

NAPA COUNTY SCOPING MEETING

PROCEEDINGS REPORTED FROM  
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SYAR EXPANSION SCOPING MEETING

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1 CHAIR FIDDAMAN: And we're now back in  
2 session. We're going to attend to Item 9B, Syar  
3 Industries Incorporated Napa Quarry Project, Surface  
4 Mining Permit P08-00337-SMP.

5 I might just comment to the public at this  
6 point that what we have here this morning is the very  
7 beginning of what we anticipate will be a pretty  
8 lengthy process. This is the scoping session for the  
9 Environmental Impact Report or the Draft Environmental  
10 Impact Report, so we're certainly encouraging public  
11 comment at this point, but this is a pretty new topic  
12 for a lot of the members of the public and for members  
13 of the commission as well.

14 So I understand we're going to start with a  
15 presentation that perhaps will educate us all a little  
16 bit, and then we'll get into the opportunity for people  
17 to comment on the scope of the Environmental Impact  
18 Report.

19 MR. BARRELLA: Good morning, members of  
20 the commission and Chair Fiddaman. Don Barrella with  
21 the Planning Department, and I thank you for prefacing  
22 this.

23 This is the very beginning stages of the  
24 processing and review of this application that's being  
25 brought before us by Syar. And it is the opportunity

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1 to comment on the scope and content of the EIR and make  
2 sure we have everything in there so you can use it  
3 later on in the process, which I'll get into here in  
4 just a minute in discussing the merits of the project.

5         So I'm going to go through real quickly the  
6 purpose of the scoping meeting. We have in front of  
7 us, and this is definitely more formal than your  
8 typical scoping meeting, but we thought it was a good  
9 opportunity to get it out there to the members of the  
10 public and the commission and get early input as we  
11 can.

12         And then both Syar and Winzler and Kelly will  
13 give presentations on the project, the existing  
14 settings, and what's going to be looked at in the EIR,  
15 and then I'll give kind of a quick wrap-up and then we  
16 can open things up to take in comments.

17         Today we have here with us the applicant, John  
18 Perry with Syar Industries, and Mischa Schwartz, Kelly  
19 Spring with Winzler and Kelly, who are the consultants  
20 contracted with the county to prepare the environmental  
21 document.

22         As I mentioned, the purpose of this scoping  
23 meeting is really to obtain comments from the public  
24 and other agencies on what should be included in the  
25 Environmental Impact Report that's going to be prepared

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1 as part of this project. And that goes in step with  
2 making a couple of findings you'll ultimately have to  
3 look at with this application. It is kind of a long  
4 process, that's why it's well ahead of the actual  
5 discussion of merits of the project itself.

6 If you need to, the findings that you'll be  
7 looking at, those are in Chapter 1612.360, which are,  
8 I think there's about a dozen findings that need to be  
9 made. A couple of them are related to the  
10 environmental impacts associated with the application.

11 As I mentioned and as Chairman Fiddaman  
12 mentioned, we are early on in the process. This is our  
13 scoping meeting that's in conjunction with the Notice  
14 of Preparation that's been prepared for the project.  
15 The Notice of Preparation went out on June 15th. It  
16 actually went out on Saturday, June 12th and was  
17 published in the papers on Sunday the 14th, but we  
18 started the official comment period on June 15th and  
19 it's running through July 15th.

20 On that we extended the notification out on  
21 this to approximately half a mile, so we sent out in  
22 total with notices going out to property owners,  
23 agencies, and other groups that we thought would be  
24 interested in this, about 500 notices went out for this  
25 Notice of Preparation of Scoping Meeting. It's

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1 anticipated near the end of this year, November,  
2 December, that we'll be able to produce a Draft  
3 Environmental Impact Report, start getting comments on  
4 that, as well as have a hearing on that the Draft  
5 Environmental Impact Report, and then subsequently in  
6 the early parts of 2010, March, we'll get into the  
7 discussions of the application itself and the merits of  
8 the application, looking at those things.

9           So again, I appreciate Chair Fiddaman. I think  
10 this is a time to get comments on what we're going to  
11 be looking at. At this point we don't have all the  
12 answers. We're hoping that questions are more related  
13 to what is going to be in the EIR rather than the  
14 merits of the project itself.

15           I will wrap things up. As I mentioned, after  
16 Syar gives their presentation and the consultants give  
17 their presentation, I'll wrap things up and we can move  
18 from there.

19           With that I'll give the podium to Mr. Perry  
20 here with Syar to go over some of the project  
21 particulars and the site itself.

22                       MR. PERRY: Thank you, Don.

23           Good morning, Mr. Chairman, Members of the  
24 Planning Commission. My name is John Perry. I'm with  
25 engineering and permitting for Syar Industries. I'm

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1 grateful to be able to be here today to present to you  
2 a brief description of the project that's before you  
3 today.

4           As you can see from this first slide the quarry  
5 expansion project is located south, southeast of the  
6 City of Napa and it's south of the state hospital  
7 property. Trying to get my pointer working here. It's  
8 also east of Highway 221, the Napa-Vallejo Highway.

9           The application that's being considered today  
10 is the expansion of the Napa Quarry which Syar  
11 Industries purchased from the Basalt Rock Company back  
12 in 1986. The present quarry sits on approximately 700  
13 acres of land with approximately 470 acres that has  
14 been disturbed by mining already. We propose to expand  
15 the current mining footprint by about 290 acres.

