacts are less than significant. I mean,
16 that is what the document says and the studies support
17 that.

18 CHAIRWOMAN PHILLIPS: Mr. Adams, we have a lot
19 of people that have -- I know you are going to have
20 another chance to speak at the end.

21 MR. ADAMS: I'm trying to make this
22 interesting.

23 CHAIRWOMAN PHILLIPS: I know, but you know,
24 we've got over 20 minutes for the opening comments
25 and --

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1 MR. ADAMS: I'll close it up.

2 CHAIRWOMAN PHILLIPS: Very -- yes. You will
3 have another chance to speak at the end.

4 MR. ADAMS: In the end, you know, I think that
5 state and local policies recognize the importance of
6 ensuring that the community has a sustainable long-term
7 source of local aggregate. Okay.

8 The EIR's no-project alternatives and the staff
9 report recognize the implications and importance of the
10 project and the impacts of the no-project alternative,
11 and we would ask that you would consider Syar's proposal
12 as revised and look at the comments that we receive in
13 light of the conclusions contained in EIR and the final
14 EIR.

15 Thank you.

16 CHAIRWOMAN PHILLIPS: Thank you, Mr. Adams. I
17 am sorry. I just tabulated and we have two-and-a-half
18 hours of public comment right here. So I appreciate you
19 wrapping that up. Thank you. Thank you, Mr. Adams.

20 Now I am going to move to open the public
21 comment period, and refer to the speaker cards, and the
22 first speaker card is Gary Margadant.

23 Yes, and actually, thank you, we're going to
24 have the next speaker on deck, and that would be Barbara
25 Nemko.

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1 Actually, a point of order, since I am
2 announcing the names, do they need to re-announce their
3 names when they come up to the podium to speak
4 or -- okay. Thank you.

5 MR. McDOWELL: Ms. Chair, when would you
6 consider a break?

7 CHAIRWOMAN PHILLIPS: I know, there was a
8 period there. I was going to try to go until 6:00 and
9 then take a comfort break so that we could get this a
10 little bit going on the public comment.

11 This is the first time that I have not taken a
12 comfort break. So this.

13 Mr. Margadant.

14 MR. MARGADANT: Good evening to the Planning
15 Commission, to the Madam Chair, and to all of the other
16 members. My name is Gary Margadant. I live up on Mount
17 Veeder Road, and I am the president of Mount Veeder
18 Stewardship Council, and we're quite interested in water
19 in the county. So we'd like to comment a few things on
20 the Syar proposal.

21 I was very interested in Mr. Adams's
22 presentation about the needs of the aggregate, you know,
23 in the county, and but I have also wanted to let him
24 know that, you know, there is also the need for water
25 management and responsible landowners to actually take

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1 care of the water situation we have.

2 This is the MST, this is the
3 Milliken-Sarco-Tulocay, and it's a water depletion area;
4 and I would think this would be something that would be
5 on the minds of all of the people here to say, you know,
6 good citizens and good businesses would actually take
7 the time to really try to conserve this natural resource
8 that we have and treat it with care and affection.

9 I really don't see that Mr. Syar is really
10 going to do things that are really going to help
11 conserve water in the MST. I would like to see him use
12 some of the better practices that take place in the
13 quarry that are the recycling of the water that he might
14 use for wash water instead of just once through and
15 dump. I would like to see him again use that water over
16 and over again by simply filtering it out or cleaning
17 it. This is something that is done in other quarries
18 that are much better at this than he has proposed in his
19 quarry.

20 I would like to see, you know, a monitoring of
21 the wells completely all of the time that are in the
22 groundwater for the MST. I think in a groundwater
23 deficient area I think this is something that a good
24 citizen would do and it's something that's really going
25 to come in the future he has spoken about with the

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1 changes of water that are going to happen, you know, in
2 the state. I should think that would be something you
3 might want to do right now.

4 There is also a big push for recycled water in
5 the county. You have a septic -- I mean, sorry, a
6 sanitation district that is pumping recycled water back
7 up into the area, and I think it would be something nice
8 that we would all like to see them use.

9 There is a purple pipe, this is what it's all
10 pumped in, that goes right up Highway 29, goes right
11 by -- excuse me, I mean Soscol, and goes right up by
12 Syar. I believe there is a spur that begins to go off
13 of that. I would like to see them use that water and so
14 that the aquifer is not depleted, you know, in the MST.
15 I think this would be a good citizen of Napa County
16 would do this type of thing.

17 Best practices in quarries are something that,
18 you know, as I alluded to earlier, are something that
19 should be followed and there should be a competition
20 between them to say, "Hey, we're just as good as the
21 other guys," and I would like to see Mr. Syar, you know,
22 come to that point and say, "This, I believe, is
23 something that we will do as a good citizen here."

24 The water from the -- the recycled water that's
25 coming out of the sanitation district is tertiary

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1 treated. This stuff can be sprayed --

2 CHAIRWOMAN PHILLIPS: Mr. Margadant, I am
3 really sorry. We're really trying to keep it to a
4 three-minute.

5 MR. MARGADANT: I'll finish up.

6 The tertiary treated water is something that
7 you can spray into the air, and it's not harmful to
8 anybody and it's something that could very easily used;
9 and I would really like to see the project adopt those
10 particular habits. Thank you.

11 CHAIRWOMAN PHILLIPS: I appreciate you wrapping
12 it up like that. Thank you.

13 Barbara Nemko and Harold -- excuse me. I want
14 to reiterate that we're -- want to make sure that
15 everyone gets to speak so to would hold any clapping
16 after speakers.

17 UNIDENTIFIED SPEAKER: Can it be translated
18 into Spanish by any chance?

19 CHAIRWOMAN PHILLIPS: There is a translator.

20 THE INTERPRETER: Translation services are
21 just for people that want to speak and we can help them
22 translate it.

23 UNIDENTIFIED SPEAKER: You are going to create
24 confusion, I am sorry. That's just...

25 CHAIRWOMAN PHILLIPS: The question was whether

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1 there are translation services available currently for
2 the proceedings, and there are not. There are
3 translation available for -- in Spanish for the comment,
4 for the public comment.

5 After -- next on deck is Harold Heimbigner.

6 MS. NEMKO: Good evening. My name is Barbara
7 Nemko. I am the County Superintendent of Schools. Our
8 offices are located at 2121 Imola Avenue. We also have
9 a preschool on the property as well as classes for
10 middle and high school students in our juvenile court
11 community school program.

12 Also, I live on Seville Drive, which is in the
13 neighborhood of the quarry. So when I first heard about
14 the expansion project and read the EIR report, I had
15 concerns and asked that before the project moved forward
16 that the concerns be addressed, and I was very pleased
17 that Syar did reach out to us, and we went on a tour of
18 the property with our maintenance and operations
19 manager, our deputy superintendent and I, and we looked
20 at the revised proposal.

21 Our concerns were that having been in this
22 space since 2002, we had no problems with the quarry.
23 On occasion there would be a little jolt, and we would
24 all look at each other and say, oh, my, was that an
25 earthquake? That was probably Syar, and that was the

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1 extent of it, but we were concerned if the area that was
2 being blasted was much closer to us this would become a
3 ever frequenter occurrence. Instead, there is no
4 further movement with the revised proposal to bring that
5 closer; and we do not have a problem living with the
6 conditions they have been since 2002, it really is not a
7 problem.

8 So I am here to withdraw the objections that I
9 stated in my letter of February 17th, and I support the
10 project, the revised proposal.

11 CHAIRWOMAN PHILLIPS: The revised proposal.

12 MS. NEMKO: Thank you.

13 CHAIRWOMAN PHILLIPS: Thank you, Ms. Nemko.

14 Harold can come up to speak, and Bob Schwab and John
15 Galietti are the next two speakers.

16 MR. HEIMBIGNER: Thank you. My name is Harold
17 Heimbigner. I have been an employee for Syar for 18
18 years, and over the 18 years, I've also coached softball
19 and baseball for all of the high schools in this town.

20 Over the current time that I have been at Syar
21 Mr. Syar has donated a number of items for us to use to
22 upgrade our facilities at all three of the high schools,
23 where there is almost a hundred ton of base rock,
24 conveyor belts as well as even giving me time to take
25 care of it.

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1 Thank you.

2 CHAIRWOMAN PHILLIPS: Thank you.

3 MR. SCHWAB: Good evening. My name is Bob
4 Schwab. I happen to be the human resource manager for
5 Syar Industries. I've got 40-plus years in the
6 construction industry. I have 35-plus years in human
7 resources, and I'd like to talk about the human
8 resource. We've talked about rock, aggregate,
9 et cetera.

10 You can take a show of hands here of people who
11 have worked for Syar, and you'll find that people stay a
12 long time. In the community, if you happen to know
13 somebody that has worked for Syar, you will find that
14 they're probably middle class; something we're told is
15 shrinking across the United States is the middle class,
16 but you would find that they're middle class and they're
17 happy in their work.

18 Adults vote with their feet. If they don't
19 like working somewhere, they leave. Yet, there are some
20 people here, Don McConnell, 20-what years?

21 MR. McCONNELL: 30.

22 MR. SCHWAB: 30 years, okay, same employer.
23 That's rare.

24 So people like working there, and it's a
25 contributor to the middle class, something we're told in

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1 print is shrinking. They're good jobs. That's in the
2 past.

3 We've come out of the economic recession,
4 construction was hit hard. Just now are we starting to
5 hire people. Some of the people that I'm particularly
6 targeting are returning veterans from overseas.

7 In the last 18 months we've hired three
8 returning veterans, two out of the U.S. Marine Corps,
9 one out of the U.S. Army, through a program called
10 Helmets to Hard Hats where they can take not all the
11 skills they've learned overseas, but, you know, the
12 domestic skills like driving trucks, repairing them,
13 et cetera, and are putting them to use.

14 All three people we've hired are getting more
15 money now than they did, and if they keep on the same
16 trajectory they too and their families are going to be
17 part of that middle class, something we're told is
18 diminishing and used to be the backbone of our economy.

19 Thank you for your time.

20 CHAIRWOMAN PHILLIPS: Thank you, Mr. Schwab.
21 And John, you will be our last speaker, and then we will
22 take a five-minute break.

23 MR. GALEOTTI: Thank you. John Galeotti.
24 Thank you all on the panel on the hot seats tonight. I
25 think the presentations were great.

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1 Everybody talks about dust and control of all
2 these different things in the air. If you look to the
3 north right now, it looks like a bomb went off up there.
4 We've got a fire that's burning. I think that has a lot
5 more stuff going into the air than Syar Industries does.

6 Also these rock facilities that Jim Syar owns,
7 they have MSHA come in there and they have OSHA come in,
8 and they do these inspections and they're regulated.

9 We have some of the most safety trained
10 operating engineers, teamsters, laborers, labor trade
11 people, people that work for a living hard.

12 When the earthquake happened here, I live in
13 American Canyon, I'll tell you what, we were picking up
14 stuff from 7:00 in the morning until 7:00 at night,
15 glass, everything.

16 You looked at the roads, who did they get the
17 material from? I hope that you guys all tip your hat to
18 Jim Syar, Syar Industries for providing safe jobs,
19 careers versus jobs. Jobs are something that people do
20 not for a living. Careers are what operating engineers
21 do, teamsters, laborers, cement masons, all those
22 trades, they work for a living, we work hard, and we
23 appreciate the work that we get provided by our
24 employers.

25 So I think everybody in this room should tip

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1 their hat to Syar Industries for providing those job.

2 Quit dragging your feet, and let's get the permit, and

3 let's go forward, thank you.

4 CHAIRWOMAN PHILLIPS: Thank you, Mr. Galietti.

5 (Applause.)

6 CHAIRWOMAN PHILLIPS: We're going to take a

7 five-minute break and come back and continue.

8 (Recess taken.)

9 CHAIRWOMAN PHILLIPS: I'm going to call the
10 meeting back to order, and call our next speaker; and
11 that is John Walker, and then on deck is Joe Cabadet and
12 then Ken Miller.

13 To keep the process, I would like to, if you
14 could, state your name and address for the record.

15 MR. WALKER: My name is John Walker. I live in
16 Sonoma, California, but I have been working here at Syar
17 for 32 years, and like many of the hundred people that
18 work here at Syar, although I don't live in Napa, I
19 contribute to the Napa economy. I buy my groceries at
20 Trader Joe's, Raley's, Lucky's, I'm at Home Depot. My
21 eye doctor is here, get my glasses here. You know,
22 belong to a gym here. I even adopted, you know, my
23 one-eyed Chihuahua from the Napa Valley Animal Shelter;
24 and, if, you know, the Syar Quarry, you know, gets shut
25 down, our head office will probably move down to

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1 Vallejo. So the money that myself and all the other
2 people that are commuting into Napa will now get spent
3 in Vallejo.

4 Additionally, of course, we'll have to commute
5 down to Vallejo. Although it's been mentioned
6 greenhouse gases, and my wife will kill me if I didn't
7 say this; but, you know, if you look at what the
8 greenhouse gas production is going to be for trucking
9 all those materials in stop-and-go traffic at best from
10 Vallejo up here, it's going to -- it's going to have
11 significant impact. There are going to be hundreds of
12 thousands of gallons over the decades of additional
13 diesel getting burned, importing material that could be
14 produced right here in Napa.

15 Our other concern is that of the hundred people
16 here some of us would get moved. We have colleagues and
17 friends here from the quarry, and they can lose their
18 jobs. That's also going to have another impact on the
19 area and the economy.

20 I'd also just like to kind of thank the Syar
21 family, and you've heard other people, because they
22 provided good, solid, reliable jobs to us. You know,
23 we've got families, you know, raised kids here. We've
24 got third generation people working at Syar; and you
25 know, saying I have been working for the same employer

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1 for 32 years, you know, I'm not that exceptional for a
2 company of Syar. I think that says a lot for the
3 integrity of the family you are working for. Thank you.

4 CHAIRWOMAN PHILLIPS: Thank you, Mr. Walker.
5 Then next up is Joe, and as Joe comes to the podium,
6 there was a quick announcement that, Adriana, there has
7 been some confusion, just to clarify.

8 THE INTERPRETER: (Speaking in Spanish.)

9 CHAIRWOMAN PHILLIPS: Thank you, Adriana.

10 THE INTERPRETER: Say it in English?

11 CHAIRWOMAN PHILLIPS: Yes.

12 THE INTERPRETER: Pretty much I told them if
13 you need to speak to the Commissioners, you need to fill
14 out a card. So please feel free to stop by here, put
15 your name on it, and they will call you in order.

16 CHAIRWOMAN PHILLIPS: Then you have three
17 minutes to speak.

18 THE INTERPRETER: Three minutes.

19 CHAIRWOMAN PHILLIPS: You would be able to
20 translate.

21 THE INTERPRETER: Yeah, I told them I was able
22 to translate.

23 CHAIRWOMAN PHILLIPS: To clarify.

24 THE INTERPRETER: Thank you.

25 CHAIRWOMAN PHILLIPS: My Spanish isn't that

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1 good. Mr. Cadabet.

2 MR. CABADET: Madam Chair, Commissioners, I'm
3 Joe Cabadet with Laborers Local 324. On behalf of Randy
4 LeMoine representing the laborers at Syar. My portion
5 is going to be in Spanish.

6 (Spanish. See attached.)

7 We're asking for your support for the Syar
8 expansion. Thank you.

9 CHAIRWOMAN PHILLIPS: Thank you. Now I have a
10 point of order. So Laura, that means -- I am sorry,
11 Counsel Anderson.

12 MS. ANDERSON: Perhaps he could provide what he
13 read from so Adriana could go ahead and translate it if
14 the Commission would like.

15 CHAIRWOMAN PHILLIPS: I'm going to accept
16 another speaker while we work on that. Bill -- you guys
17 are killing me here, Bill Darmet. Oh. He left, thank
18 you.

