



# COUNTY OF SONOMA

## PERMIT AND RESOURCE MANAGEMENT DEPARTMENT

2550 Ventura Avenue, Santa Rosa, CA 95403  
(707) 565-1900 FAX (707) 565-1103

**DATE:** April 1, 2010  
**TO:** Planning Commission  
**FROM:** Blake Hillegas  
**SUBJECT:** Continued Public Hearing; Roblar Road Quarry at 7601 and 7175 Roblar Road, Petaluma (PLP03-0094)

### **Background:**

On May 20, 2008, the Draft EIR for the Roblar Road Quarry, which would produce up to 570,000 cubic yards of aggregate a year for 20 years was circulated for public comment. On June 19, 2008, the Planning Commission held a public hearing on the Draft EIR and on July 5, 2008 the 45-day public comment period was closed. A total of 36 comment letters were received.

The Final EIR was prepared and subsequently distributed to commenting agencies in October 2009. On December 17, 2009, the Planning Commission held a public hearing to consider a recommendation on certification of the Final EIR, Rezoning, and Use Permit for the quarry. The Planning Commission continued the public hearing to February 4, 2010 for a response to written comments received from the Regional Water Quality Control Board (RWQCB) (Exhibit Y) and Planning Commission comments. Responses to the RWQCB letter were not ready for the February 4<sup>th</sup> meeting, therefore the item was renoticed for the March 18, 2010 agenda. Due to additional groundwater modeling prepared by the applicant's consultant and revisions to the proposed Water Management Plan, the item was continued to the April 1, 2010 agenda.

### **Issue #1:** Potential groundwater and surface water degradation

The Regional Water Quality Control Board's December 15, 2009 correspondence suggests that the groundwater conditions at the adjacent closed landfill have not been adequately characterized and expresses concern that the project could potentially result in a shift in groundwater flow and the migration and/or seepage of contaminants. The RWQCB indicates that the proposed filter system should include the treatment of metals and that any water discharge will be required to meet all water quality objectives, including the protection of aquatic life. Finally, the RWQCB letter questioned whether the sediment control basins have been designed to adequately retain stormwater.

Both County staff and the applicant have met with the RWQCB to address their concerns. Accordingly, the FEIR Master Response HYD-1 (Exhibit CC) has been revised to incorporate changes in the Water Management Plan (Exhibit DD) prepared for the project. Changes in the Water Management Plan expand upon and refine the proposed management of water resources for the quarry project as discussed further below.

A letter from MACTEC (Exhibit Z), a consultant to CARRQ, a citizens group opposed to the quarry project, also asserts that the extent of potential groundwater contamination on the land fill site has not been adequately explored and that potential contaminants could migrate. The MACTEC consultant suggests that groundwater that currently flows northward or westward could shift toward the proposed project as a result of excavation. MACTEC also suggests that the treatment system should account for all potential contaminants, including metals. A separate response to the MACTEC letter has been prepared by the County's EIR consultant (Exhibit AA).

Characterization of existing Groundwater Level and Quality: Staff believes that the EIR adequately characterizes existing groundwater flow and groundwater quality on the landfill and quarry sites, appropriately and conservatively assesses potential water quality impacts associated with quarry development, and prescribes adequate

mitigation. The EIR draws upon a variety of data to characterize existing groundwater flow and quality and identify potential impacts and mitigation measures.

For example, the Draft EIR includes the results of initial groundwater testing at the landfill property as part of the 1991 Solid Waste Water Quality Assessment Test (SWAT) investigation completed for the landfill as required by the state. The SWAT investigation involved the installation of three ground water monitoring wells (R-1, R-2, and R-3) on the land fill property (two at the bottom of the waste cells and one between the land fill and proposed quarry). The conclusion of the SWAT investigation was that there had been little impact to water quality and the environment from past landfill operations and there was no indication of leachate leaving the site boundaries.

More recent groundwater monitoring data provided for the adjacent Roblar landfill reveals that the average levels of aluminum in the landfill property wells exceeded the MCL, while average levels of chromium and nickel were at or slightly above the MCL. However, with respect to VOCs, testing confirmed only low concentrations of VOCs in well R-1. In all but two instances the detection of VOCs in well R-1 were at low concentrations and below the MCL for state and federal drinking water standards. Vinyl chloride was detected on two occasions at levels above the MCL.

