

VIA HAND-DELIVERY TO NCPBES AND VIA EMAIL TO PLANNING COMMISSIONERS

August 11, 2015

Napa County Planning Commissioners
Napa County Planning, Building and Environmental Services
1195 Third Street, 2nd Floor
Napa, CA 94559
Attn: Donald Barrella, Planner III

Re: Syar FEIR – P08-00337-SMP

NAPA COUNTY
CITY AND COUNTY PUBLIC WORKS & CALTRANS
AGGREGATE PRODUCTS USED, 2004-2014
Study by: Steven & Sandra Booth, 3-15 to 7-15

Purpose: To help document the quantity of aggregate products used by public agencies from all sources in Napa County from 2004 through 2014.

Overview: Certification for the Final Environmental Impact Report (FEIR) is pending. On February 18, 2015, Sandra Booth made a presentation before the Board of the Napa County Planning Commission asking for data to quantify Napa County's actual need for and Syar Napa Quarry's supply of aggregate products on an annual basis over a series of years.

On 2-18-15, Sandra e-mailed Don Barrella requesting this information. Mr. Barrella replied that same day informing Sandra he would send the information requested. He did not send the information.

Because the information Sandra requested was missing from the EIR and because the information she requested was not forthcoming from the County, Steve Booth was compelled to begin searching for this primary, foundational information, independently.

A. The data for Napa County's actual aggregate use/need/consumption is not included in the Syar EIR – this primary, foundational data is absent:

In the EIR, an average value of 8.9 tons/person/year is erroneously utilized to calculate Napa County's aggregate need/usage and to justify the proposed Syar Project. This yearly average/person value was developed by the California Department of Conservation, Special Report 205, for the North Bay P-C (production-consumption) Region comprised of Sonoma, Napa, Marin and southwestern Solano counties.

In the EIR, the average 8.9 t/p/y value is used to calculate Syar Napa Quarry's proposed yearly aggregate production: 8.9 t/p/y x 146,000 (population of Napa County) = 1.3 million/t/y. Taken at face value, this calculation is erroneous because it assumes the

Quarry's total yearly aggregate production equals Napa County's total yearly aggregate need/usage; this erroneous calculation completely disregards -fails to account for- Syar Napa Quarry's main competitors: Bodean's Markwest Quarry (supplies concrete and aggregate county-wide but primarily in the northern portion of Napa County); Shamrock Material (supplies concrete and aggregate county-wide); CemexUSA (supplies concrete and aggregate county-wide); Syar Lake Herman Quarry (supplies aggregate county-wide, 80% of the sand and ¾" AB used by the City of Napa and 90% of the aggregate and asphalt used by the City of American Canyon and points south).

Again, no data is included in the EIR to analyze or prove this average value represents Napa County's actual aggregate need/usage. As defined in Webster's, an average is, "1. A single value that represents the general significance of a set of unequal values. 2. Being about midway between extremes." Napa County's aggregate usage is of the lower extreme.

The majority of the land use in Napa County is rural/agricultural, not urban. Therefore, the aforementioned 8.9 t/p/y regional average overstates Napa County's local aggregate usage; by how much is yet to be determined. Syar Industries possesses physical and electronic records of empirical data (sales data and truck weigh tickets) to determine and quantify the actual aggregate need/usage in the County but, inexplicably, the data has neither been collected nor analyzed nor provided nor presented to the public for review and comment as required by CEQA.

After 6.5 years of study on many other topics and with thousands of pages of peripheral information included, this primary, foundational data remains absent from the EIR. The collection and analysis of this data, needed to calculate and confirm the actual aggregate need/usage for the County, is required prior to evaluating the pros and cons of expanding the Quarry and before any reasoned approval or denial of the Project can be made.

Why is it essential to know Napa County's actual aggregate need/usage? Because, if Syar Napa Quarry is permitted to expand as is proposed, and in so doing produces more aggregate in County than the Quarry's market share can bear, the excess will be shipped out of the county resulting in an increase in diesel truck emission, road wear, traffic congestion, and the expending of Napa County's future supply of aggregate at an accelerated rate, all of this, in direct contradiction to the proposed Project's first and primary stated objective: **"To continue and extend operation of the existing Syar Napa Quarry for 35 years, thereby providing a local, reliable, affordable, and consistent source of aggregate and aggregate-related materials to customers in the Napa region."** (Note: The Napa region exists within the boundaries of Napa County, not outside.)

Also, when Syar Napa Quarry ships (by truck, train, barge) excess product out of Napa County, the pollution and other social costs are externalized and borne by the public, involuntarily. Remarkably, in social media, and in the pages of the EIR, Syar Industries confounds common sense when arguing for a permit to expand production to 1.3 million

tons per year, knowing the majority of this proposed future production would be shipped out of the County.

B. The data to quantify and qualify Syar Napa Quarry’s mineral reserves is not included in the Syar EIR – this primary, foundational data is absent:

Neither Napa County nor Syar Industries has provided analytical data to the public to quantify and qualify mineral reserves for the Syar Napa Quarry; neither has explained why this data was not provided as required by CEQA. The County’s decision to approve or deny the expansion depends on knowing, quantitatively and qualitatively, the amount of reserves currently available and the County’s actual need/usage. (See Footnote below)

On 3-8-15, Steve began sending California Public Record Act requests to each of the following public entities: Each city in Napa County, the County of Napa, and the Napa area CalTrans office. A request was made from each entity for documentation to identify the annual total quantity (tons) of aggregate products purchased for the period 2004-2014, an 11 year period of time. Not all entities contacted had records for all 11 years but they all provided documentation for the years for which they had retained record. Everyone contacted was very cooperative. The collection of data from the records provided was an ongoing process spanning a period of time from 3-8-15 to 7-31-15. The results of this study are listed below:

| <u>Dates:</u> | <u>Public Entity</u> | <u>Total Tons Used</u> | <u>Average Tons/Year</u> |
|----------------|---|------------------------|--------------------------|
| 2010-14 | City of American Canyon (90% of Total from Syar Lake Herman Quarry) (10% of Total from Syar Napa Quarry) | 3,955 | 879 |
| 2005-14 | City of Napa (80% Aggregate Base AB and Sand from Syar Lake Herman Quarry) | 195,378 | 19,538 |
| No Invoices | Town of Yountville | 0 | 0 |
| 2005-14 | City of St. Helena (Tons Shown from Syar Napa Quarry Only) | 239 | 32 |
| 2013 Only | City of Calistoga (All Other from BoDean Markwest Quarry) | 25 | 25 |
| 2005-14 | County of Napa (80% from Syar Napa Quarry) (20% from BoDean, Syar Lake Herman, Syar Todd Rd., Santa Rosa) | 58,099 | 6,227 |
| <u>2005-14</u> | <u>CalTrans Napa</u> | <u>32,048</u> | <u>3,205</u> |
| 2005-14 | All Public Entities | 289,744 | 29,906 |

Note: In this study, aggregate product totals include the following: Sand, gravel, rock, asphalt. Unless otherwise noted, for each public entity, the totals given include all aggregate products from all suppliers.

Footnote: Attached is the link defining and describing the proper methods and procedures used to calculate and identify the quantity and quality of reserves. All of the contents of this document are included by reference to this link and are entered into the Syar FEIR public record.

www.polarismaterials.com/assets/downloads/1425601473pls-2014-aif.pdf