19 Jim Riley, and then Ken Miller. Is Jim Riley
20 coming up? Then Ken Miller, are you here?

21 MR. MILLER: Yes, ma'am.

22 CHAIRWOMAN PHILLIPS: You are on deck.

23 THE INTERPRETER: I have the translation in
24 English. Do you want me to read it right now or just
25 wait?

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1 CHAIRWOMAN PHILLIPS: We'll wait.

2 MR. RILEY: Hi. My name is Jim Riley,
3 organizer with operating engineers, building trades
4 delegate, and Central Labor Council vice president.

5 I currently live in Vacaville, but I grew up in
6 Napa from kindergarten to high school. So it's been my
7 home for a long time.

8 I want to concur with what Bob Schwab said with
9 the HR department, the human resources person. You
10 know, human element being very important. Being a rep
11 that represents the -- our members that work out there,
12 the middle class, you know, we need to support that.
13 Nowadays we're really losing -- we're losing those folks
14 especially around here in the Napa Valley.

15 Also, we have some third-generation people that
16 are working for Syar. They're actually third
17 generation. So it supplied not only people now but of
18 the past. So they have an interesting history of
19 working for Syar.

20 Being a kid growing up here, I know I've
21 brought up in the past that Kaiser Steel used to be a
22 hustle and bustling place and a lot of people were
23 working there. When that place shut down the economy
24 suffered, and it's still the area has yet to recover
25 from that many jobs that were happening out there.

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1 If Syar was no longer to mind out here, we
2 would lose -- we'd have another ghost town effect. We
3 all know what Mare Island effect -- how that affected
4 Mare Island when that shut down. The Napa Pipe or
5 Kaiser, and then this, it would be devastating. That's
6 just one tangent.

7 I also wanted to bring up the Napa Pipe
8 project. If that were to go through, and we support
9 that, the two juxtapose each other, and the carbon
10 footprint and NOx, it makes complete sense to have a
11 quarry here to facilitate a project of that size, not
12 only all the recycled material, all the asphalt and the
13 concrete that could be wheelbarrowed over next door and
14 then they could re-create all the aggregate here from
15 the underground to the pavement to the sidewalks, the
16 whole infrastructure. It just makes sense, it's here.

17 Thank you for my time -- giving me time. Thank
18 you.

19 CHAIRWOMAN PHILLIPS: Thank you, Mr. Riley.

20 Ken Miller, and then Mark Burhesse, Burhesso.

21 MR. MILLER: Good evening, ladies and gentlemen
22 of the Commission. Thank you for letting me speak. My
23 name is Ken Miller. I have lived in Napa for 37 years.
24 My address is 4171 Pinot Drive. Did you get that?

25 So 2012, when Measure T passed, I voted for

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1 measure T, and I'd like to see my tax dollars spent on a
2 local company providing good middle class jobs for our
3 community.

4 I see a lot of people with the Skyline Park
5 tags. I commend you. I also enjoy Skyline Park with my
6 son. We're in boy scouts, we do a lot of hiking and
7 camping out there.

8 I'd like to thank Mr. Syar for his company's
9 recent donation of land to this park. That was most
10 excellent.

11 I'm also a business agent for Ironworkers Local
12 378. I'm here on behalf of my 28 members that live in
13 this community and myself. I'm also representing
14 Teamsters Local 359. They were here but had to leave.
15 They have an executive board meeting tonight. We're all
16 urging you to vote yes on this project and keep it going
17 forward.

18 Thank you.

19 CHAIRWOMAN PHILLIPS: Thank you, Mr. Miller. I
20 don't see Mike at the microphone. So Don Garcia, are
21 you here? Don Garcia? He had to leave.

22 Dave Harrison. After Dave Harrison is Theresa
23 Lafrancoise. Teresa, you are here. Okay.
24 Mr. Harrison.

25 MR. HARRISON: Good evening members of the

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1 Commission, Commission Staff, my name is Dave Harrison.
2 I am not a Napa resident, but I am the business
3 representative or district representative for the
4 Operating Engineers Local 3. I'm here tonight on behalf
5 of our over 400 members that live and reside and work in
6 Napa County.

7 First I'd like to thank Mr. Barrella and staff
8 for your presentation tonight and the consultants. It
9 was a great presentation, answered a lot of questions in
10 my mind about the project. I know the work that staff
11 put into it was pretty intense over the last eight
12 years.

13 I'm here today to speak in support of the
14 quarry expansion permit, more specifically the reduced
15 footprint as proposed by Syar, the 109-acre plan.

16 We've heard a lot about Syar's contributions to
17 the community in past meetings and tonight and the Syar
18 family's community partnership. So I am not going to
19 dwell on that too much, but again, I'd like to thank
20 Mr. Syar for his contributions.

21 I want to talk about the evolution expansion
22 permit -- of the expansion application permit. It was
23 originally filed over 7 years ago, included
24 120-plus-odd-acres, 2 million tons. Now today, after
25 several concessions and contributions back to the

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1 community, the Planning Department staff is recommending
2 approval of what I believe about a 77-acre footprint and
3 the reduced tonnage. I don't have a problem with the
4 tonnage, but the reduced footprint is extremely limiting
5 for the local resources, the needs for the local
6 community. I'm going to talk about that in a second.

7 Take note that some of the take-away is due to
8 Syar's donation, as we've heard again, to the Skyline
9 Park and those existing trails. Those trails that were
10 built on the Syar property now belong back to them.
11 They don't have to do anything to relocate those trails.
12 So that was nice.

13 Next I want to talk about the significance to
14 the Napa Quarry to the region. The California Mining
15 and Geology Board has designated this quarry as a
16 mineral source of regional significance. We have heard
17 previously this is the only quarry for basalt rock in
18 the county and in the region. They've done that for
19 several reasons, whether we're talking about
20 transportation projects, we're talking about water
21 storage projects, or new levy projects.

22 You don't hear a lot about levy projects, but
23 we've got this issue with rising tides, and there is a
24 projection by BZBZ that by the year 2100 we are going to
25 have a 6 foot raise in sea level.

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1 So there are several projects that recently
2 voted to amend the Bay Plan to instead of retreat from
3 rising sea levels to defend our land from sea level,
4 which means building levies, infrastructure projects,
5 which have much needed aggregate that Syar can provide.

6 Without roads, drinking water, and protection
7 from rising tides, everything else is insignificant. So
8 even by our own report, the county's report, the Vision
9 2040, which I thank Mr. Adams for stealing my thunder.
10 I was going to bring that up. I thought I was going to
11 be the only one.

12 The article I read called for 1.1 billion in
13 local transportation infrastructure needs between the
14 next 25 years, between Measure T, the 2040 plan, we've
15 got a lot of projects we need to supply rock to.

16 So I'll wrap it up and say that Syar has
17 complied with every single mitigation request. Whether
18 we are talking about the visual aesthetics, noise and
19 vibration, air quality, and hydrology, and I think we
20 should approve the 109-acre plan. Thank you.

21 CHAIRWOMAN PHILLIPS: Thank you, Mr. Harrison.
22 Teresa, and then after Teresa is Dan Krueger. Is Dan
23 Krueger here?

24 MR. KRUEGER: Yes.

25 CHAIRWOMAN PHILLIPS: And then Chris Snyder.

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1 MS. LAFRANCOISE: Terese Lafrancoise from Linda
2 Vista area. We as a community have to protect our parks
3 and wildlife areas here in Napa. This is our
4 opportunity to champion a cause that benefits us all,
5 that benefits all of Napa. We have to defend those
6 areas that need protection. Skyline Park is one of
7 those areas.

8 We have to be the voice for Skyline, and who
9 better than the inhabitants of Napa to come forth and
10 meet the challenge. Power in numbers is how reform is
11 born. Symbiosis happens when we ban together. Let's
12 work together as a community to save and preserve
13 Skyline Wilderness Park.

14 This is a community issue. Skyline needs our
15 protection and who better to provide that protection
16 than Napans themselves. Rise up, make a difference, and
17 let your voice be heard.

18 CHAIRWOMAN PHILLIPS: Thank you,
19 Ms. Lafrancoise. Dan Krueger. Chris Snyder, are you
20 here?

21 MR. SNYDER: Yes.

22 CHAIRWOMAN PHILLIPS: So you are on deck.

23 MR. KRUEGER: My name is Dan Krueger. I live
24 in Fairfield. I grew up in Napa. I went to elementary
25 school in Napa. I went to junior high in Napa. I went

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1 to high school in Napa. I lived in Napa 25-plus years.
2 I worked for Syar Industries for 25 years plus. It's
3 been a great job. My father worked for Syar Industries
4 also for 25-plus years. Second generation Syar
5 employee.

6 My father raised nine children here in Napa.
7 I've lived in Napa all over, including the Republic7
8 Street, which is just north of the Imola Avenue. There
9 was never an issue with any dust or any noise when I
10 lived there. I work at the quarry as a superintendent.
11 Everything that I do out there I'm worried about the
12 manpower, I'm worried about everybody's safety and
13 health and welfare, and I support this project and this
14 job.

15 CHAIRWOMAN PHILLIPS: Thank you, Mr. Krueger.
16 Chris Snyder. Then next on deck is Lynn Wyman.

17 MR. SNYDER: Good evening, Planning Commission.
18 My name is Chris Snyder. I am the assistant political
19 director for the Operating Engineers, Local 3. We are
20 one of the largest construction unions in the United
21 States. We represent about 30,000 workers in the
22 Northern California and the area.

23 I'm from Santa Rosa, California so I'm up in
24 this area. We have a lot of members that work over here
25 from Sonoma County and lot that work over there, you

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1 know, vice versa.

2 I guess my first question would be could I get
3 a show of hands of how many people drove here or took a
4 bike here on a road? We all use the roads, right? So I
5 can tell you for a fact that that road was built by an
6 Operating Engineer, our members, labor members, and
7 members of the Teamsters, and those roads were
8 used -- asphalt from Syar Industries was used to build
9 those roads, and it was built with good union labor,
10 with good wages and great benefits that provide that
11 middle class that we keep on hearing about.

12 You know, this resource is absolutely needed to
13 fulfill just, you know, the most basic function of
14 government, which is, you know, the filling of our
15 potholes an maintaining of our infrastructure.

16 As you've heard today, too, it's the only
17 quarry in Napa County. So it's -- it's, you know,
18 imperative that we protect this resource.

19 As public servants you guys know that it's your
20 duty to, you know, provide good public policy for all
21 the constituents. Not only in this room, but the entire
22 County. That includes, you know, protecting the tax
23 base.

24 You know, we've seen these quarries throughout
25 the Bay Area, you know, myself and Dave Harrison have

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1 watched quarry after quarry get shut down in the South
2 Bay, and they are bringing this aggregate in from
3 Canada, and it's been a huge loss of jobs, you know,
4 local jobs that are being shipped, you know, out of the
5 United States. It's also hugely increased the
6 greenhouse gas emissions for trucking, not only Canada,
7 but, you know, if you take this resource away, you are
8 not using -- you know, it's rock, it's not gold, it's
9 not, you know, this super precious resource. It's
10 something we would be using locally.

11 To me it's like, you know, would you only have
12 bottled water for all your citizens here? No. You use
13 the resource you have in the area because it's, you
14 know, such a basic part of what we've done.

15 You know, we have been using aggregate to build
16 things since we came down from the jungle into the
17 caves, and we have been quarrying. It's one of the
18 first things we've done as people.

19 With that, this is an opportunity not only to,
20 you know, maintain the resources that we all need here,
21 but, you know, to keep good jobs and create even more
22 good jobs. So I urge you on behalf of the operating
23 engineers to certify the EIR and approve the project as
24 submitted by Syar.

25 Thank you very much for your time.

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1 CHAIRWOMAN PHILLIPS: Thank you, Mr. Snyder
2 Lynn Wyman. Next on deck is John -- Mike Rogers.

3 MS. WYMAN: Lynn Wyman, Green Valley Road, Napa
4 County. I've lived here since 1990. I have a master's
5 in urban and regional planning from the University of
6 Colorado Denver. I spent 10 years in development review
7 for the city of Lakewood, Colorado, population 143,000.

8 Thank you, Madam Chair and members of the
9 Commission, for taking time to have input on the
10 proposed expansion of the quarry and mining of Syar
11 Industries.

12 You are entrusted with making land use
13 decisions that impact the health, safety, and welfare of
14 the citizens of Napa County.

15 Syar Industries has had a quarry and mining
16 operation in Napa for about a hundred years. During
17 that time the knowledge about toxins released during
18 those operations has become well known and hazards to
19 the health of the workers and residents is now
20 recognized.

21 Silicate exists in the rock and soil in Napa
22 County. The mining and quarry activities done by Syar
23 releases silica dust into the air where it can drift to
24 the residences and schools downwind from the quarry and
25 be inhaled by citizens.

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1 How far can these mining particles travel?
2 Last week we had dust falling from the smoke from Lake
3 County in our area on Green Valley Road. In New York
4 officials have stated the Legionnaires' bacteria can
5 drift 7 miles. Cal-OSHA requires that employees in the
6 mining industry wear protective gear to help prevent
7 inhaling silica and contracting pulmonary diseases such
8 as silicosis and lung cancer. Do the residences and
9 schools downwind from Syar's mining have filtration
10 systems to clean the silica from the air?

11 The environmental working group, EWG is an
12 American nonprofit organization that provides research
13 and advocacy. They use the power of public information
14 to protect public health. California has state exposure
15 limits for crystalline silica in the air.

16 EWG also in Napa also shows these limits are
17 insufficient to protect children because their lung use
18 and their body mass is different than the adults used in
19 the study. Also adults with compromised pulmonary
20 functions are compromised by the levels shown in this
21 study.

22 How many children live or attend school
23 downwind from Syar's quarry and mining operation, and
24 how many citizens with asthma live downwind from Syar?

25 The California Nurse's Association states,

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1 quote, "California has some of the dirtiest air and
2 highest childhood asthma rates in the country," unquote.

3 With that in mind, it would seem not reasonable
4 to expand the mining land use that has known
5 release -- knowingly releases born -- airborne toxins
6 and is adjacent to residential areas and schools.

7 This photo taken by Dr. Carol Armstrong is a
8 veterinarian. This is a horse that has silicosis that
9 has caused bone demineralization. The horse had to be
10 euthanized.

11 U.C. Davis is studying silicosis in horses, and
12 several euthanized horses came from Napa County.
13 Inhaled minute dust particles take down a 1,000 pound
14 animal.

15 Land use planning comes down to common sense.
16 In the past 100 years Napa County has grown. The Syar
17 mining and quarry operations negatively impact the
18 nearby residences and schools. To protect the health,
19 safety, and welfare of Napa County citizens it's common
20 sense to deny request to expand the Syar Industry quarry
21 mining operations. Thank you.

22 CHAIRWOMAN PHILLIPS: Thank you. The speaking
23 is here at the podium.

24 Mike Rogers and then John Riley and Tony
25 Norris.

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1 MR. ROGERS: Amusingly, 133 Quarry Drive, Napa.
2 Earlier someone, right when I came in, someone asked me,
3 "Well, are you here for Syar or are you here for
4 Skyline?" I said, "No, I'm just some dude from the
5 neighborhood."

6 So you can see, I don't have a sticker, I don't
7 have a button. I just hopefully have an educated
8 opinion.

9 I consider myself an impacted receptor, being
10 on Quarry Drive, 5,000 feet from the quarry, we can see
11 it out our front windows. I enjoy hiking in Skyline
12 Park. I also enjoy just generally walking through the
13 neighborhood that I live in.

14 I strongly urge the commission to approve this
15 project as amended. I was supportive of the project
16 when I read about it before even the amendments were
17 made. I don't want to repeat a lot of what people have
18 already said; but I found both the draft and the final
19 EIR very well done. I thought they were -- the
20 mitigation measures were very appropriate to reduce the
21 risk of a low significant.

22 As other presenters have pointed out, a lot of
23 good high-paying jobs come from the quarry when we're in
24 a county that has a lot of service jobs and a lot of
25 hospitality and agriculture jobs. We all know those

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1 don't pay as well.