As part of the applicant's baseline groundwater monitoring program initiated for the project, four monitoring wells were installed between the closed landfill and the proposed quarry. In the past two years, eight rounds of quarterly ground water level measurements and sampling have occurred in the four quarry monitoring wells, two quarry production wells, and the three existing landfill monitoring wells. This data indicates that there is not currently a significant groundwater contamination issue associated with the landfill or quarry site as the measured levels of volatile organic compounds (VOCs) are below the maximum contaminant levels (MCL) for state and federal drinking water standards. Trace levels of metals found in the groundwater beneath the proposed quarry site appear to be naturally-occurring background levels, which are for the most part, due to the surrounding geologic conditions and not due to the adjacent landfill.

Based on these collective sources of monitoring data, the EIR concludes that the trace concentrations of VOCs found in the proposed quarry site monitoring wells are not indicative of groundwater migration from beneath the landfill. In addition, an independent analysis of ground water monitoring data prepared by Geosyntec Consultants for the Department of Transportation and Public Works (2009) concludes that the landfill is not the source of trace concentrations of VOCs detected in groundwater samples collected from the quarry monitoring wells (report included in prior December 17, 2009 staff report and applicant's correspondence attached separately for Planning Commission).

Potential groundwater migration/contamination: Since the Commission's last meeting on this project, the applicant has hired a consultant, Bill Linderfelt with Geomega, to model the potential groundwater impacts associated with the proposed quarry (resume attached). Conclusions of the modeling (Exhibit BB) indicate that a groundwater divide will consistently be present between all levels of the landfill and the quarry, thus preventing groundwater to flow from the landfill to the quarry under all precipitation and recharge scenarios. The modeling exhibits are included as a separate attachment to this report and will be presented by the author at upcoming public hearing. Recognizing that it is not possible to know with absolute certainty the effect of quarrying operations on groundwater flow in fractured bedrock until the quarry is excavated, the EIR took a more conservative approach and recognized the potential that quarry activity could induce the migration of groundwater contaminants from the landfill to the quarry pit and identified mitigation measures to reduce the impact to less than significant. Mitigation Measure C.4, calls for the on-going monitoring of production and monitoring wells for contamination and requires any contaminated water that may enter the quarry walls as seepage and/or contaminated supply water from the onsite production wells to be contained and treated as necessary to reduce potential contamination impacts to less than significant.

Revised Water Management Plan/Master Response HYD-1. To address the RWQCB's concerns regarding industrial discharge, the Water Management Plan has been revised to assure that precipitation, seepage, and process water from the quarry pit would no longer be discharged to surface waters. Precipitation, seepage, and process water within the quarry pit would continue to be captured within interceptor trenches and conveyed to sediment control basins, where the water quality would be tested, treated as necessary, and reused for processing and dust control. The design of the on-site treatment system has been modified to address the treatment of metals in accordance with RWQCB requirements. Sediment control basins within the quarry have been enlarged as necessary to provide adequate storage capacity. The sediment basin situated outside of the quarry would remain for back-up storage capacity. Irrigation fields have now been included in the plan to handle any excess water that is not needed for later reuse. The revised Water Management Plan also includes several infiltration trenches to replace base flows in Ranch Tributary and Americano Creek as required by Mitigation Measure C.4.

Master Response HYD-1 (Exhibit CC) has been revised to reflect the proposed changes to the Water Management Plan, and Mitigation Measures C.1a -C.1.d, C.2.a -C2.d, C.4e, C.5a, and C.5b. have been revised or deleted accordingly.

**Issue #2: Air Quality/Wind**

Commissioner Bennett asked for clarification regarding potential air quality impacts, in particular airborne particulate matter. Air Quality impacts were addressed in the Draft EIR and expanded in the Final EIR Response to Comments by collecting five years of wind data from the closest weather station in Valley Ford and significantly enhancing the Draft EIR's dust control program. See Master Response AQ-1, Wind Data/Dust Abatement. The dust control program identified in the Draft EIR in Mitigation Measure F.4 was expanded in Master Response AQ-1 to incorporate an ongoing wind monitoring program to ensure proper controls are implemented during periods of high winds. Controls include increased watering when winds exceed 15 mph, cessation of active quarry operations when winds exceed 25 mph, and automatic sprinkler systems for unvegetated stockpiles. Implementation of Mitigation Measure F.4 would ensure that dust emissions from quarry operations would be less than significant.