16           Most of you are familiar with the Napa Quarry  
17 since it's been in existence since around the turn of  
18 the century going into the 1900s, the early 1900s is  
19 when it was first started. Materials from this  
20 facility have been used to create much of the  
21 infrastructure for Napa County and the surrounding  
22 areas. The facilities that are existent at this  
23 location are facilities that helped make the material  
24 that built Treasure Island, Mare Island, the Golden  
25 Gate and Bay Bridges, along with state and county

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1 roads, bridges and dams. The rock from the Napa Quarry  
2 is seen in the subbase material that you find under the  
3 road surfaces as well as in the asphalt that covers the  
4 streets and roads. You see rock related products every  
5 day in gutters, curbs, and sidewalks and building  
6 foundations, riprap that reinforces river banks, and in  
7 the rock walls and the facing material on wineries  
8 throughout the county. As part of the improvements to  
9 the infrastructure of the state that so needed it at  
10 this time, the rock from the Napa Quarry will have a  
11 greater demand in the near future.

12 After purchasing the property in 1986, Syar  
13 purchased from the State of California about 106 acres  
14 that they and Basalt Rock Company had leased for many  
15 years. In 1990 Syar also purchased a 50 percent  
16 interest in the Passini Ranch that is located directly  
17 to the east of the existing quarry property between the  
18 quarry and Skyline Park. The entire quarry area has  
19 been working under a use permit that was issued in 1981  
20 along with Syar's vested rights to mine on this land.  
21 The existing reclamation plan was issued in 1982.

22 The rock of Syar's Napa Quarry was created by  
23 ancient volcanic flows that ran through this area.  
24 The nature of these flows and where they originated has  
25 caused a great deal of frustration for the quarry

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1 operators. In other words the geology in this area is  
2 rather confused.

3           You can see from the slide on the right the  
4 material that you find at the bottom here is a good  
5 basaltic material that is the quality of material that  
6 we look for, but on top of it there is this red scoria  
7 material, which is like red ash that covers the land  
8 and is covered by vegetation in the area when we go out  
9 into a raw area. The area over here is a lesser  
10 material. It's lighter in color that has less quality  
11 and strength. So you can see that all of these  
12 materials overlying the good material is something that  
13 you can see in the cross section here, but when you go  
14 out to dig into the site, it is something that you  
15 can't see where that good rock is located.

16           Other areas of the quarry are far more confused  
17 and are costing a great deal of time and money to go in  
18 and try and find where the rock is located, remove the  
19 overburden and the bad material, and finally harvest  
20 the good rock below. The quality rock that we mine at  
21 this site is a basaltic type and a rhyolite type.  
22 These are the quality rocks that have high value  
23 because of their strength, their durability, and their  
24 weight. The lesser value rocks, the red scoria and the  
25 tough material which has the consistency of a cardboard

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1 at times, but these materials are good to be used  
2 perhaps for fill or sometimes for landscape and  
3 reclamation purposes.

4 In 1986 Syar's Napa Quarry was designated by  
5 the State of California as a mineral resource of  
6 regional significance. This designation is intended to  
7 identify and assist local planners and regulators for  
8 the protection of known mineral resources. An area of  
9 regional significance is one which -- and I'll quote  
10 from the Public Resources Code -- "is one which  
11 contains a deposit of minerals, the extraction of which  
12 is judged to be of prime importance in meeting future  
13 needs for minerals in a particular region of the state  
14 in which the minerals are located, and which if  
15 prematurely developed for alternative incompatible land  
16 uses could result in the permanent loss of the minerals  
17 that are of more than local significance."

18 As I mentioned before, because of the confused  
19 and varying formations of rock that exist at this  
20 location we are in need of expanding our mining  
21 operations to continue to supply the quality rock for  
22 the needs of the local area.

23 In the third slide that you see on the left,  
24 you will see the areas that we are trying to expand  
25 into along with continuing to do exploration in the

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1 areas that are already disturbed, we are planning to  
2 now move a little bit further to the east, along the  
3 eastern flanks of the property and now do exploration  
4 and continue our mining effort in that direction to dig  
5 out the good quality rock.

6           The first area that we are expanding into is in  
7 the northeast quadrant. This property is east of the  
8 area that was purchased by the State of California,  
9 which was in this area, back in 1998 and is referred to  
10 as the shooting range area. As a part of the purchase,  
11 Syar gave a portion of this land to the City of Napa,  
12 this little area right up here, that was donated to the  
13 City of Napa and they have built a water tank on that  
14 land that provides additional water to the City's water  
15 system. Also in the area Syar has developed a shooting  
16 range for the Napa County Sheriff's Department allowing  
17 the Sheriff's Department to have a local place to  
18 practice these skills without having to leave the  
19 county. This amenity will probably remain at this  
20 location and may need to be moved or relocated from  
21 time to time as the quarry expands to the east.

22           The next area of expansion is in the Passini  
23 Ranch area in this portion. Surface features on this  
24 property along with excavation and exploration work  
25 that we have done already on the land adjacent to it

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1 show that this area has a great potential to have some  
2 very, very good quality rock.

3           The last expansion area that is shown on the  
4 map is the area down in the south. This is called the  
5 Sheehy area. This area would be the southern extent of  
6 the mining and the ultimate potential of this area is  
7 still being explored. As our ability to explore  
8 exploratory drilling to deeper depths improves, we are  
9 able to find rock resources that were not apparent from  
10 just surface inspections and shallow drilling that we  
11 had to do in the past.

12           If approved, Syar's permit will also increase  
13 the ability to provide mineral aggregate to the Bay  
14 Area counties as the demand increases to build and  
15 repair the large scale projects are being proposed.  
16 Because of this we are asking to increase our annual  
17 sales volume from 1 million tons to 2 million tons.  
18 This tonnage will not only include rock and asphalt  
19 manufactured from the materials mined at the quarry,  
20 but also includes the sales of recycled asphalt and  
21 concrete recycled at Syar's recycle plant which is  
22 located in this area right here. Here concrete and  
23 asphalt that's left over from demolition projects in  
24 the area is delivered to this location where it is  
25 crushed and screened and made into usable products

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1 eliminating the need for this material to be added to  
2 landfills. We're finding that the availability of  
3 quality minerals and mineral aggregate for use in  
4 building and rebuilding infrastructure in the state  
5 does not meet the demands that's being proposed.

