



NEVADA COUNTY PLANNING COMMISSION
STAFF REPORT

APPLICANT: Teichert Aggregate, Inc

HEARING DATE: June 27, 2019

OWNER: Pamela Dobbas

FILE NO: U11-008, RP11-001 & EIR11-001

PROJECT: Public hearing to accept comments on the adequacy of the recirculated Draft Environmental Impact Report (EIS11-001) prepared for the Boca Quarry Expansion Project.

PROJECT LOCATION: West Hinton Road, Truckee CA. The 230-acre project site is located in Nevada County, approximately eight miles east of the center of the Town of Truckee, and five miles west of the California/Nevada state line. The Town of Truckee limits are approximately 0.6 miles west of the project site. The project site is directly north of Interstate-80.

ASSESSOR'S PARCEL NUMBERS: 048-090-012 & 048-200-003

PROJECT PLANNER: Coleen Shade, Senior Planner

ATTACHMENTS:

1. Location Map
2. Project Site Map

RECOMMENDATION:

Staff recommends the Planning Commission take the following actions:

- I. Open the public hearing to allow comments on the adequacy of the Draft Environmental Impact Report (DEIR).
 - II. After closing the public hearing and public comment period, direct staff to respond in writing to all comments generated through this public hearing and those generated through the close of the required review period on Monday, July 08, 2019, at 5:00 PM.
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THE PROJECT:

The 2019 recirculated Draft Environmental Impact Report analyzes and discloses potential impacts that could be a consequence of implementing the following described proposed Boca Quarry Expansion project. The proposed project is located on a 230-acre site which includes the

existing 40-acre permitted quarry operation (East Pit) and the proposed 118-acre expansion area (West Pit). The proposed project would increase the allowable extraction/disturbance area by approximately 118-acres in the area referred to as the West Pit for a total area of 158-acres which would increase the maximum production from 100,000 tons to one million tons per year. The actual yearly production would vary and would depend on the market demand. The proposed Conditional Use Permit (U11-008) anticipates the removal of 17 million tons of material in three phases over a 30-year period.

An amendment to the current Reclamation Plan RP06-001 is required to authorize the proposed West Pit in accordance with Nevada County Codes and the Surface Mining and Recovery Act of 1975 (SMARA). The project site would be restored to a natural condition which would allow the site to be readily adapted to alternative and beneficial land uses consistent with the existing County Zoning Code designation of Forest (FR).

The proposed expanded quarry operation would continue to use the existing haul route for the permitted quarry operations, which includes West Hinton Road from the Quarry to Stampede Meadows Road, and Stampede south to I-80 and prohibits haul trucks from using Hirschdale Road through the Hirschdale Community to access the project site. Off-site roadway improvement areas consist of a 22-acre area along Stampede Meadows Road. These improvements include pavement widening and site distance improvements to address bicyclist safety a concern that was expressed in the circulated 2012 Draft Environmental Impact Statement.

BACKGROUND:

The Boca Quarry is an approximately 230-acre active quarry site that currently operates under a Conditional Use Permit (U83-036) and an approved Reclamation Plan approved in 1983 and modified in 2007 (U06-012 and RP06-001, respectively). The site has been used as a source of aggregate since the 1950s. The quarry has been idle since the 2008 operating year based on the reduced aggregate demand due to the economy downturn.

The more recent permit activity was initiated by Teichert Aggregate, Inc., who took over the lease and operations of the Quarry in 2005. In 2006 Teichert applied for an Amended Use Permit to bring the project into conformance (U06-012) and an Amended Reclamation Plan (RP06-036). In 2007 the project was approved, however, with no approved expansion of the operations. The approved project included the use of West Hinton Road and Stampede Meadow Road for access and no longer allowed haul-truck travel through the Hirschdale Community. The West Hinton Access Road improvements were implemented in 2008.

An application was submitted in 2010 to expand the Boca Quarry extraction area and increase the maximum extraction amount. A Mitigated Negative Declaration was approved by the Planning Commission in 2011 and was appealed. Techeirt withdrew the application and submitted an application for an Amended Use Permit (U11-008), Amended Reclamation Plan (RP11-001) and an Environmental Impact Report (EIR11-001). Preparation of the Environmental Impact Report began in 2012 and the Final Environmental Impact Report was scheduled for a public hearing in

2013 at which time the County received late comments on the adequacy of the document which necessitated revisions and a recirculation of the Draft Environmental Impact Report.