2 To me this has always been a couple issues as
3 well. It's a property rights issue. I think the owners
4 should be allowed to take advantage -- to work the land
5 they own. Just as a society, I think we should take
6 advantage of natural resources where they lie and not
7 have to drag them in from other places. Really try to
8 take advantage of what we have.

9 It does seem to me to be the big issue here is
10 the impact or perceived impact on Skyline Park; and you
11 know, I really don't think it's going to be that big an
12 impact. I know beauty is in the eye of the beholder,
13 but the cool thing about Skyline is you have this
14 wilderness and urban park that's kind of together. You
15 go on one side of it, you see wilderness. You go on the
16 other side you see a varied -- a varied urban
17 environment. So I think it's not going to be as
18 impactful as everyone thinks it is.

19 So you know, as the project is modified, I
20 think the proponents have done a lot of things, I won't
21 repeat them, that people have asked for.

22 So once again, I encourage you to approve this
23 project as amended. Thank you.

24 CHAIRWOMAN PHILLIPS: Thank you, Mr. Rogers.
25 John Riley.

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1 UNIDENTIFIED SPEAKER: I am not John Riley, but
2 he asked me to speak just real quick. John Riley, as
3 you, is an appointed commissioner in Solano County.
4 He's also the executive director for the Napa/Solano
5 Central Labor Council, and he wanted me to voice his
6 support of the project as proposed by Syar. Thank you.

7 CHAIRWOMAN PHILLIPS: Thank you for doing such
8 an efficient job on that. Thank you.

9 Tony Norris, and then next up is David Allred.

10 MR. NORRIS: Yes. Chair Phillips and
11 Commissioners, I will be try to be as efficient.

12 Tony Norris, member of the board for the Napa
13 County Regional Park and Open Space District. We have
14 been providing comment all along on the EIR process for
15 the Syar quarry expansion, and we met again just the
16 beginning of this week and reaffirmed our principal
17 position on what should happen there in regard to
18 protection of Skyline Park, and key to that is the
19 Pasini property.

20 We do favor the hybrid proposal of staff; but
21 we'd hybridize it yet again by looking more closely at
22 the Pasini property and its natural resources and
23 natural topography as an important asset to the
24 community to protect Skyline Park for the long-term in
25 the future.

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1 You do have a handout from our board
2 determination with our president's signature on it, and
3 there are two points that are made towards the bottom
4 there as far as that type of refinement on what a hybrid
5 alternative might want look like; that is, hold the
6 Pasini property back from the permit temporarily for
7 this time knowing that the excavation that would have to
8 occur in the Syar quarry by its very nature would have
9 to work its way into, you know, the preferred basalt
10 rock structure in the Pasini property. We could then
11 permit that for the future.

12 We did put a stipulation on that that we don't
13 mention in the -- what's handed out to you today, that
14 in the meantime go ahead with mitigations for all other
15 excavations in the Syar quarry project by planting trees
16 on the Pasini Knoll, and have them growing up to
17 maturity by the time you then can consider what to do
18 with the north end of the Pasini property with mature
19 trees as part of the fabric of what occurs up there as
20 far as screening.

21 The alternative would be what you see in item 2
22 at the bottom of the first page, is that go ahead and if
23 the permit includes now quarrying into the Pasini
24 property, in particularly the north end where the knoll
25 is located, then set a 300-foot buffer setback line to

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1 preserve as much of the top of the knoll as possible

2 But we also qualified that in addition that
3 that would be just a suggestion open to flexible
4 understanding of what might be the best line to draw on
5 the ground to better now protect the natural resources
6 and features in the Pasini property as a continued
7 buffer.

8 There is more, but we are certainly looking at
9 the big pictures ourselves. We're open to discussion
10 what that should look like for the long term.
11 Excavation for the prime basalt rock is important to the
12 community, might benefit the community for one or two
13 generations, but what we have in Skyline Park is benefit
14 for many, many generations, centuries thereafter.

15 CHAIRWOMAN PHILLIPS: Thank you, Mr. Norris,
16 and I will -- thank you for also submitting those
17 thoughts in the letter.

18 MR. NORRIS: Sure.

19 CHAIRWOMAN PHILLIPS: David Allred, and then
20 Joe Wilcox.

21 UNIDENTIFIED SPEAKER: Joe Wilcox had to leave,
22 FYI.

23 CHAIRWOMAN PHILLIPS: Oh, sorry. Okay, Joe
24 Wilcox. Okay. So he is gone. Thank you.

25 MR. ALLRED: My name is David Allred, 214 East

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1 Berna Avenue. I'm the founder of Save our Skyline

2 CHAIRWOMAN PHILLIPS: Speak into your
3 microphone.

4 MR. ALLRED: So I'm speaking for a pretty great
5 number of people, and I warn you I may go over just a
6 bit, but I will be as efficient as I possibly can.

7 First, I'd just like everybody who is here that
8 has some reservation or is just against the project to
9 please stand up to show what we have here today.

10 (Speaking in Spanish.)

11 Thank you.

12 So good afternoon, Mr. Basayne, Mr. Scott,
13 Ms. Phillips, Mr. Pope, and I hope Ann Cottrell is on
14 vacation and she's not ill.

15 I'd like to start by expressing my gratitude to
16 all of you for your hard work over the past 8 months
17 that we have been doing this.

18 It's evident that you are committed to Napa
19 County's overall well being, not just financially, but
20 environmentally. We appreciate that.

21 The hybrid plan which the county created tries
22 to take into account input from both the company, which
23 gain financially, as well as the community which seeks
24 to avoid the diminishment of Napa's famous natural
25 beauty and environmental health.

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1 That being said, the official position of Save
2 our Skyline is for adoption of the no-project
3 alternative. So I represent the 5,282 people, citizens,
4 and tourists, who have signed our petition. That's
5 5,282.

6 The petition reads:

7 "Syar Industries has a proposal to expand its
8 mining operations to hills adjacent to Skyline
9 Wilderness Park in Napa.

10 "The permit will last 35 years. Syar has a
11 negative environmental record for its polluted runoff
12 that drains Arroyo Creek into the Napa River, and we are
13 concerned that a polluting industry will be allowed to
14 expand operations that will affect wildlife, air, water,
15 and the surrounding neighborhoods for decades."

16 In addition to these concerned individuals, we
17 have a coalition of organizations which we call CEASE,
18 Committee Engaged Against Syar Expansion. These groups
19 include ourselves, the SOS Committee, the Green Party,
20 California Native Plant Society, Napa Saddle Jackets,
21 Skyline Riders, SPCA itself, Skyline Wilderness Park
22 Board of Directors, Silverado Archery, and the Napa
23 Sierra Club.

24 I'm going to read the short version of the
25 resolution which I've entered into the record. It just

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1 says, "We urge the Planning Commission and Napa County
2 Board of Supervisors to adopt the no-project option
3 outlined in the alternative analysis memo due to the
4 numerous deleterious effects including the irreparable
5 damage the project would cause to the sensitive
6 wilderness areas nearby, the incompatibility of this
7 project's goals with those of Skyline Park which is
8 immediately adjacent to the area to be quarried. To
9 potential harmful effects to nearby residents of the
10 East Imola neighborhood including air and noise
11 pollution, and the significant and unavoidable increase
12 in greenhouse gas emissions at a time in which the
13 county has renewed its commitment decreasing these
14 emissions."

15 The point of all this is to establish the
16 significance of significant public outcry against the
17 damage to Napa's only wilderness park, which has been
18 called the Yosemite of Napa, and the city's
19 environmental well being.

20 I know that you are eager to hear all the other
21 folks who want to speak on my side and also my esteemed
22 opponents so I will distill my concerns down to the most
23 salient.

24 Number one, there has been no objective
25 regionally objective data produced indicating the need

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1 for an increase in aggregate production. This should
2 have been the first step in the process of considering
3 Mr. Syar's request to expand. The estimate based on 9
4 tons per person per year is very general. It's not
5 based on Napa County, which is a low growth area, and we
6 are unconvinced of the necessity of the expansion. If
7 this is not established, any expansion would constitute
8 the public loss for private financial gain.

9 Two, there is a disturbing lack of binding
10 requirements with significant consequences in the event
11 of violations of the numerous mitigations listed in that
12 EIR.

13 Furthermore, Syar Industries has never been
14 required to comply with previously existing restrictions
15 or obligations. So there is little reason to expect
16 compliance in the future. This appears to be due to
17 either ambiguity in the adopted plans or lack of county
18 follow through.

19 An example of this ambiguity from the county
20 document background discussion sent by Mr. Barrella to
21 PC, quote, "The current reclamation plan notes potential
22 years that mining was anticipated to be completed within
23 given of the quarry; however, it does not include
24 specific dates that require or otherwise mandate
25 cessation of mining and commencement of reclamation."

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1 So ambiguity, let's look at follow through.

2 CHAIRWOMAN PHILLIPS: Okay, Mr. Allred, you
3 have one more minute.

4 MR. ALLRED: Thank you.

5 Follow through, "The Planning Commission may
6 implement and audit product if compliance deficiencies
7 are noted. The permittee shall monitor groundwater
8 levels continuously at all quarry wells."

9 Now, I'm a teacher, and if I ask my kids to
10 monitor their own homework and say, let me know if you
11 didn't do it and I'm going to bench you, I guarantee you
12 they're not going to let me know.

13 I would love to see some, as Mr. Barrella put
14 it, teeth in these measures.

15 To conclude, I, my 5282 signers of the
16 petition, and the numerous groups in our CEASE coalition
17 call for the no-project alternative; however, in the
18 event some expansion is allowed, we at SOS personally
19 request a modified hybrid plan with significantly
20 increased objective oversight and robust consequences to
21 ensure Mr. Syar remain true to his promise of, quote,
22 Napa quarry supporting economic and environmental
23 sustainability.

24 Thank you for your service, your patience, and
25 your wisdom.

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1 CHAIRWOMAN PHILLIPS: Thank you. I just want
2 to clarify that we allowed Mr. Allred to go to six
3 minutes, and the offer had been made in the initial
4 overview that if you were one group that was going to
5 have -- a group that was going to have one
6 representative, that they would be allotted additional
7 time. I wanted to clarify that for people.

8 Suzanne Von Rosenberg, Dan Mufson, Brett
9 Risley.

10 MS. VON ROSENBERG: Good evening,
11 Commissioners. Mr. Allred just stole a lot of my
12 thunder.

13 CHAIRWOMAN PHILLIPS: May have stolen some of
14 your time, then, too.

15 MS. VON ROSENBERG: I have many specific
16 comments, and I am entering into the record a set of
17 comments, and I'm not going to go to those in detail,
18 but basically there is still a huge issue with the
19 quality of the documentation, and it's my firm opinion
20 that the EIR still needs to be recirculated. There have
21 been a lot of ad hoc changes since the final EIR was
22 issued. The final EIR was not responsive to most of the
23 comments that were made on it, and the number of
24 organizations that have continued to provide comments
25 following responses to comments on the draft EIR show

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1 the continued high level of concern and the lack of
2 information; and the lack of information goes both to
3 the economics that are the supposed driver for this
4 project as well as to the validity of the impact
5 analysis and the mitigation measures that are supposed
6 to protect against those impacts.

7 De facto what it looks like from the outside is
8 that we have a, let me call it, deficient permit that
9 was issued many decades ago, and the way we're going to
10 fix it is by writing a new permit that puts a lot of
11 strain on the local neighborhoods and on Skyline Park.
12 That doesn't seem like a very good solution; and also,
13 if Syar is really so environmentally concerned, they're
14 totally free to implement all of these measures that are
15 in the EIR now, nobody is stopping them.

16 So I think we need to find a solution that
17 addresses the fundamental problem which is a permit that
18 is extremely vague, that doesn't really have a good
19 reclamation plan, and we need to do it in a way that
20 works for the whole county.

21 The information in the document still includes
22 undisclosed significant impacts. I included those in my
23 comments.

24 Mitigation-related monitoring, we've asked a
25 number of times, should be funded by Syar but

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1 implemented by an independent outside party. That is
2 not part of the mitigation measures, although I do
3 applaud the more stringent mitigation measures that are
4 now in the SMP.

5 There are also a number of errors still in the
6 master comment responses to the comments, and I've
7 alluded to some of them here.

8 All right. Just one point of data. The 9-ton
9 per resident per year number is an average that was
10 established for the North Bay as a whole, and it covers
11 the period from if 1960s through 2011.

12 Now, you tell me that we're going to build as
13 much in the next 40 or 50 years as we have in the past
14 50 years, and I think that's a really difficult argument
15 to make.

16 All right.

17 CHAIRWOMAN PHILLIPS: Thank you. Thank you
18 very much.

19 Dan Mufson. Then Brent -- Brett Risley is on
20 deck.

21 MR. MUFSON: Thank you. My name is Dan Mufson.
22 I'm the president of the Napa Vision 2050, a coalition
23 of 15 neighborhood groups from around the county
24 representing hundreds of citizens; and our goal is to
25 protect the commons, the commons of the air and the

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1 water, and protect the quality of life of Napa citizens.

2 We're concerned about the citizens who work at
3 Syar and those who breathe the air that comes from Syar.
4 We're concerned about the data that talked about the
5 respiratory disease and lung cancer when 94 cumulative
6 deaths is considered okay. Not -- it's okay, but a
7 hundred is the threshold.

8 This area has the highest density of population
9 in Napa County. It has the state hospital, the college,
10 the schools, this new county campus, all the businesses
11 in this area, the homes at Imola, the homes to be at
12 Napa Pipe, and the inmates that will be in the new jail.

13 We're also concerned about the people who shop
14 at Trader Joe's and Raley's in this neighborhood. We're
15 concerned about the groundwater in this MST
16 groundwater-deficient area. Although, I must admit that
17 I was kind of intrigued to hear the hydrologist report
18 that he can project the project water going from the
19 quarry back into the MST. I think perhaps if that's
20 true we have to reconsider our concerns here.

21 It's not clear to me why with the recycled
22 water that everyone in the county is trying to get hold
23 of in this drought situation why it's not being used
24 here in the quarry.

25 So it's really not -- for us it's not

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1 necessarily about Skyline Park, it's really about the
2 health and safety of the citizens of this portion of
3 Napa County.

4 CHAIRWOMAN PHILLIPS: Thank you, Mr. Mufson.
5 Brett Risley, and then on deck is Christina Benz.

6 MR. RISLEY: Madam Chair and fellow
7 Commissioners. Thank you for this time to speak.

8 My name is a Brett Risley. I live at 1431 Pine
9 Street, Napa. 53 year resident of Napa County. I also
10 am a business representative for the Sheet Metal
11 Workers, HV -- heating air conditioning and ventilation.

12 One might think why am I here speaking on
13 behalf of this, but I have to talk about the ancillary
14 effect of this not being approved, this permit not being
15 approved.

16 If the permit is not approved and the cost of
17 doing a job rises to the point from the having to truck
18 in all the materials and it makes that job cost so high
19 that they decide not to build that project here in Napa,
20 then it affects my members and my contractors along with
21 all the other contractors here in the valley.

22 So I'd like you to think about the bigger
23 economic impact of not approving this permit and
24 encourage you to approve the permit. Thank you.

25 CHAIRWOMAN PHILLIPS: Thank you, Mr. Risley.

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1 Christina Benz

2 MS. BENZ: Christina Benz, Greenbach Street,
3 Napa. On the executive board of the Napa Sierra Club
4 speaking for the Napa Sierra Club.

5 The Sierra Club would like to recognize Syar
6 and the County Planning Department for responding to
7 residents concerns with the hybrid alternative and draft
8 conditions of approval.

9 I urge you to continue to adapt the project to
10 these very valid concerns; however, we recommend the
11 Planning Commission not accept the final environmental
12 impact report as it stands and not grant a permit for
13 expansion at this time because of the following
14 deficiencies.