6           On September 30th of 2008 Caltrans put out a  
7 letter providing information to decision makers on the  
8 need to increase California's aggregate resource  
9 supply. They have found that the demand for aggregate  
10 in the state is far greater than what the permitted  
11 resources can supply. This along with other demands  
12 such as shoreline protection and reinforcement will  
13 require additional resources and expansion of existing  
14 ones to supply the needed infrastructure.

15           The Napa Quarry supplies its products mostly to  
16 the Napa, Sonoma, and Solano County areas. The  
17 transportation of these materials is becoming very  
18 costly. Therefore the radius for the supply of these  
19 products is about 35 to 50 miles. Beyond this distance  
20 other quarries can more economically supply these  
21 products to their projects because of transportation  
22 costs.

23           The EIR that is being done will study Syar's  
24 mining application as if the entire area were being  
25 mined totally; however, this is not the case. As I've

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1 explained, the nature of the deposit is very confused.  
2 The rock in this quarry was deposited here from large  
3 scale lava flows that overlapped one another as shown  
4 here on the right over thousands of years. Unlike some  
5 locations where the material is uniform and consistent  
6 throughout the deposit, mining this material is more of  
7 a hunt and peck operation. We can drill a lot of  
8 holes, exploratory holes in an area and find what we  
9 think is good rock material one day only to find out  
10 the next day that 20 feet further the deposit  
11 disappears.

12 Our application is requesting to have the  
13 ability to mine throughout the property where quality  
14 material can be found. Based on the historic portions  
15 that we have generated over the years we find that only  
16 about 50 to 60 percent of the material mined at the  
17 quarry is included in the sales volume that leaves the  
18 site. The rest of the tonnage is made of recycled  
19 material, asphalt oil, or other blending materials that  
20 are brought to the site from other resources.

21 Therefore if we look at the 2 million tons per year  
22 that's being requested, only about a million tons of  
23 this would be rock that we excavated from the site.

24 Based on this over a 35-year permit and considering  
25 maybe 100 foot of mining depth, only about 140 acres

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1 would be used to generate the quantity that we would  
2 need over the 35 years if everything is perfect.  
3 Obviously this acreage is based upon the material all  
4 being good, and as I have shone already, this is not  
5 the case and the depth of the excavation may vary as  
6 the types of material encountered are found. If there  
7 is more good material located in one particular area at  
8 a deeper depth, naturally we would stay in that  
9 location and thus reducing the impacted land area.

10 Also we're going to continue to mine and work in the  
11 areas that are already disturbed. And if additional  
12 material is found in those locations it would reduce  
13 the area that is going to be disturbed in the future.

14 In order to prevent a large scale disturbance  
15 of the entire site, Syar is proposing to use an  
16 adaptive management strategy that will allow the county  
17 to have a more interactive involvement in the planning  
18 and expansion of the quarry. Under this approach Syar  
19 annually will submit a report to the county describing  
20 the work that went on during the previous year along  
21 with any monitoring data that's been developed and also  
22 show what areas are being -- plan to be mined in the  
23 future. This report will be reviewed by county staff  
24 and will allow their input to be brought into it prior  
25 to Syar expanding again.

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1           We understand that the EIR must assess  
2 alternatives to our project. Some of the alternatives  
3 that are being proposed is one which is a reduced  
4 footprint alternative as well as a reduced tonnage  
5 alternative and of course the no project alternative.  
6 However, we believe that the proposed project can be  
7 developed to mitigate any environmental impacts to a  
8 less than significant level and achieve all the  
9 objectives which I have mentioned here today along with  
10 combining a local source of aggregate that will help  
11 reduce greenhouse emissions and the use of fossil fuels  
12 that occur from importing materials from distances from  
13 different locations.

14           I hope this has given you a bit of an overview  
15 of our project, and I will be glad to answer questions  
16 at the appropriate time. Thank you.

17                   CHAIR FIDDAMAN: Commissioner Scott?

18                   COMMISSIONER SCOTT: Actually I don't  
19 have a question. I just want to thank you, John and  
20 Jennifer, for the tour you gave me yesterday of the  
21 property. I would recommend it to all the other  
22 commissioners. It was more than a 90-minute tour and  
23 it was completely fascinating. We're talking about  
24 almost 900 acres here. There is a lot to see and a lot  
25 of things going on. I would also note that the

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1 shooting range that Mr. Perry referred to is not only  
2 being used by the Sheriff's Department, but also there  
3 were police officers there from the City of Napa and  
4 American Canyon as well, so it is serving a real  
5 community need as well. This property is, in addition  
6 to being humongous in size, is varied and it's so  
7 differing from one end to the other, it's amazing to  
8 see, and I recommend it to you. Highly educational.

9 CHAIR FIDDAMAN: I think we're all going  
10 to want to get out there at some point.

11 MR. PERRY: Let us know when you'd like  
12 to come.

13 CHAIR FIDDAMAN: Great. Thank you.

14 MS. GITELMAN: Chair Fiddaman, if I could  
15 interject. I also took a tour which was wonderfully  
16 educational, and I'm hoping that the quarry and Don  
17 will accommodate any members of the public that want to  
18 go out on a prearranged basis in a small group. If  
19 people are concerned about the project and want to  
20 understand more fully what goes on there today in terms  
21 of mining and best management practices, there's  
22 nothing like going out there to see it.

23 CHAIR FIDDAMAN: Maybe we could actually  
24 have a workshop out there in a tent.

25 MS. GITELMAN: No, tents. We're done

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1 with tents. But I think a small group driving around  
2 in an enclosed vehicle, that would be good.

3 CHAIR FIDDAMAN: For those of you who  
4 aren't aware, we did have a meeting at Napa Pipe  
5 recently in a tent and it was pretty windy out there.