The 2019 Draft Environmental Impact Report includes new content addressing the comments received on the 2013 Final Environmental Impact Statement, updates to comply with new CEQA laws, and new technical studies.

STAFF COMMENT:

The purpose of this public hearing agenda item is to provide an opportunity for both the public and the Planning Commission to comment on the recirculated DEIR prepared by Helix Environmental Planning, the firm retained by the County to undertake the preparation of the environmental document on behalf of the County for the project.

The purpose of the DEIR is to review all the potential environmental impacts associated with the project. To identify potential impacts to be evaluated, a Notice of Preparation (NOP) with a 30-Day circulation period (February 8, 2012 thru March 9, 2012) was made available to the public, various state and local agencies. A public scoping workshop was held March 8, 2012 to inform the public of the project and receive comments on the scope of topics that should be evaluated prior to preparation of the DEIR.

A public review period of 45-days is being provided to allow agencies and the general public to submit written comments regarding the adequacy of the DEIR. This DEIR comment period opened on **Wednesday, May 22, 2019** and will close on **Monday, July 8, 2019**, at 5:00 PM.

The County has prepared an updated DEIR and is recirculating to address specific environmental effects of implementing the Boca Quarry Expansion project and is addressing comments submitted on the previous Final EIR. The DEIR identified the following potentially significant environmental impact areas for the project: Geology and Soils; Hydrology and Water Quality; Biological Resources; Aesthetic Resources; Traffic and Circulation; Noise; Air Quality; Hazard and Hazardous Materials; Cultural and Tribal Resources; and Cumulative impacts. With implementation of proposed mitigation measures, impacts would be reduced to a less than significant level with the following exceptions:

- Aesthetic Resources 4.4.7; The implementation plan of the 2011 Reclamation Plan and mitigation measure AES-1 would lessen the adverse aesthetic impacts for all Key Views but would not reduce the potentially significant impact to visual character/quality to below a level of significance. The associated visual impact for the Key Views would be considered significant and unavoidable.
- Transportation and Circulation 4.5.8; Implementation of mitigation measure TRANS-4 and TRANS-5 would reduce the severity of the project related impacts to bicyclist safety, the widened roadway and shoulder improvements would be limited to where those improvements may be feasibility installed based on final project design. Due to existing topographic and resource constraints along the roadway, the roadway segment cannot be widened to achieve the full width considered the standard for accommodating

bicyclists along its entire length. Impacts to bicycle safety would remain potentially significant and unavoidable.

- Air Quality 4.7.8; Implementation of mitigation measures AQ-2 and AQ-3 would reduce project impacts related to operational air quality emissions. However, a significant and unavoidable impact associated with NO_x and PM₁₀ emissions from operation of the project would occur.
- Cumulative Impacts:
 - Aesthetics 5.2.4 – Implementation of the quarry reclamation plan and proposed mitigation measure would help lessen the adverse aesthetic impacts for all Key Views, but the impacts would still be cumulatively considerable and significant and unavoidable.
 - Air Quality 5.2.7 – Implementation of project –level mitigation measures AQ-2 and AQ-3 would reduce but not eliminate the project’s contribution to cumulative NO_x and PM₁₀ emissions. As a result, the project’s contribution to cumulative air quality impacts would be cumulatively considerable and significant and unavoidable.

After the Planning Commission has had a chance to provide their comments on the DEIR and determines that adequate public review will be provided, the Commission should direct staff to respond to the verbal comments offered at this hearing, as well as those written comments submitted to the Planning Department during the review period. After preparation of the responses to all the comments, an additional public hearing will be held before the Planning Commission to:

1. Determine whether the FEIR has been adequately prepared;
2. Determine that adequate responses have been made to both oral and written comments, and if both of the foregoing are found to be adequate;
3. Make a recommendation as to whether to Certify the FEIR to the Board of Supervisors;
4. Deliberate and make a recommendation to the Board of Supervisors as to whether to approve the Development Agreement associated with the Conditional Use Permit for the Boca Quarry Expansion Project;
5. Deliberate and make a recommendation to the Board of Supervisors as to whether to approve the Reclamation Plan associated with the Boca Quarry Expansion project required by the California Surface Mining and Recovery Act (SMARA); and
6. Deliberate and make a recommendation to the Board of Supervisors as to whether to approve the Conditional Use Permit for the Boca Quarry Expansion.