The EIR Air Quality analysis also considered impacts to sensitive receptors in close proximity to the site and along haul routes, including the impacts of Diesel Particulate Matter. The analysis of emissions and associated health risks represents a worst case analysis, assuming all quarry operations (including processing, non-road equipment and haul trucks) are simultaneously occurring; thus, the values represent very conservatively high estimates. Even with these conservative assumptions, the EIR concluded that project impacts from Diesel Particulate Matter would be less than significant. Although no mitigation was required, the EIR noted that Mitigation Measures F.1a through F.1c would further reduce the levels of Diesel Particulate Matter exposure at nearby receptors and along the haul routes.

Concern has also been expressed that excavation at the quarry site could encounter asbestos-containing rock and silica, causing these substances to become airborne and leading to respiratory health impacts. Master Response AQ-2 in the Final EIR describes the results of geologic investigations indicating that asbestos-containing serpentinite is not present onsite, and that in any case, the Tolay Volcanics that will be quarried are not an asbestos-bearing type of rock. With respect to silica, the discussion under Impact F.5 in the Draft EIR and in Responses to Comments O-10 and O-12 in the Final EIR describes the likely silica content of rock that will be encountered onsite and reports that dispersion modeling conservatively assuming a very high silica content (100%) shows no significant adverse health risk according to applicable standards.

**Issue #3: Traffic and Circulation**

Commissioner Bennett asked how truck traffic will be controlled on Roblar Road (east of the project) and on Pepper Road (east of Mecham Road). Commissioner Bennett also asked for clarification regarding seasonal flooding on Roblar Road.

Under Alternative 2, 100 percent of materials produced at the quarry would be either directly used by the applicant or sold under contract. As discussed in both the Draft and Final EIRs, under this alternative, all quarry haul trucks generated at the quarry would be those associated with the applicant's own truck fleet, or private haulers under contract with the applicant, where the specified haul route would be imposed in the contract. All project truck traffic would use the identified Alternative 2 haul route (as identified in the EIR), consisting of new Access Road 1, a mile-long section of improved Roblar Road, new Access Road 2, Valley Ford Road, Pepper Road (west of Mecham Road), Mecham Road, and a combination of Stony Point Road, Hwy. 116, Railroad Avenue, and/or Old Redwood Highway to/from U.S. 101. This haul route would avoid Roblar Road (east of the project) and Pepper Road (east of Mecham Road), thereby avoiding residential areas on those road segments. A preliminary design of the quarry access driveway at Roblar Road has been configured (Exhibit Q) to limit the ability of haul trucks to enter or exit the driveway to and from the east. It is recommended that the truck driver education program required by Mitigation Measure G.1c (condition #33) be strengthened to require that the haul route stipulation be included in the training. It is also recommended that the Use Permit contain a condition (#140) requiring that the Alternative 2 haul route be stipulated in all sales contracts. Finally, the use of Roblar Road, east of the quarry would be a violation of the Use Permit, subject to enforcement and potential penalties.

Seasonal flooding has been experienced during wet winters on a portion of the Roblar Road (approximately 1 mile to the west) where Americano Creek crosses the road. As noted in Response to Comment BB-3, adverse rainy conditions at a level great enough to result in flooding would also adversely affect mining and associated truck hauling of aggregate on those days. Accordingly, it is not likely the quarry would be hauling rock on days when the approved haul route is flooded. It is noted that Roblar Road would be reconstructed as a condition of approval

where seasonal flooding occurs, and stormwater conveyance under the reconstructed road could help reduce existing seasonal flooding conditions.

**Issue #4:      Noise**

Commissioner Bennett asked for clarification regarding potential noise impacts and mitigation. The EIR identifies on site noise sources such as mobile and stationary equipment and occasional blasting that could affect the closest sensitive residential receptors, using data gathered from actual operations at the Canyon Rock Quarry. Residential receptors on adjacent properties include two ranch houses situated west of Roblar Road and several residences situated over the ridgeline, 600 feet to the northeast. None of these residences are within the anticipated Noise Threshold Zone as shown on Figure IV.3 of the Draft EIR due to distance and topographic features; therefore the project is not expected to exceed daytime noise standards of the General Plan at these residences.