6 COMMISSIONER SCOTT: I think a house  
7 ended up falling on a witch at some point.

8 CHAIR FIDDAMAN: There's going to be lots  
9 of questions. I've got a list of them already, but I'm  
10 going to save mine because they're really sort of  
11 general information questions and they're the kind  
12 that would be better asked I think on a tour of the  
13 property.

14 MR. BARRELLA: And we can answer a few  
15 questions when Winzler and Kelly gets finished and I  
16 wrap things up. We'll touch base on tours as well when  
17 I wrap things up.

18 With that we'll bring Winzler and Kelly up to  
19 go through some of the major impact categories they're  
20 going to look at and some of the methodology they're  
21 going to use on that.

22 MR. SCHWARTZ: Good morning, my name is  
23 Mischa Schwartz. I'm the project manager for the EIR  
24 with Winzler and Kelly.

25 Just for a brief time we're going to talk about

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1 some major resource impact categories. Typically EIRs  
2 have 16 to 18 different chapters dealing with impact  
3 categories ranging from aesthetics to utilities. We're  
4 going to talk about seven of those here briefly. We've  
5 chosen these because we think these seven are the ones  
6 that have the potential to have significant impacts and  
7 that are going to require mitigation. That's why we  
8 chose these. The EIR is obviously going to talk about  
9 the other impact categories as well but there are  
10 lesser impacts in those and have less interest for  
11 today anyway.

12 We're going to talk about visual resources,  
13 biological resources, transportation, air quality,  
14 cultural resources, hydrology, water quality and noise.

15 So the first resource impact category that will  
16 obviously require significant analysis in the EIR is  
17 that dealing with aesthetics and visual resources. We  
18 know that we're going to have potential impacts  
19 associated with scenic viewpoints, just the visual  
20 character of the site as can be seen from sensitive  
21 receptors. Also we know there's going to be some  
22 issues with nighttime lighting. Although we don't  
23 anticipate a large new amount of nighttime lighting, we  
24 will be analyzing that. And in conjunction with the  
25 county we have identified sensitive receptors and we

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1 have listed them here. I'm not going to go through  
2 them all, but they'll be discussed in the EIR. And our  
3 methodology for that is that we picked these sensitive  
4 receptors, and again, these are views are from an area  
5 to the mine. So some of those views are within the  
6 City of Napa, some of those are not. We're basically  
7 picking nine sets of these views and then we're doing  
8 analysis and simulation. That simulation will be both  
9 pre and post project analysis, so we have a photo that  
10 will show the current condition and we'll have a photo  
11 that will try and depict as best as possible what it's  
12 going to look like in 35 years.

13 We also are going to do some GIS based viewshed  
14 analysis, and we're also going to do three post  
15 reclamation photo montages; what it looks like now,  
16 what it will look like in 35 years without any  
17 reclamation, and then what's is going to look like with  
18 some sort of partial reclamation is probably going to  
19 be the most realistic component. We've taken photos  
20 both when the hills are green, we got those early this  
21 year, and we also have photos now when the grass is  
22 brown to sort of see the difference on the viewshed and  
23 the different seasons.

24 Another impact category we know that's going to  
25 take significant analysis in the EIR is that of

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1 biological of resources. We do know that there are  
2 three special status plant species on the site; those  
3 being the Ceanothus, the Tar Weed, and the California  
4 Black Walnut. We also know that there are special  
5 habitats, and biotic communities. Specifically ones of  
6 concern would be native grasslands, oak woodlands,  
7 chaparral, reparation, and aquatic wetlands. We also  
8 think that there's a possibility that there could be an  
9 impact on wildlife corridors and sensitive wildlife  
10 species.

11 So our methodology for that is that we, Winzler  
12 and Kelly, performed a sensitive plant survey at an  
13 appropriate time of year. We just finished that a few  
14 weeks ago. And that's where we got the information  
15 that I pointed to earlier. And we're also doing peer  
16 review on a multitude of documents that have already  
17 been completed by the applicant, and those documents  
18 and existing information include wetlands lineation,  
19 which has been sent to the Corps of Engineers for  
20 jurisdictional termination as well as the regional  
21 board. And then there has been multiple biological  
22 evaluations done of the existing quarry as well as the  
23 expansion area including mapping and plant communities  
24 and red-legged frog surveys. There's also a multitude  
25 of databases that are available, U.S. Fish and Wildlife

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1 Service, the California Natural University database and  
2 the California Natural Native Plant Society.

3 So the EIR will analyze and quantify the loss  
4 of these sensitive species and communities and propose  
5 mitigation for that.

6 We know from the increase in the tonnage, as  
7 John had eluded to, that there will be increase in  
8 vehicle, barge, and rail traffic. We know that the  
9 vehicle traffic will be increased both by a minor  
10 component of additional employees, but more importantly  
11 accommodating the increase in production, and there  
12 will also be an increase in barges bringing material in  
13 and out and some increase in rail as well. There will  
14 also be potential congestion and safety hazards.  
15 Required by CEQA, you also need to analyze emergency  
16 access and whether or not the project has impact on  
17 that component.

18 So our traffic methodologies is that we're  
19 going to use the general plan which goes through 2030  
20 to analyze the growth that will naturally occur on top  
21 of the project. We will analyze traffic through the  
22 component of the project which is estimated now at 35  
23 years. We're going to have an initial meeting with  
24 both the City of Napa, the County of Napa, and Caltrans  
25 to ensure that our methodology is accepted. That

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1 letter is in draft form now, probably going to go out  
2 next week. That basically verifies the intersections  
3 that we're going to study and the methodologies,  
4 specifically the software packages that will be used  
5 for the analysis.