15 The first is in groundwater monitoring. The
16 FEIR's assessment of impacts on groundwater in the
17 depleted Milliken-Sarco-Tulocay Basin is based on very
18 limited data. This was pointed out by Napa County
19 geologist James Newman and by certified hydrologist
20 Timothy Parker in their separate reports.

21 Before any expansion is permitted more data
22 need to be collected to determine the actual groundwater
23 levels.

24 This is essential to determine how deep mining
25 can occur and may require that the size and location of

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1 the proposed expansion be changed so that the operation
2 does not result in unintended depletion of this
3 resource.

4 The second deficiency is in the greenhouse gas
5 reduction plan. The draft EIR shows that the project as
6 originally proposed will generate a significant increase
7 in greenhouse gas emissions. The hybrid alternative as
8 presented does not contain a calculation of the amount
9 of greenhouse gas emissions, critical information needed
10 to determine the classification of less than significant
11 with mitigation.

12 The increase in greenhouse gas emissions in the
13 original proposal was to be mitigated by a greenhouse
14 gas reduction plan; however, this plan would not go into
15 effect until four years or more after the permit is
16 issued due to a three-year greenhouse gas inventory that
17 the reduction plan will be based on; and the specific
18 elements of the plan and how much reduction could be
19 achieved by each element are not clearly defined in the
20 draft EIR.

21 This lag in implementation will not help the
22 county achieve the goals of greenhouse gas reduction
23 that will be part of the upcoming Napa County Climate
24 Action Plan.

25 In addition, the project's greenhouse reduction

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1 plan has a goal of lowering emissions to the quarry's
2 2013 baseline plus the land use threshold amount; in
3 other words, in an increased amount overall, not to the
4 1990 baseline as required by AB32.

5 The project's greenhouse gas reduction plan
6 should be reconfigured to achieve reductions in
7 emissions in line with the county's goals.

8 Because of these deficiencies, we urge the
9 Planning Commission to withhold its approval of the EIR
10 at this time. We also urge Syar to adopt lower
11 environmental impact practices similar to those employed
12 at quarries at Sonoma and Marin Counties so that Syar
13 can demonstrate that it is running an environmentally
14 responsible operation. Thank you.

15 CHAIRWOMAN PHILLIPS: Thank you, Ms. Benz.
16 David Best, and then Jim Wilson.

17 MR. BEST: Hi. I'm Dave Best, been in Napa now
18 65 years, one month, and eight days. Anyhow, small well
19 digger here in town, got a small business. So I get
20 around a lot, see a lot of what's going on. I've seen a
21 lot of changes in my life; and I think the next one is
22 going to be bike lanes next to roads. We all know these
23 roads in Napa suck. They're horrible.

24 You know, we all are going to have to get along
25 here somehow or another. I got roped into building a

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1 building at Skyline this spring, and I didn't see -- I
2 was there for four weekends, and I even took my own
3 backhoe and used my machinery. I had to rent one thing
4 I didn't have, and that cost me 2- or 300 bucks, and I
5 didn't see one of these Skyline people come by and say,
6 hey, want a beer here, how about a sandwich.

7 So I mean camaraderie -- camaraderie would be
8 the word. It's not exactly what I call, you know, right
9 up front here.

10 Anyhow, I know Jim Syar a little bit. I worked
11 on his system. He doesn't send me a check every month.
12 I send him one. I need his services. If I have to go
13 out of town to get my materials, I would have to raise
14 my prices probably 4 bucks a foot.

15 That's about it, I guess. We need him.

16 One other thing, too, you know, lot of people
17 in Napa don't know up Henry Road, there is 3500-acre
18 piece of ground like paradise. All there is now is a
19 couple of parrots and cows on it. It would be a
20 fantastic, beautiful future park for Napa County.

21 It's west, it's out of the volcanic rock, which
22 nobody needs. It's right on the fault line. It's
23 absolutely away from anybody and anything. It's a
24 beautiful place, and maybe the county should look into
25 that and see if it's going to be up for sale some day.

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1 it would make a beautiful park for the future people of
2 Napa.

3 Fisher owns it now. He bought it, there isn't
4 a grape on it. There are about three or four parcels,
5 both sides of Patrick Road up on top. The lower part
6 from Henry Road to Patrick Road would be the most
7 perfect park for I would say the next ten generations,
8 because there nothing there and there won't be anything
9 there.

10 So maybe -- I like Skyline. I pay my 50 bucks,
11 you know, a year, and used to go to the Christmas
12 parties, but they cancelled those.

13 So anyhow, I'm on both sides of this fence
14 here, but...

15 CHAIRWOMAN PHILLIPS: Hopefully the
16 representative from parks and open space has heard your
17 recommendation.

18 MR. BEST: I really think the people of Napa
19 and everybody in this room should look into a future
20 move west or look west for a park.

21 CHAIRWOMAN PHILLIPS: Go west young man. All
22 right.

23 MR. BEST: Yes.

24 CHAIRWOMAN PHILLIPS: Thank you, Mr. Best. Jim
25 Wilson, and then Ginna Beharry.

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1 MR. WILSON: Thank you, Chair Phillips,
2 Commissioners. Jim Wilson, 5000 Monticello Road, Napa.

3 Climate change is fundamentally a moral issue,
4 therefore, I'm requesting that the morality and the
5 symbolic significance of your approval of a project
6 requesting a permit to increase its carbon pollution be
7 weighed.

8 The large amount of recent research shows that
9 climate disruption is happening faster than expected and
10 that the sensitivity of our climate to increase levels
11 of heat trapping gases is on the high end of estimates.
12 For example, just recently NASA climatologist, James
13 Hanson and colleagues, produced research in which they
14 claim that existing models severely underestimate sea
15 level rise. They predict we might have as much as a
16 10-foot rise in sea level in just 50 years. This does
17 have flooding implications for Napa.

18 There are a couple of ways to promote projects
19 that increase pollution, try to get off the hook for the
20 entirely foreseeable consequences of their actions. One
21 claim is to call the market as fundamentally amoral. If
22 we don't do it, someone else will, so we might as well
23 do it.

24 Morally this is wrong; but as an economic
25 argument, it might be okay. In fact, the Syar final EIR

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1 does exactly this, quote, "The proposed project would
2 still occur at another location even without
3 implementation of the proposed project," end quote.

4 The second claim of promoters of polluting
5 projects make is that the moral emphasis for a market
6 society lies elsewhere than with the producers, either
7 with consumers who ostensibly can refrain from buying a
8 product whose production can cause moral harm, or with
9 governments who can pass regulations to prevent or
10 mitigate that harm.

11 If it's possible that part of the moral
12 responsibility lie with government, and I believe that
13 it does, then all the more reason for you to deny the
14 permit for Syar's expansion of greenhouse gas pollution.

15 Fundamental planetary chemistry demands that we
16 change our behavior now if catastrophic climate
17 disruption is to be avoided. State and national
18 legislation increasingly call for all hands on deck for
19 a radical new understanding of how all of our actions
20 together add up to either health or to degrade a livable
21 climate for a livable planet. I'm talking AB32, Senate
22 Bill 32, which is to get our California carbon
23 pollution, atmosphere carbon pollution 80 percent below
24 1990 levels in the next 35 years. How does this project
25 align with that?

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1 Public servants here all must understand the
2 urgency of the situation, internalize it, and articulate
3 it back to us so that we can move forward starting now,
4 not later.

5 Where in the final EIR is the symbolic
6 significance of a permit denial discussed? How will
7 rejection or approval of a Syar expansion affect the
8 moral viability of other requests to add carbon
9 pollution in the atmosphere?

10 In short, where are the consequences for moral
11 leadership?

12 CHAIRWOMAN PHILLIPS: Thank you, Mr. Wilson.
13 Thank you. Ginna Beharry. Please note, no clapping,
14 thank you.

15 Ginna Beharry.

16 Next, after Ms. Beharry, I'm going to name the
17 next three speakers, and after Ms. Beharry, it's been an
18 hour, we are going to take a comfort break. So after
19 Ms. Beharry, after the comfort break will be Julio
20 Soriano, Hector Olvera, and Juan Lopez.

21 MS. BEHARRY: Thank you. Are you sure they
22 can't applaud for me?

23 CHAIRWOMAN PHILLIPS: May have been for me.
24 May have been for me.

25 MS. BEHARRY: Now that you chastised them, they

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1 definitely won't applaud for me.

2 Jennifer Beharry, 3167 Dry Creek Road in Napa.

3 First I'd like to recognize the very hard work
4 of Mr. Barrella and the Planning Department and the
5 applicant over the last seven years. I know this has
6 not been easy side for anyone.

7 I would like to remind us all that the permit
8 goes with the land and not the person. Even though
9 Mr. Syar and many fine hard working people are very
10 sympathetic figures, this is not about them. This is
11 about that piece of land in Napa County.

12 I'd also like to say that tonight appears to me
13 to be a very masterful PR job. PR is important, and I
14 understand that, but I think we also have to recognize
15 what is PR and what is fact and what is real and what
16 matters.

17 I have been to enough Planning Commission
18 meetings now that I have this terrible fear that we can
19 actually mitigate ourselves into oblivion. I've just
20 seen mitigation after mitigation after mitigation, and
21 it appears that almost nothing can't be mitigated, and
22 deep inside me I know that's not true. It somehow
23 cannot be true.

24 I believe this EIR must be recirculated and
25 cannot be certified. Mr. Parker's hydrology report

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1 cites fatal flaws in the EIR. That's a very important
2 term, a fatal flaw. That means it's not mitigated, it's
3 not proper, it's not right. We have to re -- re-look at
4 it.

5 The Stop Syar Expansion attorney, Amy Minter,
6 in her letter said, and I quote, "The record lacks
7 evidence regarding the amount of local Napa demand for
8 aggregate. The EIR states that the majority of the
9 aggregate is trucked for American Canyon and then
10 distributed throughout the Bay Area, thus, it is not
11 local demand driving the need for increased production."

12 I don't think we have adequate data to prove
13 that what is -- the scenario that's being stated here
14 that if we don't approve this expansion that Syar is
15 going to disappear, that the jobs are going to
16 disappear, and that Trader Joe's is going out of
17 business because we aren't shopping there. We
18 really -- we need to know the truth, we don't know it at
19 this time.

20 Thank you, and please hold your applause.

21 CHAIRWOMAN PHILLIPS: On that note we are going
22 to take a five-minute comfort break, and we have our
23 next three speakers on deck.

24 (Recess taken.)

25 CHAIRWOMAN PHILLIPS: So I had announced the

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1 next three speakers, but it has been brought to my
2 attention that I had mispronounced a name and quickly
3 moved on.

4 So I am going to ask that speaker to come and
5 have their three minutes. Then we will next on deck
6 again is Julio Soriano, Hector Olvera, and Juan Lopez.

7 If you could announce your name for the...

8 MR. BURNESON: Thank you, Madam Chair.

9 I'm Mike Burneson. I'm with Syar Industries.
10 I have been an employee since 1977. Some of the earlier
11 speakers spoke of being second-generation, and I just
12 had a gentleman the other day, third generation, retired
13 from Syar Industries.

14 Our safety record is one of the best safety
15 records in the business. This is by no accident. This
16 is by Syar Industries and this management team, and I
17 remember back in the '80s Mr. Syar making the statement,
18 and he said, "If we treat the land right, the land will
19 take care of us," and he implemented a very stringent
20 environmental program at that time.

21 I'm proud of what we've accomplished and where
22 we've gone, and I appreciate all the hard work by
23 everybody, and I heard a gentleman tonight here make a
24 comment that it's a balance, we are going to have to
25 come to a compromise. The County of Napa needs our high

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1 quality rock product, and we want to maintain these
2 jobs, and we do appreciate your efforts tonight.

3 Thank you.

4 CHAIRWOMAN PHILLIPS: Thank you, Mr. Burneson.
5 Thank you for waiting to speak.

6 Is Julio Soriano here? Yes.

7 MR. SORIANO: Sorry about that. I had to use
8 the restroom.

9 So my name is Julio from Latinos Unidos.
10 First, I have 450 signatures from the Latino community
11 and others we did among other non-Latinos sprinkled in
12 there. So I'll submit this when I'm done.

13 First of all, who in the room supports union
14 jobs, whether it's the United Farm Workers Union or
15 middle class? Everybody in here supports that. We want
16 things made in the U.S., right? Most of you, right?
17 Who in here, whether you are Latino or not or have
18 European ancestry, we all support that, we all -- most
19 of you probably are going to vote for Bernie Sanders
20 here. If you are union, that's backing Bernie Sanders.
21 I'm voting for him, even though I'm not union.

22 Just to respect everyone's intelligence here, I
23 think we all know you need the rock to build the road,
24 right? So that's a given.

25 What I want to say is my big concerns and part

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1 of our organization's concerns are there is a lot of
2 metering being done, but not enough monitoring being
3 done.

4 So you can meter how much water is being used,
5 it can meter how many particles are being released, it
6 can meter that one particle may not cause cancer because
7 there is not enough of it, though it could cause a
8 chronic disease. What if you add all the particles
9 together, like, how is that math being done. Are we
10 monitoring the health of that neighborhood in there?

11 That is a huge low-income neighborhood. There
12 is a lot of poverty in there. You have Phillips in
13 there. You have a Phillips family low income resource
14 center being implemented there because it's been
15 identified by non-profits that it's a risk area.

16 There is so much empirical data out there if
17 you were a person of color or if you're a black
18 American, an African American, you over the course of
19 your years, you will be born and raised in the areas of
20 poverty that tend to be next to quarries, Chevron, et
21 cetera. So how many -- so that's one point there.

22 I think that who here likes to wear jeans or
23 wear clothes? Do we have a jean bleaching factory in
24 Napa? So proximity does not equate to sustainability.

25 For example, if the rock is coming from Canada,

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1 in some cases glaciers went through there, broke up the
2 rock for you guys already without the exploitation, just
3 pick it up and haul it in. Sometimes proximity is not
4 close to sustainability. So you have to be really
5 careful about that.

6 I just hope that whatever happens we need to
7 monitor the health -- the air quality, not just measure
8 it.

9 We have to go -- who here walked in the
10 neighborhood and talked to any of the houses there one
11 on one, had serious conversations? My voice is gone
12 because I was doing that this whole week. 80 to 90
13 percent of people didn't know this was happening,
14 Spanish speakers and non-Spanish speakers included.
15 They had no idea this was happening. They may have
16 heard about it, but didn't know what was happening with
17 this process.

18 I think that's an issue on its own. I hope we
19 can monitor the health of our community because there is
20 so much in there.

21 Remember, our children right there next door,
22 the at-risk youth, most people of color, low-income,
23 their metabolism is twice as fast, they breathe twice as
24 fast, they use more air than all of us here so they're
25 even more at risk.

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1 Thank you.

2 CHAIRWOMAN PHILLIPS: Thank you, Mr. Soriano.
3 Hector Olvera.

4 MR. OLVERA (through the interpreter): Good
5 morning, everyone. My name is Hector Olvera and I
6 belong to Latinos Unidos.

7 We are very sad with what's happening. We have
8 the understanding that rocks produce silica; and here I
9 am listening to people are saying no, there is very
10 little, very minimum. A kid throws a rock and open
11 somebody's head, another kid's head.

12 Probably rock produce silica. Unfortunately,
13 the area on Imola is mostly Latin. There is a very lack
14 of information. It's very sad. It's very sad they are
15 destroying the park and the community.

16 I would ask everyone there is a school that is
17 called Phillips, there are 200 kids. Those kids, in the
18 future, which one of you is going to bring them a mask a
19 can breathe with? I want someone to raise their hand if
20 they're willing to be doing that in the future for our
21 kids.

22 I also congratulate Syar because we need, you
23 know, their rocks. I congratulate all the workers
24 because they get a lot of money, and remember here in
25 Napa there is a lot of Latin community that are very

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1 affected.