However, given differences in actual equipment, site characteristics, and meteorology at the site, the Draft EIR conservatively concludes that there is still the potential that on site noise levels could exceed General Plan standards. Therefore, under Mitigation Measure G.1, noise monitoring is required at the start of each mining phase and at regular intervals during mining for areas that are on a direct line between quarry activity and the nearest offsite residential uses. Noise source levels of the specific equipment to be used must be measured and specific sound levels at the residences must be predicted. If these calculations indicate that noise will exceed General Plan standards, the applicant must modify operations to ensure compliance. Noise reduction options include sound proofing equipment, the installation of sound attenuating berms, and/or a restriction on equipment use. EIR mitigation also prohibits the use of loud equipment before 7:00 a.m.

A blasting expert has prepared a preliminary report assessing potential impacts associated with airborne and groundborne noise and vibration (Appendix F Draft EIR) due to occasional blasting. All blasting would be conducted by a qualified blasting expert pursuant to an approved blasting plan. EIR mitigation measures G.3a - G.3g restrict blasting hours from 10 a.m. to 4 p.m., and include the development of a detailed blasting and monitoring program requiring limits to the size and delay of charges. It is also required that residents be notified prior to blasting. Mitigation Measures G.3a through G.3b would ensure that all impacts associated with blasting are less than significant.

Increases in noise levels from project traffic were also estimated for all road way segments to be used by haul trucks using peak production traffic volumes. Existing ambient noise readings were taken on Roblar Road, Valley Ford Road, and Pepper Road to assess potential impacts to a number of residences existing along the roadways. Exterior noise increases of 3dBA are considered just-perceivable and are utilized in the EIR as the threshold of significance. Under both the Near-term and Long-term scenarios, only the segment of Roblar Road west of the quarry was determined to experience peak-hour noise level increases greater than 3dBA as a result of the project. Accordingly, a significant noise impact was identified for two residences that exist along this road segment. Noise mitigation includes an offer to provide dual pane windows and other noise insulation measures to these homeowners. As noted under Mitigation Measures G.2 and G.4, if the owners of these two residences do not approve the insulation upgrades, the impact would remain significant and unavoidable at these residences. No significant increases in traffic noise levels were identified on any other study road segments.

The following additional mitigation measures to address potential noise impacts were added in the Final EIR Response to Comments document:

Mitigation Measure G.1c: Consistent with ARM Plan operating standards, the applicant shall develop and implement a truck driver education program that informs drivers of procedures established to reduce public conflicts. This program shall include instructions to drivers to avoid of the use of engine brakes on the quarry access road and local haul routes, as safety allows.

Mitigation Measure G.1d: The applicant shall require and verify that all quarry operator owned off-site-haul trucks, and off-site haul trucks that would be under contract with the quarry operator, use a properly functioning exhaust muffler (capable of meeting the federal passby standards) equivalent to the original factory installed muffler. Each truck shall be re-verified annually.

**Issue #5:      Hours of Operation**

Hours of operation are proposed from 7:00 a.m. to 5:00 p.m. Monday through Friday and 7:00 a.m. to 4:00 p.m. on Saturdays, though the applicant has requested to operate during extended evening hours (until 10:00 p.m.) as needed, consistent with the County Surface Mining and Reclamation Ordinance (SMARO) and the Aggregate

Resources Management (ARM) plan. The SMARO allows extended hours to be considered by the Director of PRMD upon written request of the operator in conjunction with special contracts or other circumstances which require unusual hours of operation. In considering the temporary extension of hours, the operation of processing equipment could be prohibited and other restrictions considered to minimize noise impacts.

**Issue #6: ARM Plan Designation/Quality of Rock**

Commissioner Bennet also asked how long the site had been designated by the County as an aggregate resource site and where the rock would be utilized. Designation of the project site as an aggregate resource occurred with the adoption of the 1994 Aggregate Resources Management Plan. In 2005, the Department of Conservation Geological Survey's classified the site as MRZ-2b for PCC-Grade Aggregate (areas where geologic data indicate that significant inferred mineral resources are present) based on site specific drilling records. The refraction survey and borings conducted by the applicant's consultants estimate that 5,100,000 cubic yards of "Good" rock and 2,725,000 cubic yards of "Moderately Good" rock are available within the test area (Phase I and 2 mining areas). It is anticipated that additional high quality rock is available in the Phase III mining area. It is noted that the property directly adjacent to and east of the project site, was designated as an aggregate resource site as early as 1981 until the designation was revised in the 1994 ARM Plan to include the project site.