6           Doing that we produce a traffic impact study.  
7 Winzler and Kelly will be using our own internal  
8 traffic engineers for that analysis in analyzing  
9 various traffic counts at morning, midday and evening  
10 and then conducting the analysis. And there's  
11 resources out there from the City of Napa, the County  
12 of Napa, Caltrans and CEQA that we'll be applying to  
13 the project with regard to threshold of significance.  
14 And again as I mentioned, we'll be using the general  
15 plan for growth projections when we overlay the project  
16 plus cumulative. And we'll also be looking at other  
17 projects, Napa Pipe project and how that interfaces  
18 with our project.

19           At this time I'd like to turn it over to Carla  
20 Spring to talk about the remaining impact categories.

21           MS. SPRING: Hi, my name is Carla Spring.  
22 I'm one of the key environmental scientists working on  
23 the EIR for the proposed project with Winzler and  
24 Kelly.

25           I'm going to be going through four impact

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1 categories being air quality, cultural resources,  
2 hydrology and water quality as well as noise.

3           Potential air quality impacts include increased  
4 criteria of silica and diesel emissions. Currently the  
5 San Francisco Air Board is the agency for respirable  
6 particulate matter as well as fine respirable  
7 particulate matter and ozone, and that's pretty much  
8 the case for all counties within California. There  
9 will be an increase in operational emissions to  
10 accommodate the increase in quarry production. There  
11 will also be issues related to greenhouse gasses and  
12 tree removal.

13           Before conducting the analysis to assess air  
14 quality impact we're going to initiate consultation  
15 with Bay Area Air Quality Management District to  
16 essentially get their buy-in on our methodology. We'll  
17 be conducting a 30-year URBEMIS analysis to quantify  
18 criteria of pollutant emissions. We'll be using  
19 project specific emission resources provided by Syar,  
20 their equipment list, and employee trip information.  
21 Where project-specific information is not available we  
22 will use the default values provided within the Bay  
23 Area Air Quality Management District CEQA guidelines.  
24 Additionally, a health risk assessment will be  
25 conducted -- a 9, 30, and 70 year analysis. We'll

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1 identify hazards, we'll assess exposure assessment.

2 Also the last two components of that are a response

3 assessment as well as risk characterization.

4 There are no recorded cultural resources on the

5 property as well as no unrecorded cultural resources.

6 So this brings us to several items that will need to be

7 addressed while assessing impacts to cultural

8 resources.

9 We will be conducting a Native American

10 consultation, specifically with Middletown Rancheria,

11 and obtain THPO concurrence, that's the Tribal Historic

12 Preservation Office. We'll be identifying setback

13 buffers to these resources and then we will assess and

14 include discussion any impact analysis for any resource

15 proposed removal. This will all be provided to SHPO,

16 the State Historic Preservation Office to obtain their

17 concurrence and hopefully that will be no impact to --

18 or that all of the resources will be adequately

19 recorded and appropriate mitigation measures will be in

20 place.

21 In regard to hydrology and water quality there

22 will be alteration of topography and drainage patterns.

23 As we all know when we are in the MST zone, it's in a

24 current state drawdown, so impacts to groundwater will

25 be assessed as well. There will be an increase in

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1 storm water runoff, and another concern is the water  
2 quality of Arroyo Creek and Napa River. The Arroyo  
3 Creek is the receiving water body of the storm water  
4 outfall from the systems at the quarry.

5         Next slide please. The hydrology analysis will  
6 only be conducted for the future expansion area. We'll  
7 be utilizing the Army Corps of Engineers HEC HMS  
8 software. This is pretty much the standard software we  
9 use as well as the SCS technical release. We will be  
10 using those two -- we'll be using that model along with  
11 the transformation principles to compare pre and post  
12 mining runoff and to determine adequate potential pond  
13 volumes and locations in the expansion area. We'll be  
14 utilizing the Napa County post construction runoff  
15 management requirements and so we will analyze runoff  
16 volume that will need to be determined for two year and  
17 24 hour rainfall event.

18         Next slide please. This brings us to our last  
19 impact category, noise. Essentially the noise  
20 generated from heavy construction equipment, rock  
21 crushing, blasting, vibration, and general grading  
22 equipment can be termed as industrial noise. There  
23 will also be noise generated from the increase in  
24 vehicle and barge and rail traffic in the surrounding  
25 area. And we've also identified sensitive noise

25

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1 receptors being the park, the hospital, and nearby  
2 residential uses.

3           As part of the methodology for assessing noise  
4 impacts we will quantify ambient noise levels, that's  
5 without the project at nearby receivers. We'll  
6 document noise levels generated by the proposed  
7 activities and equipment on these receivers. We'll  
8 also document noise levels representative of the  
9 residential areas, and we'll assess vibration on those  
10 off-site receivers as well.

11           And this concludes the discussion of the seven  
12 major impact categories, and I'd like to pass it back  
13 to Don for the wrap-up of his presentation. Thank you.

14           MR. BARRELLA: Thank you Carla and  
15 Mischa.

16           Again, this is a scoping session to get  
17 comments on the scope and content of the EIR. I would  
18 like to point out we are cognizant that Skyline Park is  
19 abutting this site and we will have a lengthy  
20 discussion on impacts to Skyline Park. We have at  
21 least one visual analysis that will be looking out of  
22 Skyline Park over the mining area as well as any noise  
23 issues with Skyline Park. So I don't think that came  
24 across too well in this, but we are cognizant of that  
25 resource and looking at potential impacts to that as

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1 part of this project.

2 At this point we've received three comments so  
3 far on the NOP. One was a resident that was in favor  
4 of the project. County fire also had no comment, and  
5 then we also got a comment from a resident on Imola  
6 Avenue with primary concerns of dust, vibrations from  
7 blasting activities, and hydrologic effects, potential  
8 groundwater effects of mining, which as you saw, we'll  
9 be looking into those impacts within the EIR.