2 I think it would be nice if we don't get all
3 this contamination and don't -- I hope you don't feel
4 proud of something that you are going to approve that is
5 going to affect the whole entire community.

6 Thank you.

7 CHAIRWOMAN PHILLIPS: Gracias, Mr. Olvera.
8 Juan Lopez. No clapping, please.

9 Juan Lopez.

10 MR. LOPEZ (through the interpreter): My name
11 is Juan Lopez and I represent Latinos Unidos.

12 I know that we all have different interests,
13 whether work-related, et cetera. My interest is to
14 leave our future generation free of contamination
15 conserving the land of our city, which is our future, to
16 mention trees, plants, water, et cetera.

17 I'm against the Syar expansion for the reasons
18 mentioned, because this expansion is going to generate
19 more contamination, and it's going to leave more areas
20 sterile, they will not be able to regenerate.

21 I believe that our new generation and our
22 population in general need a future free of
23 contamination and more recreation areas for families and
24 the community in general.

25 There have been impacts, negative impact,

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1 contamination in other areas of the Bay Area, to mention
2 one, the Russian River.

3 Let's try to control this impact in our
4 community for the health of our community. Thank you.

5 CHAIRWOMAN PHILLIPS: Thank you, Mr. Lopez.

6 Our next speaker is Carol Allen, and then Kelly
7 Decker, and Erik Harvey. Is Carol Allen here? This may
8 start going faster than we thought.

9 Carol Allen?

10 MS. DECKER: No, I'm Kelly.

11 CHAIRWOMAN PHILLIPS: Is Erik Harvey here?

12 MR. HARVEY: Yes.

13 CHAIRWOMAN PHILLIPS: You're next on deck.

14 MS. DECKER: Okay. Hold on one moment. I have
15 some organization here. I thought I had Carol first.

16 Well, first of all, let me just say that I am
17 the owner of the save our -- Save Skyline Park in Napa
18 FaceBook page, and we have 4,872 people that are
19 following us. So although I know that this is going
20 long, I may go a little bit over, and I hope I ask for
21 people's patience on that; but the first thing I would
22 like to do is thank the staff and Don Barrella and
23 everyone for all their work on this, because I know it's
24 been crazy and a lot of work.

25 I also want to say that I concur with those who

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1 have spoken against the expansion so far. I also have
2 postcards. Thank you for the idea, by the way. I will
3 turn them in for the record, and I have a graphic that I
4 would also like to turn in at the end for the record.

5 What I want to talk about today is that 1.3
6 million tons per year that is backed up by a generalized
7 multiplier of 8.9, not 9, tons per person per year,
8 which is the Northern California average.

9 Let me just give you, I think that is a gross
10 overestimation of what Napa County needs. Let me just
11 give you an example to compare to. Fresno County, which
12 contains Fresno and has half million people in it, their
13 multiplier is 6.5 tons per person per year. That's a
14 huge difference. Okay.

15 So what's the rest of the rock? Where is the
16 rest of the rock going to go is my question. All right.
17 So when we look back at the traffic study EIR, it shows
18 that 85 percent of Syar's trucks from 2009 to 2011 went
19 south off to I-80. 85 percent of our
20 supposed -- assuming that they have rock, that's 85
21 percent of our rock, our precious rock that is in such
22 short supply that we have to cut into our hills has been
23 going to other parts of the Bay Area for all this time.

24 Jim Syar's letter to the editor says that in
25 the past three years we have had -- and I am actually

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1 going by memory here -- 68 percent of the rock staying
2 here, 80 percent of the rock staying here, and finally
3 in 2014, 87 percent of the rock staying here.

4 Their maximum take right now is 1 million tons
5 per year. So that is, you know, in their very maximum
6 year, the amount of rock that stays in Napa County is
7 870,000 tons per year. So that leaves us -- if we go by
8 the baseline, which is actually stated in the letter to
9 the editor at 810,000 per year, then it's down to a
10 maximum of 704,700 tons per year. I crunched the
11 numbers.

12 So that leaves us with somewhere between
13 400,000 and 600,000 tons of rock left to be, what,
14 exported out. That also has all of the same negative
15 consequences as importing the rock has. Okay. You're
16 exporting the rock and keeping the environmental
17 degradation here.

18 All right. So if we look at the last six years
19 and we divide it by the populations, our current use,
20 our actual use in Napa County has been somewhere between
21 1 ton per person per year and 2.75 tons per person per
22 year. Okay.

23 So Napa County -- if Napa County actually has a
24 shortage of rock, let's stop exporting it. All right?
25 If that's really why we're doing this, let's stop the

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1 exportation, because the shortage is manufactured
2 because of the over-exploitation in the past and the
3 over-exportation in the past.

4 We support a no-project alternative or a
5 drastically monitored hybrid alternative if there is
6 teeth for non-compliance. Thank you.

7 CHAIRWOMAN PHILLIPS: Thank you, Ms. Decker.
8 Erik Harvey, and then Heidi Williams, and then Vickie
9 Katsnbayashi.

10 MR. HARVEY: Hi. My name is Erik Harvey. I
11 live on Summit --

12 CHAIRWOMAN PHILLIPS: I can -- you need to
13 speak into the microphone.

14 MR. HARVEY: My name is Erik Harvey. I live on
15 Summit Avenue in Napa. In the interest of time I just
16 want to say that I concur with those that have come out,
17 such as Dave Allred and Kelly Decker, to speak against
18 the expansion. Thank you.

19 CHAIRWOMAN PHILLIPS: Thank you, Mr. Harvey.
20 Heidi Williams. Then Vickie -- so Heidi Williams, last
21 call. Then Vickie.

22 MS. KATSNBAYASHI: Hi. I'm Vickie
23 Katsnbayashi. Thank you everybody for letting me say
24 something. I live in Browns Valley in Napa.

25 I am concerned that Syar uses 46 million

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1 gallons of water a year, if that's -- that's what I
2 heard earlier. So I just want to make sure that that's
3 correct. I'm wondering how much water is left in
4 aquifer, because that was in 2009, and we have been in a
5 four-year drought.

6 So I concur with the gentleman who spoke from
7 Mount Veeder who mentioned using the gray water, you
8 know, and really look into that.

9 I'm also very concerned about the silica
10 because personally I'm very chemically sensitive and I,
11 you know, seems like maybe something can be done about
12 that. I have no idea. Maybe you could put a bubble up,
13 a big plastic bubble over it.

14 Thank you.

15 CHAIRWOMAN PHILLIPS: Thank you, Vickie.

16 Diane Shepp, and then on deck is Sandra Booth
17 and Steven Booth.

18 MS. SHEPP: Good evening. Thank you.

19 Actually, I concur with Ginna Beharry and
20 Julio, and Dan Mufson, and Christina Benz and Jim Wilson
21 and several of the others who have spoken in front of
22 me, before me.

23 I really want to thank the staff for coming up
24 with the hybrid reduced size and scope of the Syar
25 expansion. I don't particularly advocate for shutting

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1 Syar down, however, I am very, very concerned about the
2 health and the welfare of the local residents, of the
3 children in the schools that are close by or even miles
4 away being and the tourists who come and the local
5 residents who like to go hiking in Skyline.

6 Particularly I am concerned about the dangerous
7 dust produced by the quarry that drifts over the
8 residential neighborhoods, schools, open space, park
9 lands to potential detrimental effect; and we heard
10 about the cancerous silica in it, and I don't consider
11 94 deaths inconsequential.

12 I ask the county to please require Syar to
13 monitor the quality of their air and to operate
14 equipment that would reduce the health risks of airborne
15 silica-filled dust much the same as they are required to
16 by Solano County at their Lake Herman Quarry. That all
17 for the benefits, as I've already said, all the local
18 residents, the voters, the citizens of Napa County, the
19 employees of Syar, our tourists, and particularly our
20 children.

21 Thank you.

22 CHAIRWOMAN PHILLIPS: Thank you, Ms. Shepp.
23 Sandra Booth.

24 MS. BOOTH: Good evening everyone. My name is
25 Sandra Booth. I live at 2100 Seville Drive, and I'm a

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1 member of Stop Syar Expansion, and in alliance with the
2 ideals of Protect Rural Napa, Vision 2050 Coalition, and
3 Save our Skyline. I am for recirculation so we can get
4 it right the second time. I'm going to try to be real
5 fast.

6 One, a number of concerned individuals and
7 groups have worked hard to uncover vital foundational
8 data that was left out of the applicant's EIR permit
9 request.

10 Two, amounts of reserves that amount of Syar
11 Napa Quarry's product used in the county are not part of
12 the data. We have to know this.

13 I'm just going to mention that another area
14 that bothers me is where there are real problems with
15 the truck trips. I'll just throw that in there. Then
16 I'll get back to another thing.

17 Number three, our serious research confirms the
18 Syar EIR has reached inaccurate conclusions for lack of
19 data and accurate data. There is just a real lack
20 there.

21 Four, many -- my biggest complaint is that the
22 results have been skewed to make it look like on paper
23 that mitigation of impacts are less than significant;
24 whereas, things like dust and GHG most
25 definitely -- greenhouse gases most definitely need to

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1 be monitored and mitigated through upgrade and better
2 practices at the quarry to meet new environmental
3 mandates.

4 Then five, see the new comments and reports
5 added to the Syar EIR administrative record. You can go
6 on to the county website and there is -- Stop Syar
7 Expansion has really put some great stuff in, and there
8 is more that Don Barrella hasn't had time to get up yet,
9 I believe, and there is going to be some really great
10 reports to see there. I encourage you all. Thank you.

11 CHAIRWOMAN PHILLIPS: Thank you, Ms. Booth.

12 Steven Booth, and then on deck is Preston Eric
13 Peterson, and then Kathy Felch.

14 MR. BOOTH: Good evening. My name is Steven
15 Booth, and I have been a resident of Napa County since
16 1972. I live at 2100 Seville Drive, have been be there
17 since 1989. I'm a member of the citizens group, Stop
18 Syar Expansion, and I just wanted to let you know that
19 that name does not equate to stop Syar operation. We
20 are specifically dealing with issues of the expansion.

21 I'm here today to request that you, the
22 Planning Commission, not certify the final environmental
23 impact report pertaining to the Syar Napa Quarry
24 Expansion Project Surface Mining Permit.

25 The reason I'm making this request is because

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1 the primary fundamental data needed to satisfy the
2 intent and purpose of an EIR and to fulfill the
3 requirements of the California Environmental Quality
4 Act, CEQA, is absent; therefore, I further request that
5 you send this EIR back to staff to be reanalyzed and
6 recirculated.

7 For your review, Stop Syar Expansion has
8 submitted detailed information to the public record to
9 document our opposition to the Syar expansion project.
10 We have also included a comment letter on our behalf
11 from the law firm Chatten-Brown & Carstens LLP for your
12 consideration and to assist you in your decision making.

13 Thank you, very much.

14 CHAIRWOMAN PHILLIPS: Thank you, Mr. Booth.

15 Preston Eric Peterson. Kathy Felch. After
16 Kathy there is Julia Winiarski and Alex Shantz.

17 MS. FELCH: I have been keeping track. I am
18 the 43rd speaker. I hope I won't need extra time.

19 I have a number of comments. The first is I
20 want to reiterate what Steve Booth just said. I am with
21 Stop Syar Expansion. We are not trying to shut down the
22 quarry. We've addressing the expansion.

23 The permit you are asked to issue is for the
24 expansion. So we oppose that because, a host of
25 reasons. I hope you'll wade through the materials that

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1 we've submitted. We've spent an enormous amount of
2 citizen time and treasure in preparing that. It is
3 essential that you understand that. So please take the
4 time.

5 Secondly, this is not a popularity contest.
6 It's not about who has more people on that side of the
7 room and who has more on this side of the room. It's
8 about science, it's not about politics. We're talking
9 about the environment and you're certifying an
10 environmental impact report. The essential data for
11 that is missing.

12 The first driver of this expansion is the
13 amount of reserves. You can take the time, believe me,
14 we have, but you can take the time, keep in mind while
15 you are reading how much reserve is there and how much
16 is needed in Napa. You will not find that scientific
17 statement or fact in the EIR.

18 That is what is driving this, and you don't
19 know it. Until you know it, and it is knowable,
20 Mr. Syar, a nice man, has that data. His permit manager
21 came to the Napa County Transportation and Planning
22 Agency and said she has this information in her
23 computer. Where is it? The EIR has been pending for
24 years, and you don't have that data. So let's get it.

25 Now, people will not lose jobs if there is no

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1 expansion. Okay? The quarry goes on.
2 You are also being asked to certify this
3 environmental impact report, which is woefully
4 deficient, so that it can be used for other projects in
5 the area, not just this one. If you certify this, you
6 were compounding error upon error, and we ask that you
7 don't do that.

8 We ask that you send this back, that you fill
9 the gaps that we've identified, that our attorney has
10 identified, and recirculate it for further comment.

11 I understand it's going to be delay, but for
12 Pete's sake, it's the future of our community for 35
13 years starting from the time that you certify it.

14 I'm not done.

15 I want to say something, because it isn't in
16 the record yet. I witnessed the noise monitoring in the
17 park. I think the noise guy was here. I watched what
18 was happening, because I was a member of Skyline Park
19 Citizens Association. I live right across from the
20 park. I know what goes on in the park, and I watched
21 the monitoring.

22 On one day of that monitoring there was a park
23 employee mowing the area that was being -- that sound
24 testing was taking place, and that mowing
25 uncharacteristically went on the entire time the

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1 monitoring was going on.

2 It went on all day. They don't mow all day.
3 They mow for a while, they take a break, they go away.
4 Cliff Emrick was the guy operating the machinery. Cliff
5 doesn't live in Napa anymore, he moved away, but he was
6 running the tractor. We can find him, and he can tell
7 you that.

8 I have more.

9 CHAIRWOMAN PHILLIPS: That, actually,
10 Ms. Felch --

11 MS. FELCH: Just a little bit more and I'll
12 wrap up.

13 CHAIRWOMAN PHILLIPS: You are --

14 MS. FELCH: One thing about the mitigation
15 plan, a lot of the mitigation plan requires that Syar,
16 nice operation, is going to give the local residents 48
17 hours notice of blasting. Well, I don't care whether I
18 get notice or not, the blasting shakes my house whether
19 I get notice or not. I've asked for notice, I don't get
20 it. Okay.

21 So look at whether -- what you are being asked
22 as a mitigation measure, whether that is really going to
23 make a difference to the impact that is being caused by
24 the operation.

25 So bottom line, I also want to say that

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1 Mr. Syar has a history, not a good one, of environmental
2 litigation. He's been sued not only for pollution at
3 this quarry --

4 CHAIRWOMAN PHILLIPS: Ms. Felch, I'm going to
5 have to ask you to --

6 MS. FELCH: Just let me finish this one
7 thought. One thought.

8 He's also been sued at the Richmond facility in
9 2007 for clean water act violations, Lake Herman Quarry
10 in 2009, and in Woodland for his operation in 2010.

11 CHAIRWOMAN PHILLIPS: I am sorry. If you'd
12 like --

13 MS. FELCH: Thank you. That's it. All I'm
14 asking is if we stop it --

15 CHAIRWOMAN PHILLIPS: You know, I just want to
16 say that we are volunteers, and this is a no-win
17 situation. Everyone says you let Tom Adams speak for
18 20-plus minutes, and then one person runs over and I
19 hear, oh, this isn't fair.

20 We're trying, we're trying to make it so that
21 everyone gets the opportunity to speak.

22 MS. FELCH: Thank you.

23 CHAIRWOMAN PHILLIPS: I do want to recommend
24 that everyone keep it to the three minutes. Let's try
25 to keep it focused on new information rather than

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1 information that has previously been stated by other
2 people and then, lastly, I think we're going to take a
3 break in about -- in about ten minutes.