**Issue # 7: Anticipated aggregate Distribution/Demand**

Commissioner Bennett inquired about how much rock would be utilized in Sonoma County and Marin County. Historically, about 10-20 percent of aggregate produced in Sonoma County has been exported to Napa and Marin Counties on an annual basis. The applicant anticipates approximately 10% of the aggregate produced at the proposed quarry would be utilized in Marin County. The primary demand for aggregate in the County has historically come from the more urban areas of central and southern Sonoma County (68% of total demand from 1981 to 1990). This trend has continued over the years and will likely continue over the 20 year life of the quarry based on City and County growth projections and planned roadway infrastructure improvements. For example the Measure M strategic plan includes major Highway 101 projects extending from Rohnert Park to Novato. In addition, 9 of the 11 local priority road projects to receive funding from Measure M over the next 15 years are located in either central or southern Sonoma County.

Aggregate Supply and Demand - Historically, terrace pits have provided a large percentage of the overall aggregate supply in the county and most of the PCC grade aggregate. Over the last decade, mining has steadily shifted from terrace pits and instream locations to hard rock quarries as required by the ARM Plan. Accordingly, no terrace pit mining has occurred in the past several years and thus far, local quarries have not replaced former terrace pit supplies of PCC grade aggregate. Despite the approval of the Syar Phase VI terrace pit project in 2009, this reserve (1.4 million tons of aggregate) is currently unavailable due to a pending lawsuit and would not meet the county's long term aggregate demands. The shortage of a local supply of PCC grade aggregate was expressed as early as 2002 in a letter from Shamrock Materials to its customers (see separate attachment provided by applicant). The letter specifically addresses the decrease in local supplies of aggregate and increased imports/costs of PCC grade aggregate associated with importing rock.

Considering the Moderate Demand Projections in the ARM Plan, annual demand was anticipated to decrease gradually from 6 million tons in 1994 to 5 millions tons in 2010. The Department of Conservation California Geologic Survey (CGS) Special Report 175 (2005), however, provides a 50-year forecast of an average aggregate demand of 8 million tons a year in Sonoma County for the next 50 years (see separate attachment provided by applicant). Due to the wide range in demand projections provided in the ARM Plan and the CGS report, the County's 2006 Annual Aggregate Production Report included a comparison of 3 aggregate demand scenarios, including the ARM Plan Moderate Demand Projections and CGS projections as noted above, and a Mid-Range projection based on current General Plan growth projections. The Mid-Range projection was provided utilizing assumptions which more closely match current General Plan growth projections and an average per capita demand of aggregate. Under the Mid Range Demand scenario the average annual demand is anticipated to gradually increase from the approximately 4 million tons of aggregate in 2005 to 6.8 million tons a year in 2055. Due to the downturn in the economy and reduction in construction, the actual aggregate production/demand in the County has declined over the last several years from 4 million tons in 2004 to 3.7 million tons in 2005, 3.6 million tons in 2006, 2.8 million tons in 2007, and 2.3 million tons in 2008. It is expected that the demand for aggregate will remain steady with the County roadway and highway infrastructure projects funded by Measure M and increase as the economy recovers and growth occurs in conformance with the County and City General Plans.

In 2008, Caltrans addressed a letter to all Counties in the state (see separate attachment provided by applicant) expressing their interest in a continued supply of aggregate throughout the state to maintain more favorable construction costs and reduced truck miles traveled, air emissions, and road maintenance costs. Truck transport

costs for aggregate are approximately 10 cents per ton per mile, which equates to \$2.50 for a 25 ton truck load per mile. The Roblar Road quarry would provide a local source of PCC and AC grade aggregate, helping to reduce construction costs, truck miles traveled, air emissions, and roadway wear associated with hauling aggregate from more distant locations.

**Issue #8: Additional Correspondence**

For your information public correspondence has been included in the packet (Exhibit EE).

**Issue #9: Liability/Indemnification**

Previously, staff had reported on the Department of Public Works conditions of approval requiring the applicant to indemnify the County, in a form acceptable to the County, from any and all liabilities and losses that relate to migration or threat of migration of contaminants from the Roblar landfill as a result of the quarry project.