Copies of the FEIR are available at the following locations:

- On-line by visiting the Planning Department webpage dedicated to this project: <https://www.mynevadacounty.com/512/Planning-Department>, under the current planning projects link.
- At the Nevada County Planning Department: 950 Maidu Avenue, Suite 170, Nevada City,

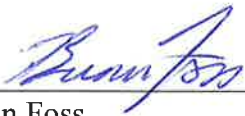
- CA 95959; and
 - At the Nevada County Truckee Library: 10031 Levon Avenue, Truckee CA
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RECOMMENDATION:

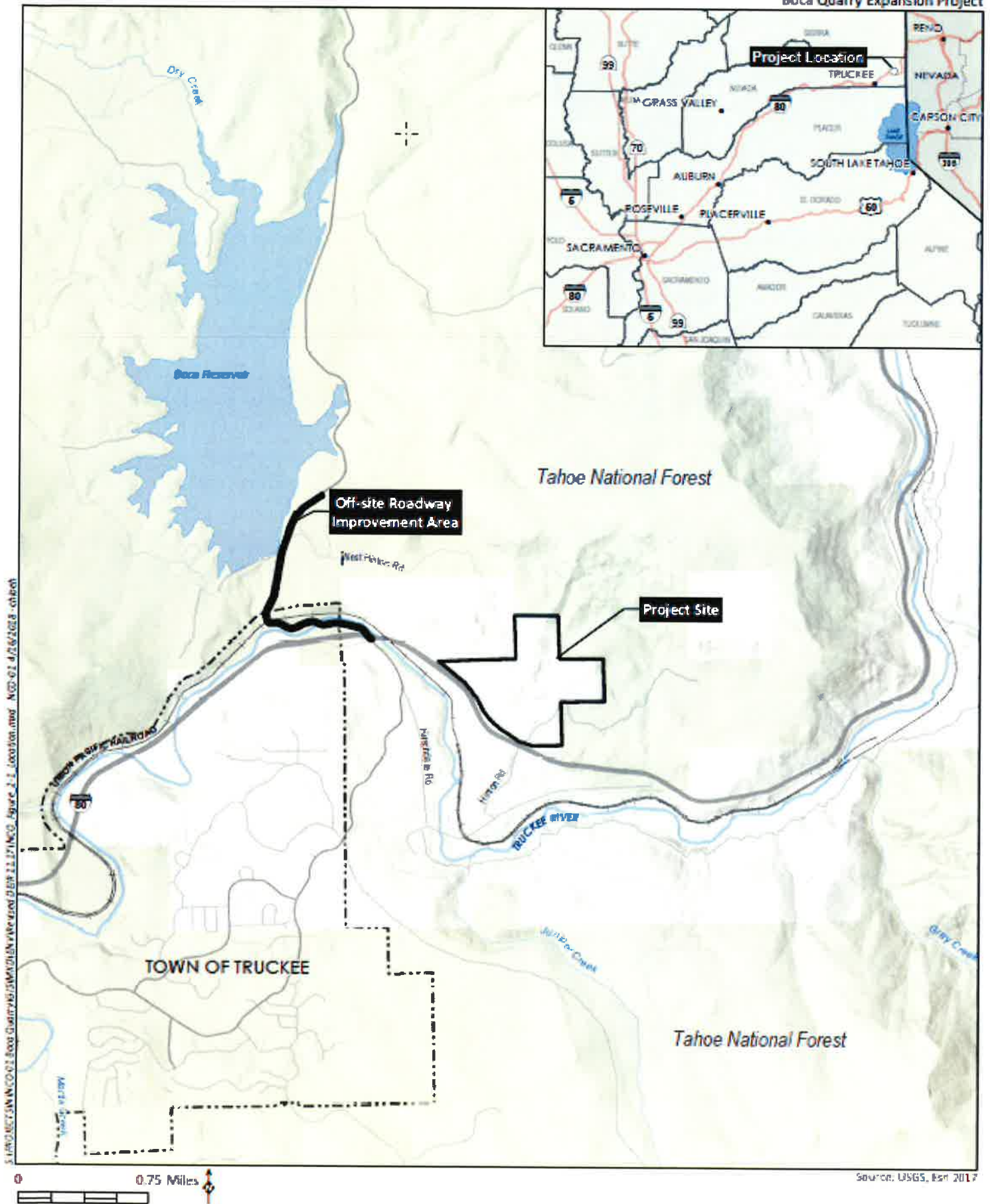
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Respectfully Submitted,