4 So Julia, and then the next -- I had already
5 announced Alex Shantz, and we're going to have Glynda
6 Velasco.

7 MS. WINIARSKI: Hi, I'm Julia Winiarski from
8 Stop Syar Expansion. I live at 9 Bonita Avenue in Alta
9 Heights.

10 I have two comments, one on the EIR itself and
11 the process that has gone through and the other is on
12 the aggregate itself.

13 So regarding the EIR our group, Stop Syar
14 Expansion, has submitted a letter stating our positions,
15 a letter from our attorney, a hydrology report, a
16 traffic report, a noise report, and an air quality
17 report; and the air quality report I think will be
18 especially important to look at carefully, because it
19 really details some of the major flaws with the
20 environmental impact report.

21 For a 35-year permit affecting the health,
22 safety, and welfare of our county, the environmental
23 impact report really has to be the foundational
24 information, and unfortunately, it does not. Instead,
25 citizens are doing some of the work to provide this

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1 material, and to that effect in order to assist in a
2 good decision we've submitted this material. I hope you
3 have the opportunity to look at it.

4 This environmental impact report cannot be
5 certified. If it is certified and used in the formation
6 of other projects, it will be piling error upon error.
7 Greenhouse gas emissions, traffic, air quality, noise,
8 all are seriously underestimated in this report.

9 Now, about that aggregate. This is a
10 non-renewable resource. Again, we are not talking about
11 closing down the quarry. We are actually talking about
12 maintaining it for the future by not exporting excess
13 material that's not used locally, by actually
14 calculating our local need and our future need and our
15 actual use and using that information to make a reasoned
16 decision about how to protect this non-renewable
17 resource for the future of Napa County, and that's what
18 you have to do.

19 So I ask you, please do not certify this
20 EIR, let's get the correct information that we need, and
21 there should be no expansion.

22 Thank you.

23 CHAIRWOMAN PHILLIPS: Thank you, Ms. Winiarski.

24 Alex Shantz.

25 MR. SHANTZ: All right. Good evening, members

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1 of the Planning Commission. My name is Alex Shantz. I
2 serve on the St. Helena Unified School District board,
3 and tonight I'm not representing the district, but I
4 mention that just to say that I'm definitely concerned
5 about Napa's children and youth, and I still have
6 concerns about the possibility of air pollution and the
7 impact it could have on students and children in the
8 nearby schools.

9 There were just a couple points I wanted to
10 make, and I'll be really brief.

11 One is that there is a document called the OSHA
12 occupational exposure of respirable crystalline silica
13 which found that silica is cancerous. So I think that's
14 just one thing the commission should keep in mind.

15 The other point I wanted to make is that from
16 my understanding there hasn't been a study done on the
17 dust in the residential area. So I think that might be
18 something that should happen and that would be
19 consistent with this idea of being a good neighbor, in
20 addition would be consistent with what Julio Soriano
21 said from Latinos Unidos in terms of monitoring the
22 health of the neighborhood.

23 So thank you for your time.

24 CHAIRWOMAN PHILLIPS: Thank you, Mr. Shantz.

25 So we've come to a stopping point, and we have

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1 about 25 cards left, and I think what we're going to do
2 is take -- we had talked about taking a 15-minute break
3 so that people could get refreshment or perhaps some
4 food and then coming back.

5 So let's plan to meet back here at 8:20, 8:20.

6 (Recess taken.)

7 CHAIRWOMAN PHILLIPS: I am going to call the
8 meeting back to order, and the next speaker is Glynda
9 Velasco. Glynda, are you here? Glynda. This is the
10 last call for Glynda Velasco. Oh, she's here. Okay.

11 MS. VELASCO: Good evening, Commissioners and
12 Madam Chairman. My name is Glynda Velasco, and I live
13 on 2053 Wilkins Avenue, Napa. I am the co-coordinator
14 of the Napa County Green Party, and I am speaking in
15 their behalf.

16 The Green Party has few pillars, and three of
17 them are ecological wisdom, social justice, and grass
18 roots democracy. I find myself talking about three
19 distinct topics all rolled up in one cause. Right now
20 I'm really concerned and our group is really concerned
21 regarding the environment. I don't have to repeat what
22 people have said in terms of the concerns of air
23 quality, about the groundwater, about habitat. I don't
24 need to repeat the things that people have been saying
25 about the social injustice, because this is taking place

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1 in an area in which people cannot speak for themselves,
2 which is the Latino community and the children who live
3 there as well as the people who are -- there is also a
4 hospital there as well, who cannot speak for themselves.

5 Right now we come together in grass roots
6 democracy with the Green Party coming together with
7 CEASE, coming together with Save Skyline, and we are
8 recommending strongly that you oppose this expansion in
9 the quarry. We're not saying to shut it down, but
10 we're, like, thinking there is a time to look at
11 different ways in looking at our community, about
12 different ways of how we deal with business.

13 It is just not sustainable to take a
14 non-renewable resource that is not part of life. Life
15 is air, water, and habitat.

16 We can't have that replaced by an aggregate
17 that is just, it's not going to be there for a long
18 time.

19 My colleague has shown me a document that there
20 is ways to use landfill material such as glass supply
21 and -- glass supply as well as plastic supply, to use
22 those materials to replace aggregate.

23 Why can't we think outside the box? Why can't
24 we create a sustainable future for our children and our
25 community, and to create ways that business could be

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1 actually accountable towards their citizens, their
2 communities, and their employees.

3 And by the way, there are on either side of
4 this situation or issue there are two pizzas, vegetarian
5 and vegan options available after this meeting.

6 Thank you.

7 CHAIRWOMAN PHILLIPS: Thank you for the
8 generous offer. Here we have Dorothy Glaros, and then
9 next on is the Frederick Parker. Frederick Parker, are
10 you here? Okay, here. Then Gabriel Sanchez, Jr.

11 MS. GLAROS: So instead of good afternoon I
12 will start with good evening.

13 I'm here representing 16 Skyline Park board
14 members and one trail master. Instead of taking 51
15 minutes of your time, I'll take less than 10, and it may
16 be even less than that.

17 So I just want to thank everybody for their
18 patience, but we tried to minimize this, and if I speak
19 for everybody then we can.

20 CHAIRWOMAN PHILLIPS: She emailed staff ahead
21 of time, and we agreed instead of having the 16 people
22 speak that one person would speak. So this was arranged
23 ahead of time, and I appreciate that she's not -- she's
24 giving up the 51 minutes and not taking 49.

25 MS. GLAROS: We can really browbeat everybody,

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1 okay, but we won't do that.

2 My name is Dorothy Glaros. I'm president of
3 Skyline Wilderness Park. I am speaking on behalf of not
4 only on the board of directors but at last night's
5 meeting at Skyline I am speaking for the association
6 members and the pass holders who were there, and I have
7 their unanimous support in everything I say.

8 I have lived in Napa all my life. I have been
9 with the park for over 38 years. I want you to know
10 that we also give back to the community. We allow
11 non-profit's usage of our park for free. So we give
12 back to Scouts and everyone else.

13 I was going to start with this we respectfully
14 request an evening meeting because that's what you
15 promised us, but oh, gosh, I guess we actually have an
16 evening meeting.

17 CHAIRWOMAN PHILLIPS: Don't also want what you
18 wish for.

19 MS. GLAROS: The point I want to make is that a
20 number of people, 11 of our 16 our board members said,
21 "I don't know if I can make it because starts at 4:00.
22 By the time I get out there, I'm not going to hear what
23 people say, it's going to be over with so you talk for
24 us." So what that does is narrows down the community
25 input that specifically you asked for in your April 1

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1 meeting when you promised for the evening meeting, and
2 we didn't have it.

3 So maybe perhaps if we don't finish tonight
4 either an evening meeting or Saturday meeting, and I
5 promise to cook lunch for everybody on Saturday. I have
6 a great stove.

7 So if you look, you will find in your little
8 packet a little appendix. Appendix A is from one of our
9 board members, and he clearly states why he couldn't be,
10 and he finishes up with, "So I can't help being reminded
11 of the latest Dukes of Hazard movie when they are
12 holding a court hearing to approve destroying the town
13 for a strip mine during exact hours of the big rally
14 race going on so nobody is going -- in the town will be
15 there."

16 So his comment was it would have been nice if
17 we had an evening meeting people would actually come.
18 Then again, we'd probably be into it until tomorrow
19 morning so.

20 The second thing, you are presented with some
21 postcards this evening, I noticed, and they come from
22 this flyer, plus another flyer; and these Skyline Park
23 board citizens association and the pass holders would
24 like to make a statement that not everything in this
25 flyer is wholly accurate. It uses scare tactics and

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1 basically says if you don't vote for this expansion
2 Measure T is not going to work, but there were no facts
3 and figures to back it up. So we want to put that into
4 the record.

5 You might want to take a look at this and
6 take -- take the postcards with a grain of salt.

7 Third, the Skyline Park board of directors and
8 pass holders want to go on record stating that Mr. Larry
9 Pile's letter that was submitted to you or submitted to
10 Don on April 7th is his opinion as a private citizen
11 only, and the facts he presents are perceived how he
12 perceives them.

13 The current board association pass holders and
14 staff members and even the past board members that
15 served with him on the board would never, their words,
16 never advocate such a letter being written on behalf of
17 Skyline Park nor agree with his statements but would
18 like to strongly state they are completely against the
19 Syar expansion presented here today; however,
20 Mr. Pile's opinion may be more reflective of his
21 position when he was president of our archery group and
22 became good friends with fellow archer Mr. John Perry,
23 who is Mr. Syar's right-hand man, which is good because
24 I think Mr. John Perry is wonderful.

25 Fourth, point of clarification, Syar Industries

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1 is not donating any land to Skyline Park. They merely
2 said that we wouldn't have to move our trails, our lower
3 Skyline trail.

4 If you go back to the DEIR, you will notice
5 that there is a proposal of a new Skyline Trail, taking
6 it off their land. It was actually a pretty good
7 proposal. I don't care either way, Skyline doesn't care
8 either way, it's not a deal breaker for us, we're ready
9 to move it; but in the verbiage it says that the trails
10 will remain. There is no security how long they will
11 remain.

12 So if Mr. Syar is truly sincere about that, I
13 would prefer verbiage that says a trail license
14 agreement for the life of Skyline Park, only then will
15 we be assured that our trails will still be there.

16 Also, a portion of Skyline Trail touches a
17 corner of the quarry further along, and at that point we
18 want it to be beefed up; and beefed up I mean a better
19 buffer, more trees, whatever we need there. We want it
20 to start now, not in 25 or 35 years because people need
21 to be able to be shielded from that now as opposed to
22 let's put up with this, and then 20 or 35 years later,
23 we're going to, you know.

24 Skyline Trail also has an area, if you start
25 going lower Skyline Trail and you face west, you can see

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1 the quarry from the trail; and so it would really be
2 nice to be able to have some more trees in that area.

3 Fifth, we would like the mitigation measures of
4 the tree planting to start occurring now, because you
5 are going to have to start watering them, they're going
6 to have to take roots; and we don't want to have to wait
7 25 years after the first EIR is done for restoration to
8 start benefiting from that. The buffer would be good
9 neighbors and it would help prevent the users of Skyline
10 from the noise and the dust.

11 Sixth, our own study -- their own study show
12 the noise levels in two locations in the area of Pasini
13 Ranch exceed 70 decibels. The FEIR treats this as less
14 than significant impact, but it clearly violates the
15 county noise ordinance which has a maximum of 50 dBLs.

16 This area of Skyline Park is deep in the
17 wilderness area of our park, and it is unacceptable. If
18 you are standing there in the total quiet with the birds
19 chirping, 70 decibels is unacceptable. You can even go
20 up in that area now and you can hear trucks inside the
21 quarry farther away.

22 So we would like to go on record as that not
23 being addressed and there are no mitigation factors
24 involved. Stating that sometime in the future there may
25 be equipment that will be quieter that lowers the noise

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1 level is pie in the sky. Who knows what the next
2 equipment is going to be?

3 Seventh, we would like the county to monitor
4 the extent of the mining, the boundary delineations,
5 extent of reclamation, groundwater use, disposal of any
6 contaminated fluids, air pollution monitoring of dust
7 production and noise levels.

8 Asking that Syar self-monitor or just ignoring
9 it as stated in David Allred's letter to the editor is
10 unacceptable to us.

11 If that's too costly, then perhaps you might
12 appoint a citizens advisory group.

13 Eighth point, this is the big one for us, this
14 is the real, real big one for us, the Pasini Ranch
15 should be removed from the quarry expansion. Here is
16 some history. The Pasini property was co-owned by two
17 partners, been a long time continuously working cattle
18 ranch during the time of basalt rock. It was thriving
19 when Skyline Park first came into existence and clearly
20 it fit into the agricultural watershed zoning, that was
21 the zoning for that ranch. It was a fully functioning
22 cattle ranch when Syar bought it, and Syar bought out
23 one partner, half of it, that was in the '90s. Then in
24 2012 Mr. Syar got the second partner's heir,
25 Mr. Pasini's daughter to allow quarrying on the

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1 property.

2 So this permission to move forward to quarry

3 this has just been very recent for this.

4 The increased bump of a hundred feet does
5 nothing when you are pulling down a hillside. While the
6 hybrid alternative proposed by county staff is an
7 improvement, it is still not enough to protect the park,
8 even its reduced footprint is discussed, its feasibility
9 has not been addressed in the DEIR or the FEIR, and you
10 really should address that.

11 CHAIRWOMAN PHILLIPS: Okay. Ms. Glaros, you
12 have one minute.

13 MS. GLAROS: One? We are talking about the
14 life of Skyline Park here.

15 CHAIRWOMAN PHILLIPS: I understand. I am
16 trying to be fair and we've allowed additional time. So
17 let's move it.

18 MS. GLAROS: Cut to the chase. See, this is
19 called Skyline Park Master Plan. The county of Napa
20 made us do this, actually got all the staff altogether,
21 and this is what we live by and this is what the county
22 lives by.

23 The verbiage in here clearly states that you
24 need to provide an opportunity for all community members
25 and visitors to experience a diverse natural splendor,

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1 biodiversity, recreational resources of the park in ways
2 that appeal to their interest and preserve and enhances
3 these resources for future generations. That's the
4 county's verbiage, not ours.

5 By adopting the FEIR and this project the
6 county is going against what they have written and
7 advocated for in this binder, and you will have an
8 amendment on there on sections 2, 3, and 4 out of this
9 thing.

10 In closing, I along others have been with the
11 park since its inception. We want to leave a legacy
12 behind so Napa becomes -- as Napa becomes more urbanized
13 its residents will have a wilderness experience to
14 cherish.

15 Section 3 State of California says, we are
16 quoting the great law of the Iroquois' confederation,
17 that law says in every deliberations we must consider
18 the impact of our decision on the next seven
19 generations; it goes on, the state says, when applied to
20 the destiny of Skyline Wilderness Park it is clear that
21 the County of Napa and the community it represents must
22 do whatever is necessary to enhance, protect, preserve
23 in perpetuity the biodiversity, spirit of participation,
24 enlightenment and delight the park provides for the
25 people of our region; and I ask this Commission to help

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1 us preserve our precious wilderness park as the county
2 has said in this document.

3 CHAIRWOMAN PHILLIPS: Thank you. If there are
4 any points you were not able to make, I hope that you
5 turn in your notes.

6 MS. GLAROS: You've got it. You've got
7 everything all written out.

8 CHAIRWOMAN PHILLIPS: Thank you. Frederick
9 Parker, and on deck is Gabriel Sanchez, Jr., and then
10 Kimberly Richard.

11 MR. PARKER: good evening everybody. My name is
12 Frederick Parker, and I'm here on behalf of I guess the
13 trails program at Skyline Park. I'm a trails
14 maintenance worker. I live at 2732 Azalea Street in
15 Napa so I'm on just the north end of town.

16 So I've gotten a pretty intimate look at that
17 park. I've basically been hiking through those trails
18 in the last two years, and, you know, noticed a lot of
19 change just with drought situation that we're having. I
20 can't imagine what's going to happen with the expansion
21 of this mining quarry.