The Planning Commission expressed additional interest in securing bonding or insurance to further protect the County from liability. Although the form of indemnification agreement has not been finalized, County Counsel has advised that the indemnity agreement should include appropriate security mechanisms, such as an irrevocable letter of credit issued by a financial institution, to secure applicant's obligations under the indemnity agreement. Staff will report further on this issue at the public hearing.

**Issue #10: Draft Board Findings of Overriding Considerations**

Certain impacts to Land Use, Traffic, Air Quality, and Aesthetics were found to be significant and unavoidable despite the implementation of Mitigation Measures. A Statement of Overriding Considerations was adopted for noise and aesthetics impacts with the approval of the 1994 Aggregate Resources Management (ARM) Plan.

Impacts to Geology and Soils, Hydrology & Water Quality, Biology, Hazardous Materials, Public Services, and Cultural Resources were found to be less than significant with the implementation of mitigation measures.

The decision as to whether project benefits outweigh significant unavoidable impacts involves a careful balancing on the part of decision makers between the significance and degree of the impact compared with the benefits of the project. The following draft findings of benefit have been developed for Planning Commission consideration. These findings will be further developed and augmented with additional substantial evidence and incorporated into a resolution prior to consideration by the Board of Supervisors.

**Findings:**

1. According to the Sonoma County General Plan 2020, approximately 75 to 112 million tons of construction aggregate are likely to be needed over the next 20 years to meet local needs and a share of the North Bay regional needs.

The State Geologist has classified certain mineral resource areas within Sonoma County as mineral bearing areas of regional significance. As a result, Sonoma County is required, by state law, to adopt mineral management policies that:

- Recognize mineral information provided by the State,
- Assist in the management of land use that affect areas of statewide and regional significance, and
- Emphasizes the conservation and development of identified mineral deposits.

In response to the state's mandate, Sonoma County adopted resource management goals and policies in the General Plan and the Aggregate Resources Management (ARM) Plan.

General Plan Goal OSRC-13 requires the County to "provide for production of aggregates to meet local needs and contribute the County's share of demand in the North Bay production-consumption region." (Goal OSRC-13, in part). An implementing General Plan objective is to "use the ARM Plan to establish priority areas for aggregate production and to establish detailed policies, procedures, and standards for mineral extraction." (OSRC-13.1). General Plan Policy OSRC-13a was adopted to achieve this objective. The policy states:

Policy OSRC-13a: Consider lands designated in the ARM Plan as priority sites for aggregate production and mineral extraction and review requests for additional designations for conformity with the General

Plan and the ARM Plan.

The ARM Plan has designated the Roblar Road Quarry as a priority site and the Department of Conservation has classified the site as Mineral Resource Zone 2b for Portland Cement Concrete (PCC), Asphalt Concrete (AC) and Class II Base-grade aggregate.

Through the adoption of the ARM Plan, the Board of Supervisors declared that it is the policy of the County of Sonoma to prohibit mining in the river terraces and limit in-stream mining to bar skimming. The Board of Supervisors further declared that in order to comply with the County's adopted goal to provide for the production of aggregates to meet local needs and contribute the County's share of demand in the North Bay production-consumption region, aggregates would be produced from hard rock quarries.

Construction grade aggregates (PCC and AC) is not often found in hard rock quarries within Sonoma County. Drilling logs confirm that the Roblar Quarry contains PCC- and AC-grade hard rock.

Sonoma County's residential, business and industrial construction, particularly road construction and re-construction, depends on a good quality, local source of construction grade aggregates. Roblar Road Quarry will help fulfill the demand. A local source of PCC- and AC-grade aggregate is critical to maintaining stable construction costs. This is borne out in a letter from a construction materials provider to their customers announcing significant price increases due to the plan to import aggregate.

The quarry would provide a convenient, local source of aggregate for planned roadway and highway improvements funded by Measure M over the next 15 years. Most of the Measure M funded improvements are located within central and southern Sonoma County. The Roblar Road Quarry could conveniently supply materials to these areas.