Brian Foss
Director of Planning

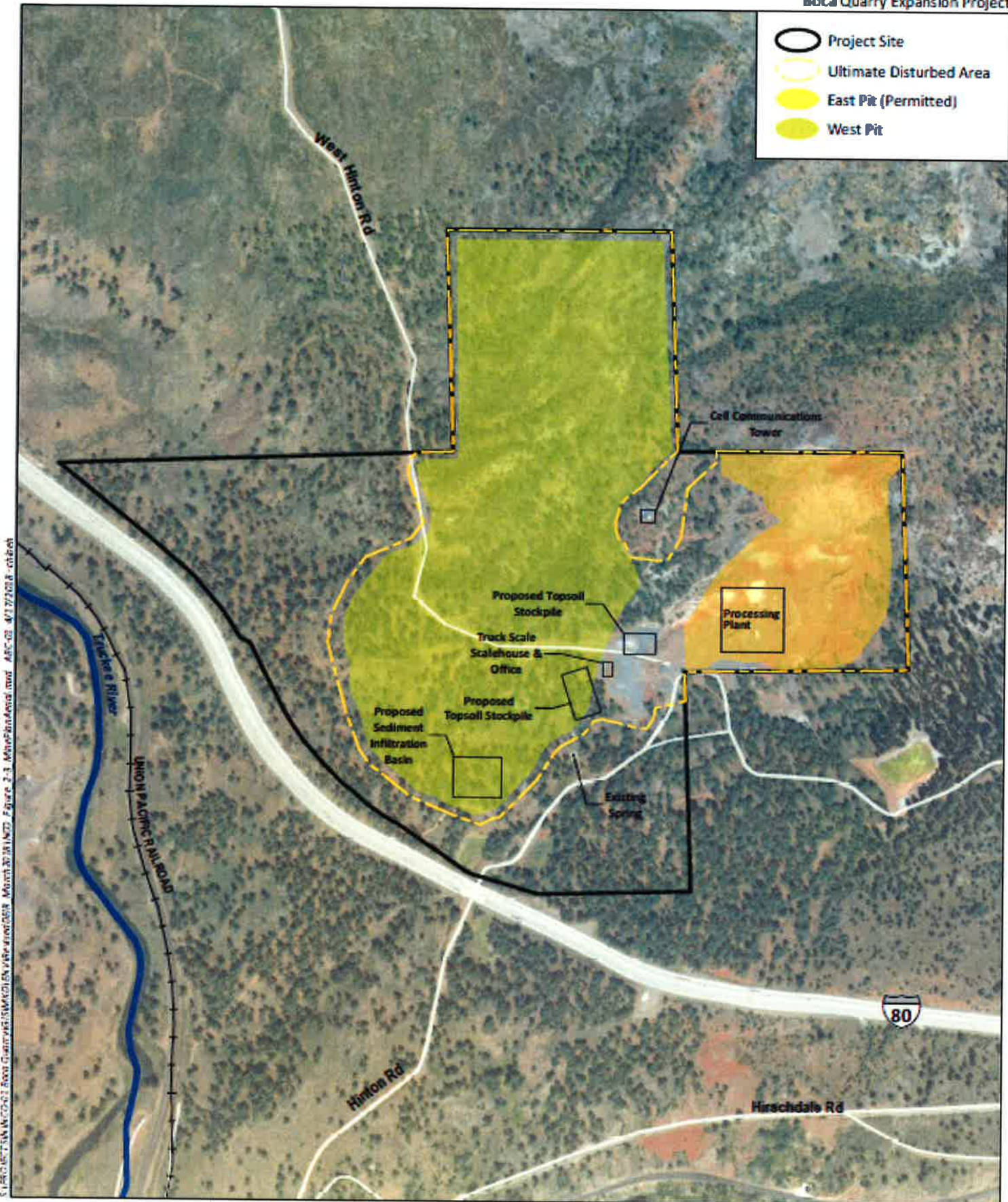


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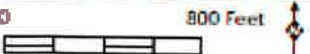


Source: USGS, April 2017

-  Project Site
-  Ultimate Disturbed Area
-  East Pit (Permitted)
-  West Pit



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Source: Esri 2017, Teichert 2009