22 Again, so I can't help but be drawn to its
23 natural beauty, as it is a unique and pristine
24 wilderness area. There is a sense of tranquility there,
25 a sense that you cannot get from anything in town. You

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1 cannot escape from urban plight. I mean, everywhere you
2 go it's cars and highways and roads and houses and
3 buildings and just cement.

4 As it stands, when you do walk along the
5 Skyline Trail, you can hike about a mile up into the
6 park, and suddenly your tranquility of being in a
7 wilderness park is absolutely disturbed by a wall of
8 sound coming out of the already operating quarry.

9 There are certain viewpoints out of the Skyline
10 Trail that offer you views out over Napa, and in the
11 Master Plan -- I guess I can give you the copy that I
12 have here, I have highlighted notes here. In the Master
13 Plan it does describe part of the function of the
14 trails, although not necessarily the key point of the
15 trails, are for viewpoints.

16 So if we have a quarry next to our viewpoints,
17 that's going to worsen the views out over Napa. Not
18 only that, if we have to put a wall of trees up around
19 it just to block the noise, you are not going to have a
20 view anymore. So that diminishes the quality of our
21 trails there as well as the quiet there having the
22 opportunity to listen to nature. I'd rather listen to
23 water run through a creek than, you know, dynamite
24 blasting.

25 We do have equestrian riders on those trails.

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1 So when we do get notified about blasting are we
2 supposed to not have equestrian riders ride on our
3 trails? That's probably half our daily business,
4 whether it's from day use fees or the annual pass
5 holders. People do come to our park to ride horses.
6 That's going to completely disturb their ability to do
7 that with this new expansion project.

8 The whole business of the park is the trail
9 function. That's what our wilderness area was designed
10 to facilitate was the use of trails. Part of the
11 environment for trails is your ability to have a
12 tranquil place to hike with undisturbed natural
13 environment; and the county is actually, in their
14 wording in the Master Plan here, responsible to help us
15 maintain the rustic -- or foster a rustic natural
16 environment for these trails and for our users to enjoy
17 them.

18 So anyway I ask that you do review the Master
19 Plan, find any inconsistencies with what you've agreed
20 to help Skyline Park as a county -- what do you call it,
21 yeah, people with any means of doing anything here.
22 Sorry.

23 So yeah, just please review it, look for any
24 inconsistencies with the actual final EIR report and the
25 draft EIR report. Thank you.

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1 CHAIRWOMAN PHILLIPS: Thank you, Mr. Parker
2 Gabriel Sanchez, Jr.

3 MR. SANCHEZ: Hello? Hi. Good evening,
4 members of the Planning Commission.

5 My name is Gabriel Sanchez, Jr. I am currently
6 serving as a student trustee at Napa Valley College. I
7 am responsible for expressing the views and interests of
8 students and our associated student board on campus at
9 the board of trustee's meetings; as such, I'm tasked
10 with familiarizing myself with issues at the campus and
11 in the community surrounding the college that would
12 affect students in any form.

13 I stand here today in front of you as a member
14 of the public and a concerned member -- sorry, resident
15 of Napa County to ask that you reconsider the proposed
16 expansion of the Syar Quarry due to the potential
17 consequences it could have on the health and environment
18 of our community at large and the impact it could have
19 on our student population due to the proximity of the
20 project to the college.

21 It has been made clear to me that the project
22 has a potential -- it has a potential to potentially
23 negatively affect the health of the students on our
24 campus, and, as such, I'm here to tell you that it's
25 clearly not in the interest of the students and to pass

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1 it would be a slap in the face.

2 Thank you.

3 CHAIRWOMAN PHILLIPS: Thank you, Mr. Sanchez.

4 Kimberly Richard, and then on deck is James
5 Hinton.

6 MS. RICHARD: Good evening, Madam Chair and
7 Commissioners. I'm Kimberly Richard. I am the newly
8 appointed environmental and wildlife executive committee
9 for the democrats in Napa Valley. Most of all, I'm a
10 huge wildlife advocate just coming back from the
11 California Fish and Game Commission meeting in Fortuna.

12 One thing that I have not heard tonight is the
13 impact this is going to have on the wildlife that lives
14 within Skyline Park.

15 At the California Fish and Game Commission
16 meeting, we are considering -- at the October meeting in
17 L.A. we're going to reconsider listing Tricolored
18 Blackbirds back on the California endangered species
19 list. Tricolored Blackbirds live in Skyline Park.

20 And then another petition that's going before
21 the California Fish and Game Commission is the listing
22 of the Northern Fishers, which there is less than
23 average about 1800 left within the northern regions, and
24 there are fishers that actually live in Skyline Park
25 because they're all over Northern California.

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1 And so in closing, I just want to know where is
2 the impact, what impact is this going to have on the
3 wildlife that lives? We know there are Black Bears up
4 there in Skyline Park. You see, you know, "Caution
5 Bears."

6 When they're in this expansion, if they're
7 blasting and there are hikers on that trail, that's
8 disturbing the environment, that disturbing the
9 wildlife. What's not to say that a creature, an animal
10 that lives in Skyline Park does not get scared and runs
11 into a hiker, then we have, you know, a possible
12 fatality. You know, that's a hypothetical. That could
13 happen, it could not happen; but the thing that does
14 matter is the Tricolored Blackbirds being reconsidered
15 for the California endangered species. What impact is
16 that going to have on them? What impact does this have
17 on the wildlife? And I would like that brought back to
18 the table because I have not heard anything in
19 consideration for the wildlife.

20 Thank you.

21 CHAIRWOMAN PHILLIPS: Thank you, Mrs. Richard.
22 James Hinton, and then June Dougherty.

23 MR. HINTON: Good evening, Commission. James
24 Hinton, 3574 Hunters Circle, Napa, California.

25 A year ago I won the open jungle primary for

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1 the United States Congress. Last year, November, I got
2 over 40,000 votes supporting my campaign to rebuild
3 America's crumbling infrastructure with prevailing wage
4 jobs, to invest in infrastructure instead of
5 speculation.

6 So Syar provides the aggregate we need to
7 rebuild Napa's crumbled infrastructure from the Napa
8 quake, and they also have a record of providing quality
9 prevailing wage jobs to many people in the Napa Valley
10 for many years. Many people have benefited from these
11 economic opportunities and have got to have a taste of
12 the American dream.

13 But you know, this project right now as it's
14 proposed, a 35-year expansion, that's a long, long
15 contract, there are children that will be born in 15
16 years from now that could have 20 years of this
17 influence.

18 So I want to know, is there any chance, is
19 there any alternate ideas of any other location in the
20 Napa County where you don't have the proximity to the
21 school and the already developed surrounding locations?
22 I mean, we've learned a lot about the quarry business
23 and a lot about the environment and chemicals thanks to
24 our quality education system over the years, and we know
25 silica, silicon dioxide can be extremely hazardous; and

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1 there is a quarry, I understand, over -- Mark West
2 quarry over in San Rafael that has modernized mining
3 equipment to get this aggregate. I haven't heard if
4 this has been proposed in Syar's plans to possibly
5 modernize their quarry to have a greener impact maybe
6 or, you know, a better impact on our environment.

7 I haven't heard these solutions, but also, you
8 know, like I said, Napa County is a large county. Some
9 of it is probably on fire right now, and I'm wondering
10 when those fires burn, will there be places there to
11 maybe relocate and get aggregate; but just expanding
12 this at this time for this length of time in this
13 proximity to all the developed college, park, hospital,
14 everything that's coming in that shopping center right
15 now, all the -- you know, can we at least slow down a
16 minute before we approve this and re-examine the water,
17 the impact this has been having and make sure we look to
18 have a healthier watershed in the future.

19 You know, I know last -- the other night in
20 Browns Valley we had another water break and a sinkhole
21 in our street, which I'm not used to seeing, and Napa
22 had it patched up within about five hours. So they did
23 a great job. They probably get their rock local, and we
24 should probably try to keep that relationship coming,
25 but just make it in a cleaner fashion.

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1 CHAIRWOMAN PHILLIPS: Thank you, Mr. Hinton.

2 June Dougherty and next on deck is Sarah
3 Fernald Loft. Then Al Taglieri.

4 MS. DOUGHERTY: Name is June Dougherty. I live
5 at 2168 Penny Lane. I am an environmental scientist
6 with 27 years of experience. My specialty is in noise
7 and air quality and working at hazardous waste sites and
8 industrial locations throughout the entire Bay Area as
9 well as California.

10 I've worked for and virtually with every large
11 consulting firm in this Bay Area. So I know a good
12 document when I see it. I have done more noise and air
13 sampling and written and read more environmental
14 documents than I care to count. I would have to say in
15 my professional opinion this environmental document
16 falls far short of professional quality that is in the
17 standard in the Bay Area.

18 I would rank it in the bottom one-third of
19 professional quality, concise data evaluation and
20 sampling and monitoring criteria.

21 I recommend to the county that you recirculate
22 this document and that it not be certified. There are
23 glaring omissions.

24 In the original dismissiveness of the comments
25 from the public done by the consultants should never

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1 have been tolerated by the review.

2 I will hit on only three key areas. I've
3 submitted my comments and don't want to reiterate them
4 here.

5 The noise survey was, I would say, pedantic at
6 best. It was merely scattering. There was no
7 analytical rhyme or reason of true science to the way
8 that it was done.

9 Taking sample, for instance, at the
10 intersection of Imola and Penny Lane and correlating
11 that to a background residential level is ludicrous. I
12 personally have sampled multiple residence in Napa area
13 on the east avenues where I live. The background level
14 there ranges between 35 and 38 decibels in the early
15 evening.

16 The 5 decibel increase would be significant.
17 The 45-decibel background threshold that they are using
18 should not be used. You must look at the background
19 basis.

20 One glaring omission, and I have put this in my
21 comments and ask it to be addressed, it has not been
22 addressed, is that the property values in the east
23 avenues has not been reviewed at all or examined. The
24 decrease in the tax revenue base based on the decrease
25 in revenue and based on property values because of the

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1 increased noise, specifically the noise coming from this
2 operation, has not been assessed at all. You really
3 need to assess that.

4 If today you were to take a blasting operation
5 up to the top of that hill, the hill that will soon be
6 gone if you approve the entire expansion, you would
7 likely have a riot on your hands from residents on the
8 east avenues going all the way up to the Napa Country
9 Club and the Silverado Country Club.

10 Finally, I would say that in the terms of the
11 air quality the county should accept nothing less than
12 perimeter monitoring. One of our consultants here
13 described about perimeter monitoring, that is the
14 standard for industry. So far it has been dismissed as
15 it's too hard. Yes, it's difficult, you must look at
16 wind and all four categories of air movement and you
17 must look at operations. So I request that you require
18 that in the final document.

19 Thank you, very much.

20 CHAIRWOMAN PHILLIPS: Thank you, Ms. Dougherty.

21 Sarah, land then is Al Tagliari here? Then it
22 would be Chris Malan.

23 MS. LOFT: Thank you. I'm asking that the
24 Commission vote no on the expansion. I'm representing
25 Mother Earth. I'm asking the Commission to lead the way

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1 by beginning the difficult but necessary transition to a
2 green sustainable economy and lifestyle. We need to
3 reduce our use and need for high-quality aggregate.

4 I would like to end with two readings
5 selections. One is from Franklin Roosevelt, and he said
6 that, "The Society that destroys its soil destroys
7 itself." That was in 1932, I think.

8 And this is the second one, "It's 3:23 in the
9 morning, am I'm awake because my great, great
10 grandchildren won't let me sleep. My great, great
11 grandchildren ask me in dreams, 'What did you do when
12 the planet was plundered? What did you do when the
13 earth was unraveling? Surely you did something when the
14 seasons started failing. As the mammals, reptiles,
15 birds, were all dying. Did you fill the streets to
16 protest when democracy was stolen? What did you do once
17 you knew?'

18 "I'm riding home on the Colma Train. I've got
19 the voice of the Milky Way in my dreams. I have teams
20 of scientists feeding me data daily and pleading. I
21 immediately turn it into poetry.

22 "I want just this consciousness reached by
23 people in range of frequencies contained in my speech.

24 "I am the desirous earth equidistant to the
25 underworld and the flesh of the stars. I am everything

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1 already lost. The moment the universe turns transparent
2 and all the light shoots through the cosmos, I use words
3 to instigate silence.

4 "I'm a hieroglyphic stairway in a varied Mayan
5 city suddenly exposed by a hurricane, a satellite
6 circling earth and finding dinosaur bones in the Gobi
7 Desert. I am telescopes that see back in time. I am of
8 the procession of the equinoxes, the magnetism of the
9 spiraling sea.

10 "I am riding home on the Colma Train with the
11 voice of the Milky Way in my dreams. I am myths where
12 violets blossom from blood like dying and rising gods.
13 I am the time boundary of time, soul encountering soul,
14 and tons of fire.

15 "It is 3:23 in the morning and I can't sleep
16 because my great, great grandchildren ask me in dreams,
17 'What did you will do while the earth was unraveling?'
18 I want just this consciousness reached by people in
19 range of secret frequencies contained in my speech."
20 Drew Dellinger.

21 Thank you.

22 CHAIRWOMAN PHILLIPS: Thank you, Ms. Loft.

23 Chris Malan, and then April Clarey with Rena
24 Enriquez, and Sally Allred.

25 MS. MALAN: Hi. My name is Chris Malan. I

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1 live at 2945 Atlas Peak Road, and I'm the manager of
2 Living Rivers Council; and I'm here to ask the Planning
3 Commission to deny the expansion of Syar Industry
4 extraction project for aggregate, but, rather good for
5 an alternative project that would allow them to recycle
6 asphalt and reclaim the area and continue their existing
7 operations for Napa County.

8 And the reason I'm asking you to do this is
9 because we entrust you with the health, safety, and
10 welfare of this county. You make a recommendation to
11 the Board of Supervisors, I think, that this project,
12 either the EIR is good and it can go forward, or it's
13 not and it needs to go back for more work.

14 I highly recommend that you do that, because
15 this EIR is the worst I've ever seen, and I am, you
16 know, in the environment a lot. I've read over a
17 hundred EIRs in my 20 years of doing this, and I cannot
18 believe how bad this EIR is. It has glaring omissions.
19 Okay.

20 The MST is an aquifer in -- it's in -- it's
21 declining, it's deficient, it's in overdraft. We do not
22 know what the safe yield is. The Sustainable
23 Groundwater Monitoring Act, Management Act, which was
24 passed in December 2014 and hit the road running, now
25 requires Napa County to have sustainable groundwater

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1 management plans. Okay.

2 They're extracting from the MST. They did not
3 establish the baseline, they didn't talk about what that
4 aquifer currently is at this point. That's a huge
5 problem, because we don't know how much going forward
6 they can do for their extraction, and they didn't talk
7 about it.

8 It can't be covered in the use permit. It has
9 to be covered in the EIR so the public can have a chance
10 to look at it.

11 The other huge problem, I can't even believe
12 this, they failed to identify the watersheds that
13 they're going to be blowing up.

14 Cayetano Watershed is a huge watershed in their
15 project. It's going to get blown up, okay. And their
16 water quality discharge is going into Marie Creek.

17 Now, he didn't map this. He didn't show this.
18 I can't believe he got away with that. We had to map
19 it, and it took -- it was very hard. We had to download
20 the layers from the county, overlay the project. We're
21 the public. We should know this. Okay.

22 Huge watershed impacts not covered. Steelhead
23 in there. Threatened species, number of them, not
24 addressed. You asked about wildlife, you are right,
25 they didn't cover it.

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1 That cannot be approved. You cannot go forward
2 and not discuss threatened species in a watershed that
3 they're going to blow up; and they haven't discussed
4 groundwater quality.

5 You disrupt groundwater, and you recharge it
6 with the wastewater, what is that going to do with the
7 water quality to groundwater? That hasn't been
8 discussed. That's omitted from the EIR.