10 Related to tours, Syar is definitely amenable  
11 to holding tours. We actually have a couple dates set  
12 up; Thursday, July 9th, Friday, July 10th that people  
13 can schedule with Jennifer Gomez of Syar to go out and  
14 look at the site. Again, if commissioners are going,  
15 only two at a time so if we have any Brown Act issues.  
16 Above and beyond those dates, you're welcome, members  
17 of the public or commissioners can schedule tours at  
18 any time to get out there and take a look around.

19 We do have some contact information you can  
20 take down. I have some cards over here for anybody in  
21 the public that needs them. Let's see, with that, if  
22 you have any questions we'll go from there and open  
23 things up to receive comments on the EIR.

24 CHAIR FIDDAMAN: Thank you. I think  
25 that was a very helpful presentation. Any questions

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1 from the commission at this point? Mr. Basayne.

2 MR. BASAYNE: So what is the timeline for  
3 completion of the EIR at this point?

4 MR. BARRELLA: At this point we're  
5 anticipating the end of this year, November, December  
6 release and circulation of the Draft EIR for public  
7 comment and we'll also have a hearing along with that  
8 EIR from the commission here to get more comments.  
9 Then we're looking at about March as getting into the  
10 discussion and review of the merit of the application  
11 itself.

12 MR. BASAYNE: Thank you.

13 MS. GITELMAN: Mr. Chair, I just wanted  
14 to make sure that I understand this correctly. There  
15 are other agencies that will need to use this EIR,  
16 they're called responsible agencies, and I think the  
17 Air District is one of them because Syar has active  
18 permits from the Air District, so they will need to  
19 evaluate and use the health risk assessment that is  
20 being prepared in updating or modifying those permits;  
21 is that correct?

22 MR. BARRELLA: Yes, that's correct.

23 MS. GITELMAN: Do we know who the other  
24 responsible agencies will be?

25 MR. BARRELLA: Fish and Wildlife, Fish

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1 and Game, the water boards of one or another. At this  
2 point they have all been notified of the scoping  
3 session and sent copies of the initial study so that  
4 they hopefully have been adequately notified of this,  
5 and we'll get comments from them here shortly.

6 CHAIR FIDDAMAN: We are the lead agency  
7 though?

8 MR. BARRELLA: That is correct. Yes.

9 CHAIR FIDDAMAN: Mr. Pope?

10 MR. POPE: Just a couple of things.  
11 First I wanted to make a general comment. Having done  
12 a few of these, sort of a kudos to Mr. Barrella as well  
13 to the applicant Syar and the environmental  
14 consultants. It's not the norm that I've seen that you  
15 get this degree of a thorough kickoff to a scoping  
16 session, and I think it's not only edifying for us as a  
17 commission, but I think for the public as well to see  
18 really from the start what goes into this type of a  
19 beginning of an environmental impact report.

20 I had a couple of just general questions of  
21 things that were triggered by going through some of the  
22 report. I was interested in the biological resources.  
23 Just learning a little bit more about what goes into a  
24 sensitive plant survey and those types of things, the  
25 mechanics of how it's carried out. It's notice that

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1 it's got the red-legged frog survey in there, and I was  
2 actually a proponent of the new American Canyon High  
3 School's mascot being the red legged frog since it's  
4 such a key player down there. But just wanted to know  
5 a little bit about the mechanics on that.

6 MR. SCHWARTZ: So we performed a  
7 botanical survey. As I said, we used trained  
8 biologists to do that. We actually got an aerial photo  
9 of the mine, and we knew that the expansion areas that  
10 John had talked about had been untouched and we knew  
11 those to be checked. Then we used GIS and aerial  
12 photography to determine the areas within about 450  
13 acres that had been mined, but some of those areas  
14 actually had not been impacted and they still have  
15 native vegetation.

16 We got all that into a GIS database and then  
17 four of us went out and looked at the areas we thought  
18 we had to look at and all came to a conclusion, okay,  
19 here's all the polygons that are native vegetation  
20 within the active mine and all of the expansion area.  
21 Then we utilized what species we had to look for and  
22 then we literally walked the sites and walked it 50  
23 foot, 100 foot transects, all the undisturbed areas and  
24 did that twice to ensure we covered the flowering  
25 period and then the locations of the plants were

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1 inputted with a Trimble unit, a GPS unit, and that goes  
2 into a GIS database and that's one of the figures that  
3 show up in the EIR.

4 MR. POPE: Terrific. That's great.  
5 Another question regarding transportation, actually  
6 more of a comment since you preempted one of my  
7 questions, which is I'm glad to hear voluntarily that  
8 they'll also be looking at the potential Napa Pipe  
9 impacts concurrent to this. I think that's certainly a  
10 wise course of action that there is a propensity  
11 sometimes and encouraging to look at projects in a  
12 silo. And I think it would not doing anybody any  
13 favors to not consider given we were wind blown last  
14 week talking about traffic out at the Napa Pipe, so I  
15 thank that's a terrific --

16 MR. SCHWARTZ: Yeah, it's our  
17 understanding that EIR may be out of the gates before  
18 us, so Syar has been contacting them and sending them  
19 information on this expansion, so their EIR most likely  
20 will cover cumulative impacts associated with our  
21 additional traffic and then we will review that and  
22 regurgitate it as necessary some of that in our EIR to  
23 have budgets to utilize their work and weave that into  
24 our EIR depending on the timing of all that.

25 MR. POPE: And if I recall correctly

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1 from your presentation, there's about six intersections  
2 that are being looked at as potentially impacted?

3 MR. SCHWARTZ: That's what we proposed  
4 on. That's why we want to get buy-in from the previous  
5 three entities that I discussed, yes.

6 MR. POPE: Okay. And then finally just a  
7 term in the air quality presentation I hadn't heard  
8 before. URBEMIS.

9 MS. SPRING: It stands for Urban  
10 Emissions. URBEMIS stands for Urban Emissions and it's  
11 an air quality modeling program.