2. According to an economic assessment of aggregate supply entitled "Construction Aggregate Supply Limitations: Some Estimates of Economic Impact" prepared by the Division of Transportation Planning's Office of Transportation Economics, September 2008, (separate attachment), there are a number of positive economic benefits in permitting rock quarries in proximity to the work needed to be performed. They include:

- A reduction in emissions from trucks with a reduction in truck miles of travel for hauling aggregates.
- A shorter hauling distance, which would reduce aggregate-truck miles of travel and the cost of the materials.
- A reduction of pavement deterioration from fewer truck miles traveled, which would allow rehabilitation resources to be available for other critical maintenance improvements.
- A reduction in project delays due to lack of aggregate supply in the area, which leads to increased project costs.
- A reduction in aggregate-related truck miles of travel would also reduce traffic congestion and traffic accidents on roads.

3. Economic recessions are cyclical in nature. Despite the current economic downturn, there remains a steady demand for a local source of hard rock, primarily as a result of on-going roadway and highway infrastructure improvements. As the economy improves, as indicators have recently shown, the demand for rock for all types of construction projects is expected to increase. Because of the prohibition on terrace mining and the limitations on in-stream mining to bar skimming, most of the local supply of aggregate is expected to come from hard rock quarries. However, given the level of production and the quality/type of mined materials, existing local quarries are not expected to be able to meet the demand for PCC- and AC-grade aggregate. Therefore, the project's accessible supply of PCC- and AC-grade aggregates is vital to the local economy and implements the ARM Plan and General Plan policies.

4. There will be economic benefits to Sonoma County from the project including, but not limited to, job creation, increased property taxes, sales taxes, vehicle license fees, and employee income taxes. In this time of dwindling state and local government revenues, it is especially important that the County continues to aide in the creation of jobs and the establishment of independent revenue sources to help fund needed County services.
5. Under the environmentally superior Alternative 2 haul route, haul trucks would avoid the schools and residential areas on Roblar Road east of the project and on Pepper Road east of Mecham Road, thereby avoiding localized truck noise and air quality impacts to sensitive receptors on these road segments. Similarly, road construction impacts would be avoided on these segments.
6. The installation of a signal at Stony Point Road/Roblar Road would occur much sooner as a result of the project's contribution to this improvement, thereby addressing a current need for improved level of service and safety at this intersection. A mile long section of Roblar Road used by haul truck traffic would be fully reconstructed, including roadway shoulders to improve bicycle and pedestrian safety along this roadway segment. The project would contribute its fair share toward the future signalization at Stony Point Road/Railroad Avenue, and signal timing improvements at Stony Point Road/Highway 116 and Highway 116/Old Redwood Highway. With the project's fair share contributions towards these projects, it makes it more feasible for the state and county to fund the work. Recent shortfalls in state and county budgets have resulted in extended delays in funding road improvements, resulting in a backlog of projects waiting for funding.
7. In exchange for the removal of a 70-acre portion (mining site) of a 198 acre property from a Williamson Act Contract, the applicant would place a permanent agricultural conservation easement on a 243+acre agricultural property near Petaluma. This property is currently without any form of contract or easement protection, is biologically sensitive, ecologically diverse and classified as farmland of local importance in the California Department of Conservation Farmland Mapping and Monitoring Program. Furthermore, this 243+acre property adjoins lands currently protected by either an agricultural conservation easement held by the Sonoma County Agricultural Preservation and Open Space District (SCAPOS) or an agricultural conservation easement held by the Sonoma Land Trust. The resource characteristics of the property as well as its adjacency to other protected land would cause the property to be looked upon favorably for easement acquisition. The conservation easement over this exchange property results in protection of a high priority property without cost to the taxpayers of Sonoma County. In addition, in exchange for the Open Space District's permission to temporarily use approximately 4 acres of land encumbered by an open space easement for quarry access under the environmentally superior Alternative 2, the applicant proposes to place a permanent conservation easement over the entire 198-acre project site and make an irrevocable offer of dedication of the land for potential future public use upon completion of mining.
8. The Board of Supervisors adopted a Statement of Overriding Considerations for the ARM Plan indicating that the benefits of the aggregate industry outweigh the adverse unavoidable noise and visual impacts. These findings are contained in Resolution No. 94-1569 and are incorporated herein by reference.  
  
If the Planning Commission determines that these benefits outweigh the significant and unavoidable impacts of Alternative 2, the Planning Commission could forward a recommendation of approval to the Board of Supervisors, subject to the attached Conditions of Approval in Exhibit A and adoption of a Statement of Overriding Considerations.