9 So please don't approve this EIR. They must go
10 back and they must do an adequate baseline and adequate
11 discussion of the environmental impacts, and they
12 haven't done it.

13 CHAIRWOMAN PHILLIPS: Thank you, Ms. Malan.

14 Is April Clarey here? Sally Allred. Then next
15 is Norma Tofanelli.

16 MS. ALLRED: Good evening. I'm Sally Allred.
17 I'm a Napa resident. I live in Alta Heights.

18 I have been asked to read a letter from someone
19 who couldn't be here tonight. He's the trail manager of
20 Skyline Park.

21 "My name is John Aaronson. I'm the trail
22 coordinator at Skyline Wilderness Park. My job is to
23 maintain and keep safe the 24 miles of trail we have in
24 the park. I spend 80 hours a month in the park working
25 and patrolling the trails. I love this little park for

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1 a variety of reasons, which I've stated publicly at
2 Planning Commission meetings.

3 "Skyline Park is the only legitimate open space
4 that the City of Napa has. We provide recreation and
5 solace to so many citizens of Napa and people from all
6 over the country and world. Skyline is a
7 self-sustaining park that we don't obtain funds from any
8 outside. It's a gem of a park, and I'm very concerned
9 about the Syar expansion.

10 "Over the past several months I have taken all
11 members of the Planning Commission on field trips of the
12 park. My intent was to show them first hand what I
13 believe would be the impacts from Syar expansion.

14 "I took them to Pasini Knoll along the Skyline
15 trail to show them the impacts of what would happen to
16 the serenity of the park if Syar is allowed to expand
17 their quarry operations.

18 "The 100 foot proposed buffer zone from the
19 Skyline property line is just not enough." That's all
20 caps with three exclamation marks.

21 "There is one main reason for this, there is no
22 geographical feature like the ridge, the ridge line
23 mountain that will separate the noise and dust coming
24 into the park.

25 "Imagining walking from the trailhead up the

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1 interior of the park only to be besieged by the sound of
2 large trucks and quarry equipment. Visitors would stop
3 coming to the park, and I wouldn't blame them.

4 "On days when the wind is blowing from the
5 northwest, I can clearly hear the quarry operation in
6 progress for most parts of the west side of the park,
7 and this work is being done nearly half a mile from the
8 park boundary.

9 "If the proposed Syar Quarry operations
10 expansion is passed, their equipment, noise, and dust
11 will be right on top of us.

12 "I realize that Syar provides a vital commodity
13 to Napa. Skyline Park also provides a vital experience
14 to people who live and work in Napa.

15 "I urge you to reconsider and look carefully at
16 other options. Once the expansion starts, there is no
17 going back."

18 Thank you.

19 CHAIRWOMAN PHILLIPS: Thank you, Ms. Allred.

20 MS. ALLRED: I'd also like to say this is an
21 awesome opportunity for Syar to upgrade all of their
22 heavy equipment to tier 3 and tier 4. Thank you.

23 CHAIRWOMAN PHILLIPS: Thank you, Ms. Allred.

24 Norma Tofanelli. Let's see, Eric Gallenkamp,
25 and then Brian Jones.

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1 Yes, you are up, sorry. Norma Tofanelli, I
2 don't see her in the audience. She's gone. She's gone.
3 With baby, she has a baby. Sorry, it's a joke.

4 MR. GALLENKAMP: Thank you, Board. I know it's
5 late. I'm going to cut down my comments. My name is
6 Eric Gallenkamp. I live at 1536 Oro Drive here in Napa.
7 I have been a homeowner for the past 16 years.

8 I want to thank you for your considerable time
9 and effort that you have devoted to this very serious
10 matter. However, despite all this, there is a serious
11 high-level of suspicion and mistrust hanging over this
12 EIR project.

13 In the numbers of years and dollars spent to
14 bring this project forward we do not have an accurate
15 understanding of how much aggregate our county needs.
16 The initial EIR put in estimates on a national average.
17 Mr. Syar presented us averages that are outdated from
18 the Bay Area. Neither of these estimates contained our
19 slow growth, agricultural county, which has very little
20 room to expand, and they're clearly overestimates.

21 I find it suspect that no one is able to put
22 forth an accurate independent analysis of our county's
23 projected needs for aggregate for the next 10, 20, and
24 30 years.

25 This fact -- the fact this was not done breeds

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1 suspicion. I feel the suspicion has also been fueled by
2 some of the scare tactics that have been employed here.

3 We don't know if Syar is running out of
4 aggregate. We don't have an independent analysis of
5 this. It might be true, but the only source of this
6 information is Syar themselves.

7 I believe it's foolhardy to take the word of a
8 company, or anybody for that matter, that has a
9 financial stake to overestimate the seriousness of a
10 problem.

11 I am sure no one here would enter into any
12 business based on that type of information alone. If
13 this is true that they are running out of aggregate,
14 then let an independent analysis of that be conducted.

15 Right now the whole premise for this project
16 seems like it's based on smoke and mirrors, but the
17 impact upon our county's environment is going to be very
18 real for years to come.

19 So there is talk about great points about the
20 environmental impact but no are more important than the
21 water we drink and the air we breathe. Without
22 effective monitoring of activities and real enforcement
23 violations, we are left with nothing but Syar's promise
24 for compliance, a promise of a company that has,
25 unfortunately, a long history and a well documented

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1 history of environmental violations, lawsuits, fines,
2 and settlements.

3 Please remember the best prediction of future
4 behavior is past behavior; in other words, zebras don't
5 change their stripes, and I don't trust Syar to protect
6 our environment.

7 So until this is independently and clearly
8 established that Napa Valley truly needs some sort of
9 quarry expansion and meaningful environmental
10 enforcement procedures put into place, I urge you to
11 reject this EIR as it currently stands.

12 Thank you.

13 CHAIRWOMAN PHILLIPS: Thank you,
14 Mr. Gallenkamp.

15 Brian Jones, and then David Lopez.

16 MR. JONES: Good evening, good evening. Leslie
17 and Lafrancoise make this look too easy. Thank you for
18 your guys' service. Thank you for putting up with us.
19 Thank you for your patience. We also thank you for your
20 wisdom.

21 I was born in Vallejo, California, and growing
22 up there used to be these beautiful gopher hills right
23 next to Blue Rock Springs. They're gone now. They're
24 golf courses. I think the concern the people and the
25 residents around here reflect are the concerns they

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1 don't want to see their parks destroyed.

2 It's a sensitive issue. I know you guys are
3 trying to put your kids through college, you guys are
4 trying to make your mortgages. It's stressful.

5 We are trying to protect our land. We're
6 trying to make sure that we're okay too, that we have
7 places to go to, but I can see who have a bigger bite in
8 the fight. A lot of your employees have taken off while
9 a lot of the residents have stuck around.

10 So that tells me we've got a good chance here
11 if your council will exercise the wisdom in this and
12 listen to all the facts.

13 I would like to second the Sierra Club, and
14 also to remind the Council, if they have not heard, that
15 Kelly Decker used to work for NASA. So she's not
16 talking out of her rear end. Yeah, gee, exactly, it's
17 pretty impressive.

18 Just because you can do something does not mean
19 you should. It's not like trees or water or abatement
20 or things we are talking about. You cannot put a seed
21 in the ground and regrow a hill.

22 I know that we need roads. I know that we need
23 infrastructure, but that's been a conversation in Napa
24 my whole life. They've avoided potholes, they've
25 avoided road stuff. There are many different ways of

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1 getting around this.

2 I feel very much for the workers of Syar.
3 They're in a rock and a hard place literally. They have
4 to make a choice between their employer, their
5 mortgages, even their own consciences.

6 So I guess what it boils down to is for your
7 wisdom. Please really think about it before you allow
8 this environmental impact report to go forward. Thank
9 you.

10 CHAIRWOMAN PHILLIPS: Thank you, Mr. Jones.
11 David Lopez. Three, there are three more.

12 MR. LOPEZ: (Spanish. See attached.)

13 THE INTERPRETER: He's asking me not to
14 translate what he's saying. He wants to prove a point.

15 CHAIRWOMAN PHILLIPS. Okay. Let me check with
16 legal. It's okay? Okay.

17 MR. LOPEZ: (Speaking in Spanish.)

18 CHAIRWOMAN PHILLIPS: Thank you.

19 Nathan Huffstedler. He went home, okay.

20 Heather McMichen, and then Deborah Waldon.

21 MS. McMICHEN: That was pretty close. My name
22 is Heather McMichen [Mac-Mik-hen]. Solid effort,
23 though.

24 CHAIRWOMAN PHILLIPS: Thank you. Thank you.

25 MS. McMICHEN: This is my first Planning

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1 Commission meeting. So please excuse me if I don't
2 speak as eloquently as some of those who came before me,
3 but the good thing is I will be short and sweet.

4 The bottom line for me is that no other
5 argument can trump the necessity for diligence regarding
6 the maintenance the maintenance or even improvement of
7 air quality and the protection of our groundwater here
8 in Napa.

9 I doubt anyone here is apathetic to the
10 economic concerns stated previously by those in favor of
11 the expansion. No one wants to see job loss in Napa,
12 but we can't act rashly out of fear of economic
13 disruption when we truly have no concept at this point
14 of the massive potential impact to the health of Napa
15 citizens, excuse me, and the ecosystem that is Skyline
16 Park.

17 We live in a society of more, more everything,
18 more money, more time to speak our peace. So please
19 require an EIR with more information.

20 Lastly, I have only been a Napa resident for
21 two-and-a-half years, and I just have to say that the
22 magic you can feel at Skyline Park is palpable. I hope
23 this isn't lost on anyone on either side of the debate,
24 and we can all use a little more magic in this world.

25 CHAIRWOMAN PHILLIPS: Thank you, and Deborah

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1 Wilton.

2 And that concludes our speaker cards. So thank
3 you everyone who is still here.

4 (Applause.)

5 CHAIRWOMAN PHILLIPS: So I'm going to close the
6 public comment -- do I leave it open? Oh, right.

7 We're continuing this meeting until August 19th
8 at a time certain, 1:30. 1:30 at this location.

9 MR. BARRELLA: Madam Chair, the staff will not
10 be in a position to have any responses or evaluation of
11 the documents that have come in today by next Wednesday.
12 The report will have to go out tomorrow.

13 So the commission can continue it to the 19th,
14 but it would primarily of taking the additional
15 testimony when staff won't be able to respond with
16 substantive recommendation at that time.

17 CHAIRWOMAN PHILLIPS: Agreed. I guess I just
18 jumped the gun there. I guess we should talk about next
19 steps with the staff.

20 So what you are saying is that based on the
21 information that you have received today, that you need
22 additional time with which to clarify and to assess, and
23 that would not be done by the 19th.

24 So we have two options, to keep that meeting
25 time at 1:30 to accept additional public comment, or to

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1 continue to another -- a time --

2 MR. BARRELLA: I think we were looking at
3 possibly September 2nd. Might be more productive to
4 continue to September 2nd when the staff believes it
5 will be able to come back with some comment.

6 CHAIRWOMAN PHILLIPS: At which time we would be
7 able to provide further answers on questions that were
8 asked today or additional information, and give the
9 public time to comment, the opportunity to comment at
10 that time.

11 MS. BLACKMON: Time for the 2nd. We have a
12 regularly scheduled meeting at 9:00. We have various
13 items, we have, like, four or five items for that
14 meeting scheduled. So we could do it in the afternoon,
15 1:30.

16 CHAIRWOMAN PHILLIPS: Excuse me. There
17 is -- if you have something -- public comment is still
18 open so if you have a quick comment.

19 UNIDENTIFIED SPEAKER: My only question is is
20 the public comment period remaining open then?

21 CHAIRWOMAN PHILLIPS: Yes, it is.

22 UNIDENTIFIED SPEAKER: Okay, thank you.

23 UNIDENTIFIED SPEAKER: I have a question, I
24 apologize. So if you are going to need until September
25 2nd to respond public comment, and you are going to

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1 accept additional public comment September 2nd, where
2 does that put us? That's kind of the snowball here.

3 CHAIRWOMAN PHILLIPS: That is the downside of
4 the public process. I think what -- we are kind of
5 between a rock and a hard place. There is no way -- I
6 mean, we received 500 pages of material today.

7 It would be very difficult to make a decision
8 without weighing in on that.

9 MR. BARRELLA: If there were only -- if we just
10 were going off the basis of the verbal comments that
11 have been received tonight, staff might have been able
12 to ask for a brief recess and come back with some kind
13 of recommendation; but, as Chair Phillips indicated,
14 there are were several technical studies that are going
15 to take a little bit time to review.

16 MS. BLACKMON: I think we're also envisioning
17 at the next meeting it would be an opportunity for folks
18 who may have had to leave or who weren't able to speak,
19 would speak, not that everybody who is here would then
20 speak again.

21 CHAIRWOMAN PHILLIPS: We're keeping the cards.
22 Mr. Barrella, are you saying then -- you are referring
23 to the September 2nd meeting, and you feel that would be
24 the most prudent from the county's perspective to
25 continue it until that day?

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1 MR. McDOWELL: I'm with you. Mr. Barella, and
2 Mr. Bordona, is that going to give us enough time?

3 MR. BORDONA: Having not reviewed the several
4 technical reports, it's very difficult to say. Not that
5 I'm advocating this as the anticipated schedule on
6 September 16th any lighter, Ms. Galena? We have two
7 wineries, we have APAC recommendations and possible
8 discussion of visitation and marketing evaluation.

9 CHAIRWOMAN PHILLIPS: Or the other alternative
10 is that, I know this then becomes a regular item, do you
11 then schedule an evening meeting as a special meeting?

12 (Applause.)

13 CHAIRWOMAN PHILLIPS: The staff is going to
14 shoot for September 2nd.

15 MR. McDOWELL: 2nd, yeah. The staff would
16 recommend September 2nd at 1:30.

17 CHAIRWOMAN PHILLIPS: Okay.

18 CHAIRWOMAN PHILLIPS: Just if people are
19 wondering about the 1:30, it's a time set matter. Our
20 meeting that day begins at 9:00, and that would give us
21 the morning to do our regular business and then to pick
22 this up after that has concluded.

23 COMMISSIONER BASAYNE: Do we need a motion?

24 MS. BLACKMON: Do we want to have it at the
25 board or here at 1:30 on the 2nd?

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1 CHAIRWOMAN PHILLIPS: Here.

2 MS. BLACKMON: Okay. So we need to check the
3 availability on the location.

4 MR. McDOWELL: We need to specify the time and
5 date for the hearing. We don't need to specify the
6 location.

7 CHAIRWOMAN PHILLIPS: Ms. Winiarski.

8 MS. WINIARSKI: Could you please recirculate
9 the EIR?

10 CHAIRWOMAN PHILLIPS: That's not a decision
11 that could be -- that we're making, but there is there
12 is -- Commissioner Basayne, you were going to float a
13 motion.

14 COMMISSIONER BASAYNE: I was indulging the
15 Chair as to whether or not she wanted me to float a
16 motion, and if that is the case, I would like to move
17 that we continue this meeting to September 2nd, with a
18 time certain of 1:30, pending investigation certainly,
19 and that this meeting occur in the same location where
20 we are tonight.

21 CHAIRWOMAN PHILLIPS: TBD.

22 COMMISSIONER BASAYNE: TBD. Thank you everyone
23 for your patience.

24 COMMISSIONER SCOTT: Second.

25 CHAIRWOMAN PHILLIPS: Favor?

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1 COMMISSIONER POPE: Aye.

2 COMMISSIONER BASAYNE: Aye.

3 CHAIRWOMAN PHILLIPS: Opposed?

4 So the meeting will now be on -- the goal of it
5 will be to have the meeting on September 2nd based on
6 staff's ability to assess the documents.

7 (The proceedings adjourned.)

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CERTIFICATE OF REPORTER

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DATED: MARCH 7, 2016

DIANE L. FREEMAN, CSR NO. 5884
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