12 MR. POPE: Great, thank you.

13 CHAIR FIDDAMAN: Other questions?

14 Okay, well then we're going to -- this is a  
15 public hearing today so we will open the public hearing  
16 and invite public comment. If anyone is ready to make  
17 comments at this point.

18 Good morning John.

19 MR. TUTEUR: Good morning, Members of the  
20 Planning Commission. John Tuteur, a neighbor almost of  
21 the site and a neighbor of Skyline Park. I'm speaking  
22 today as in individual. Does someone have a pointer  
23 that will show up there? Try to figure out how to use  
24 it. It says torch.

25 CHAIR FIDDAMAN: Don't set us on fire.

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1 MR. TUTEUR: And by the way, Happy New  
2 Year.

3 There are several major concerns that -- and  
4 I'm not speaking on behalf of anyone other than myself,  
5 but I'm very familiar with the area having owned our  
6 family ranch which is just about less than a few  
7 hundred yards from the eastern boundary of the Syar  
8 property there. I'm intimately familiar with the  
9 property and have a couple of issues I'd like the  
10 commission and the staff and the consultants and the  
11 Syar applicant to think about. Those have to do with  
12 impact on open space resources, trails and possible  
13 mitigation. I'll go through those briefly.

14 As many of you know, this is Skyline Park all  
15 along this side of Syar. And you can't see it very  
16 well, but there is actually an issue about one of the,  
17 the Bay Area Ridge Trail segment, the Skyline may be on  
18 part of Syar's corner right here, so that's an issue  
19 that needs to be looked at as you move forward with the  
20 project. This white line you can see is what's known  
21 as Passini Road. This property here used to be owned  
22 by the Passini family, and they still hold a half  
23 interest in the property. Mr. Syar had acquired the  
24 other half from another family member a number of years  
25 ago, maybe 15 or 20 years ago. But there is another

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1 owner involved with this piece right here, and this is  
2 the most sensitive piece as far as Skyline Park is  
3 concerned.

4           The ridge line is pretty much right here and  
5 then the property slopes down into a swale. There is  
6 actually a pond there that's not all year round,  
7 although it seldom dries up, and this is quite a  
8 significant impact or would be on Skyline Park. And  
9 one possible mitigation would be to see if as a part of  
10 this project Syar and the co-owners would be willing to  
11 make some addition of this property to Skyline Park as  
12 a mitigation for other impacts they might be having.  
13 I'm not sure what the mineral content is here that the  
14 Syar people are interested in, but that would be quite  
15 a significant mitigation if this property, which would  
16 make an absolutely perfect addition to Skyline, could  
17 be worked out either by purchase or through mitigation  
18 or whatever. So I'd like that to be looked at as one  
19 of the mitigation efforts.

20           The other thing is down on this side this is  
21 property of what used to be called years and years ago  
22 as the Sheehy Ranch. I don't know if any of you know  
23 that expression, it's pretty much gone out. It's 2700  
24 acres. It was up until a few months ago owned by the  
25 Kirkland Family who bought the 2700 acres of the

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1 Sheehy. And right here is Soscol Creek, the upper  
2 reaches of it which is a creek that is being looked at  
3 for preservation for steelhead and other reasons. I  
4 know the NRCD, the Napa Resource Conservation District  
5 is looking with the new owners of this property to see  
6 if we can get some access and some conservation needs  
7 met.

8           We've met with both his neighbors and with the  
9 Regional Park and Open Space District with the new  
10 owners of this 1600 acres, which is Silverado Planning  
11 and Properties, about their plans and willingness to  
12 consider additions to the Bay Area River Trail because  
13 access to Highway 12 from this property to make the  
14 connection eventually between the Skyline Park Trail  
15 which now goes down to the river out to Lynch Canyon  
16 and over to the Swett Ranches and under the Benicia  
17 Bridge would have to cross this property and then the  
18 Kirkland property and then hit Highway 12 and then go  
19 further south and east from Highway 12 to make that  
20 connection.

21           The owners of this property are interested.  
22 They are going to be doing some vineyard work, I think  
23 there may be erosion control plans already before the  
24 commission or the staff. But they are interested in  
25 cooperating both with Skyline Park and with the

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1 neighbors on the possibility of having some public  
2 trails in here, et cetera.

3 My last comment on that is that would be great  
4 as a mitigation. There is no good access even though  
5 they border Skyline along here. It's a very steep  
6 downhill into Lake Marie canyon and there's really no  
7 good trail corridor.

8 One possibility would be to, as a part of  
9 mitigation, whether or not this property became a part  
10 of that, at least a trail corridor that would not  
11 endanger Syar with the public in terms of their use of  
12 the property that somehow would connect from this  
13 property, assuming they were to do a trail corridor at  
14 some future date as part of the Ridge Trail back into  
15 Skyline. This is really the only easy and safe way to  
16 do that depending on what the commission and the  
17 applicant are able to do in terms of future.

18 And finally in terms of an island of open  
19 space, Skyline Park is 880 acres, which as you know, is  
20 a potential target for the county to purchase if the  
21 state can make up its mind about anything, and then our  
22 ranch which is the Tuteur Family Trust, which is 1300  
23 acres will be in perpetual open space in one form or  
24 another. We already have conservation easements over  
25 parts of the ranch that are closest to the Syar

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1 portion, and then of course this 1600 acres owned by  
2 SPP, their thoughts are to keep much of that open  
3 space. They're not sure how they want to do that, but  
4 that would be that. And then of course the City of  
5 Vallejo owns another 1100 acres that is further over up  
6 in this area that is currently being looked at for  
7 possibly being purchased by Solano and Napa Counties as  
8 open space. So there is close to 10,000 acres which  
9 would be an island in the Bay Area of open space of  
10 which much of it is now open to public use. The City  
11 of Vallejo land is not, but Skyline Park is and we  
12 allow people with permission to use our property for  
13 hiking and horseback riding. And then of course you  
14 have the Napa-Solano Ridge Trail which is on our  
15 property in which we donated an easement into the Bay  
16 Area Ridge Trail is right down in this area. So this  
17 is a very significant open space resource not only for  
18 Napa County residents but for the Bay Area and for the  
19 state.