**Issue #11: Recirculation of Final EIR**

This staff report includes additional correspondence and documents submitted since the December 17<sup>th</sup> Planning Commission and additional analysis to address changes in the applicant's Water Management Plan and provide responses to written and oral comments made at and subsequent to the December 17<sup>th</sup> Planning Commission hearing on the Final EIR. The responses and text changes clarify and amplify the Draft and Final EIR analyses. However, no significant new information was added that would trigger recirculation of the EIR under CEQA. Specifically, there were no new significant environmental impacts, or a substantial increase in the severity of any impact, that have been identified that were not already identified in the Draft EIR and further addressed in the Final EIR.

EXHIBIT FF: Additional Correspondence

EXHIBIT GG: Draft Planning Commission Resolution

---

Separate Attachments for Commissioners:

- Applicant's Correspondence with attachments
- Geomega Modeling Exhibits
- GEOMEGA Credentials
- MACTEC Credentials
- December 17, 2009 Staff Report
- Draft and Final Environmental Impact Reports Previously Provided to Commissioners

### STAFF RECOMMENDATION

Staff recommends that the Planning Commission recommend that the Board of Supervisors:

1. Certify the Final Environmental Impact Report (Final EIR) and adopt a Statement of Overriding Considerations subject to findings.
2. Approve a Zone Change to add the MR (Mineral Resources) overlay zone to the proposed 70 acre mining site (APN 027-080-009) and a 25 foot perimeter setback area around the parcel.
3. Approve the Use Permit and Mining and Reclamation Plan for Alternative 2 (Alternative Haul Route/Contracted sales only) with a production limit of 570,000 cubic yards per year, subject to the conditions provided in Exhibit A.
4. Authorize a Williamson Act agricultural preserve easement exchange, rescinding the agricultural preserve easement on the 70 acre mining site, while simultaneously placing a Williamson Act agricultural preservation easement on a 244-acre agricultural property near Petaluma.

### ALTERNATIVES

1. If the Planning Commission finds that the project benefits do not support a recommendation to the Board for approval of Alternative 2 at the 570,000 cubic yard annual production level as proposed, staff would recommend Alternative 2 with reduced production. It is noted that variations of project alternatives as evaluated in the EIR could also be considered by the Planning Commission, including, but not limited to, a hybrid of Alternatives 2 and 3, or some variation in the quarry production and/or footprint of Alternative 3.
2. The Planning Commission could find that project benefits are not sufficient for any of the project alternatives and make a recommendation to deny the project.

### LIST OF ATTACHMENTS

EXHIBIT A:	Draft Conditions of Approval/Mitigation Monitoring Program
EXHIBIT B:	Vicinity Map
EXHIBIT C:	General Plan Lane Use Map
EXHIBIT D:	Zoning Map
EXHIBIT E:	ARM Plan Map
EXHIBIT F:	Regional Map
EXHIBIT G:	Topography Map
EXHIBIT H:	Aerial Map
EXHIBIT I:	Aerial Showing Location of Existing Residences
EXHIBIT J:	Phase I Initial Grading and Drainage
EXHIBIT K:	Phase I Grading
EXHIBIT L:	Phase II Grading
EXHIBIT M:	Phase III Grading
EXHIBIT N:	Site Sections
EXHIBIT O:	Roadway Network and Study Intersections
EXHIBIT P:	Alternative 2: Alternative Haul Route/Contracted Sales
EXHIBIT Q:	Preliminary Design (Access Road 1 at Roblar Road)
EXHIBIT R:	Location of Groundwater wells
EXHIBIT S:	Estimated Ground Water Contours
EXHIBIT T:	Williamson Act Easement Exchange Site
EXHIBIT U:	Quarry Noise Threshold Zone
EXHIBIT V:	Visual Simulations
EXHIBIT W:	Site Photos
EXHIBIT X:	Planning Commission Minutes from December 17, 2009
EXHIBIT Y:	Regional Water Quality Control Board Letter (December 15, 2009)
EXHIBIT Z:	MACTEC Letter (credentials separate attachment)
EXHIBIT AA:	Response to MACTEC Letter
EXHIBIT BB:	Conclusions of Geomega Groundwater Modeling
EXHIBIT CC:	Master Response HYD-1
EXHIBIT DD:	Revised Water Management Plan
EXHIBIT FF:	Applicant's Correspondence (see separate attachments)