

Mendocino County Memorandum

Department of Planning and Building Services
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To: Planning Commission

From: Planning and Building Services

**Re: Use Permit and Reclamation Plan Renewal #UR 19-83/2005 (Harris Quarry)
Ordinance Amendment #OA 1-2005
Harris Quarry Expansion Project Draft Environmental Impact Report (DEIR)**

The Revised Draft Environmental Impact Report (DEIR) for the above referenced project was released for a 45-day public comment period on May 20, 2011. An additional 15 days was added to ensure adequate time for public review extending the period from July 5 to July 20, 2011, with any comments to be submitted to the County Department of Planning and Building Services. Comments will be considered and incorporated into a Final Environmental Impact Report (FEIR) prepared by Leonard Charles and Associates (LCA).

Project Location: The project site is located approximately 7 miles south of Willits, the quarry and aggregate processing site lies on the west side of Highway 101 just south of its intersection with Black Bart Drive (CR# 370); the asphalt and concrete plants are located on Black Bart Drive, approximately 1 mile west of its intersection with Highway 101.

Project Description: The project applicant, Northern Aggregates, Inc. (NAI), has submitted an application to obtain approval of a use permit and reclamation plan (including financial assurances) pursuant to the California Surface Mining and Reclamation Act (SMARA) and the Mendocino County Surface Mining and Reclamation Ordinance (Chapter 22.16). NAI seeks County approval of three actions: (1) a Use Permit Renewal/Modification (UR 19-83/2005) for 30 years to allow expansion of the quarry; extraction of up to 200,000 in-place cubic yards (approximately 258,000 cubic yards processed) of material per year; production of up to 150,000 tons of asphalt per year from the processed material; and nighttime operations that could occur up to 100 nights per year; (2) an amendment to the County Zoning Ordinance creating a new Mineral Processing (MP) Combining District to allow for asphalt processing to occur onsite with a concurrent rezone adding the combining district to an 18-acre portion of the project site to accommodate the proposed asphalt facility; and 3) a revised Reclamation Plan for the site.

The proposed project would allow the applicant to continue to mine the existing quarry and expand the quarry to the north and to the west. Quarrying operations would use

the same techniques and equipment currently used at the site. Some of the more important elements of the project include: 1) aggregate would be processed on the site and sold to the public; 2) some of the aggregate would be hauled via an on-site haul road to a new asphalt plant where it would be used to make asphalt that would be available for sale to the public; 3) an aggregate wash plant will be added to the site that will recycle 95% of the water it requires; 4) up to 10,000 cubic yards per year of recycled asphalt and concrete will be processed at the site. 5) though the site would not typically be open at night, the applicant seeks approval of up to 100 nighttime operations per year to serve large construction projects and/or during emergency events; 6) access would be via a realigned access road that intersects State Route 101; 7) water would be provided by on-site wells/springs; 8) the applicant will continue to abide by its permits from the Mendocino County Air Quality Management District regarding control of dust and other pollutant emissions; and 9) the site will be reclaimed to a mosaic of vegetation types similar to those that currently exist on the site. The impacts of the proposed quarry operation and asphalt facility have been fully assessed within the Revised Draft EIR.

It is estimated that 12,270,000 cubic yards of unmined material will remain at the quarry after the 30-year Use Permit expires. The applicant has stated it has no intention of mining any reserves that will remain in place beyond the life of the 30-year use permit, as is reflected in the revised project. However, the Draft EIR has still examined the long-term or cumulative impacts of the current proposed project combined with possible future mining of these remaining reserves.

Role of the Planning Commission: The purpose of this hearing is for the Planning Commission to take public comments on the Revised DEIR as well as to provide its own comments on the project and/or environmental document. Comments provided by both the public and the Planning Commission will be recorded by the EIR consultant, LCA, for incorporation into the FEIR. No decisions on the DEIR, or the overall project, are required at this time as a future hearing (as yet to be determined) will be scheduled before the Planning Commission for a recommendation to the Board of Supervisors on the certification of the document. Final action on the use permit and reclamation plan will occur only after the Board of Supervisors has certified the FEIR and adopted the proposed ordinance amendment which is part of the overall request.

County Role as Lead Agency: The Lead Agency under CEQA for the project is the County of Mendocino. The Mendocino County Planning Commission will review the EIR and make a recommendation to the Board of Supervisors on whether to certify the document. The Planning Commission may approve or deny the Use Permit and Reclamation Plan and make recommendations to the Board of Supervisors about the proposed rezoning. Decision on the use permit and reclamation plan, however, can only occur after certification of the Final EIR. The County Board of Supervisors will review the EIR and determine whether to certify the document. It will also determine whether to approve the rezoning. Further, if the Planning Commission's decisions are appealed, the Board will determine whether to approve the Use Permit and the Reclamation Plan. The Mendocino County Department of Planning and Building Services will review project construction plans. The Department reviews the consistency of the project with the County General Plan and the Mendocino County Surface Mining and Reclamation

Regulations (Chapter 22.16 of the County Zoning Ordinance), and makes recommendations on the project to the Planning Commission. The Department is also responsible for issuing grading permits and building permits.

Significant or Potentially Significant Effects and Proposed Mitigation Measures: This DEIR identifies 30 potentially significant adverse impacts that would result from project development, as well as 6 cumulative impacts and one secondary impact resulting from implementing EIR-recommended mitigations. The EIR presents mitigation measures that would eliminate most of those impacts or reduce them to a level that is considered less-than-significant. Five impacts cannot be reduced to a less-than significant level; they are:

Project-Specific Impacts

1. Haul trucks and other project-generated traffic would generate emissions of nitric oxide and nitrogen dioxide (NO_x) that would exceed the adopted Mendocino County Air Quality Management District's significance threshold for new projects.
2. The asphalt processing facility would change views from Black Bart Drive
3. The quarry expansion would change views from vantage points on Ridgewood Ranch
4. Lighting of the asphalt processing facility would impact night views in the area

Cumulative Impact

5. The quarry expansion and highway improvements would change views from Highway 101.

The above impacts are considered significant and unavoidable. These are the conclusions of the EIR preparers and County staff.