20           Just for the information of some of you who may  
21 not be familiar, this area of Skyline Park, our ranch,  
22 the back of the Kirkland Ranch and the City of Vallejo  
23 lands have been looked at twice by the state park  
24 department. It's almost a joke at what's happening at  
25 the state level right now, but back in the 70s and

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1 again in the late 80s or early 90s there was a study  
2 done by the state about potential state park category  
3 of these lands. It didn't include the Syar although it  
4 may have included this piece. At the time the finding  
5 was it was not yet at that point of state park caliber.  
6 But I just wanted you to be aware that this is a very  
7 important open space resource of the entire Bay Area  
8 and will be adjoined by whatever the commission allows  
9 the Syar corporation to do.

10 I'd be happy to answer any questions.

11 CHAIR FIDDAMAN: Any questions for  
12 Mr. Tuteur? Thank you very much.

13 MR. CAKEBREAD: Bruce Cakebread of  
14 Cakebread Cellars in Rutherford. We have a property to  
15 the southwest. Here we go, this area along there. And  
16 just in the scope of the project notice that they're  
17 using existing groundwater data to evaluate through  
18 their evaluations and just since we developed our  
19 vineyards there has been a lot of change in that  
20 development, and I know with neighbors around us  
21 there's about six new wells in there. So what I'd like  
22 to have them consider is to look at new data because  
23 the uses down there have changed and the main concern  
24 is what happens to well water in that area. That would  
25 be my comment. Thank you so much.

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1 CHAIR FIDDAMAN: Thank you.

2 MS. VON ROSENBERG: Susanne Von  
3 Rosenberg, 2168 Penny Lane. Gulf is of course very  
4 concerned about potential impacts to groundwater  
5 associated with this project. The initial study says  
6 that a portion of the land is within the MST. While  
7 looking forward to seeing not only what portion is  
8 within the defined of the MST but also the portions  
9 within the watershed of the MST, the watershed being  
10 about 2000 acres greater than the actual defined  
11 boundary of the MST.

12 One concern that we have, and we'll be  
13 submitting a comment letter as well, is that the scope  
14 of work proposed that's attached to the initial study  
15 indicates that most of the groundwater analysis will be  
16 qualitative in nature and we don't think that's  
17 adequate given the concerns that we're dealing with.

18 CHAIR FIDDAMAN: Thank you. Anyone else  
19 care to make comments at this point? I might mention  
20 that Director Gitelman commented to me earlier that  
21 there may be people who might not make the currently  
22 established July 15th deadline for some of their  
23 comments, and I just wanted the commission to be aware  
24 I would be comfortable subject to the applicant's  
25 agreement to it if you wanted to extend that time to

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1 the end of the month or something, I have no problem  
2 with that.

3 MS. GITELMAN: I did get one phone call  
4 from someone who was concerned about not having enough  
5 time. And we are so early in the process that giving  
6 folks some additional time to submit their written  
7 comment letters shouldn't pose a great impediment to us  
8 in terms of getting started. Is that okay Don, if we  
9 let people have until the end of the month?

10 MR. BARRELLA: Yeah, I wouldn't see any  
11 issue in receiving late comments. We are kind of  
12 obligated to respond to them even if they come in after  
13 that July 15th time frame. What we're hoping to avoid  
14 is once we circulate a Draft EIR, if somebody brings up  
15 an issue that we have to analyze or reanalyze that we  
16 weren't anticipating in the original EIR. I don't know  
17 if we really need to extend the date out because if it  
18 comes in at the end of July we'll take it into  
19 consideration and get it into the EIR.

20 CHAIR FIDDAMAN: I wasn't suggesting that  
21 we actually extend it out but that the commission be  
22 aware the staff would have the flexibility to do that.

23 MR. BARRELLA: Yeah.

24 CHAIR FIDDAMAN: Mr. Perry, is that any  
25 problem with you?

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1 MR. PERRY: No.

2 CHAIR FIDDAMAN: So there's going to be  
3 some flexibility there.

4 MS. GITELMAN: The other thing I wanted  
5 to report, this individual who called asked if we could  
6 hold a meeting in the evening sometime, not during  
7 regular commission hours. And my suggestion is that we  
8 do that when we have a Draft EIR, so by Don's schedule  
9 that would be towards the end of the year. We'll have  
10 the results of all the analysis and we would schedule a  
11 hearing, not just of the commission during the day but  
12 sometime in the evening so more people could attend.

13 CHAIR FIDDAMAN: I could see that in  
14 December in a tent.

15 MR. BARRELLA: A large draw, yeah.

16 CHAIR FIDDAMAN: Hillary, you're never  
17 going to live this one down.

18 Okay. Any other commissioner comments or other  
19 comments from the audience then? Are we continuing  
20 this hearing or we'll just close it. This is just a  
21 scoping hearing, right?

22 Okay so it's closed. Whatever it is. All  
23 right. Thank you very much for a very helpful  
24 presentation today.

25 MR. BARRELLA: Thank you.

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STATE OF CALIFORNIA)  
COUNTY OF NAPA)

I, CHERIE LUBASH, do hereby certify that the foregoing audio proceedings were transcribed by me to the best of my ability and thereafter reduced to computer under my direction; that I am neither counsel for, related to, nor employed by any of the parties to the action in which this hearing was taken, and further that I am not a relative or employee of any attorney or counsel employed by the parties thereto, nor financially or otherwise interested in the outcome of this action.

CHERIE L. LUBASH