

STAFF REPORT TO: AMADOR COUNTY PLANNING COMMISSION
FOR MEETING OF: DECEMBER 12, 2023

ITEM 1: Discussion and possible action concerning a request from George Reed, Inc. / Jackson Valley Quarry for and Amended Use Permit (UP-06;9-2) to extend the hours of operation for operational and reclamation activities (excavation, crushing/processing, truck loading, and hauling) from 6:00 a.m. to 6:00 p.m. Monday through Friday to 6:00 a.m. to 10:00 p.m. Monday through Friday.

Property Owner: The Reed Leasing Company
Applicant: George Reed, Inc. (Tom Ferrell, Representative)
Supervisory District: 2
Location: 3421 Jackson Valley Road, Ione, CA 95640 (APN 005-230-018)

A. GENERAL PLAN DESIGNATION: MRZ, Mineral Resource Zone (+/-75 acres) and A-G, Agriculture-General (+/-85 acres)

B. ZONING DISTRICT: X, Special Use District

C. ACREAGE INVOLVED: 160

D. BACKGROUND: The existing Jackson Valley Quarry Use Permit (UP-06; 9-2) was approved in 2013 and involved a geographic expansion of the quarry pit from 74 acres to 160 acres, and an increase in material production up to two million tons per year. The expansion project underwent environmental review including preparation of an Environmental Impact Report (EIR). Based on the EIR for the expansion project, the current Use Permit restricts hours of operation to the following:

- Site preparation activities: 8:00 a.m. – 5:00 p.m., Monday through Friday (Condition of Approval #44.a)
- Operational / reclamation activities (other than site preparation): 6:00 a.m. – 6:00 p.m., Monday through Friday (Condition of Approval #15)
- Maintenance and repair work: no restriction as long as activities do not exceed 45 dBA at the property line (Condition of Approval #15)
- Blasting: 11:30 a.m. – 2:30 p.m., Monday through Friday (Condition of Approval #16)

The amendment seeks to extend the hours of operation for operational and reclamation activities (excavation, crushing/processing, truck loading, and hauling) to 6:00 a.m. to 10:00 p.m. Monday through Friday. The Project will not modify the permitted production levels, area of disturbance, truck trip volumes, or hours of operation for site preparation, maintenance activities, or blasting.

An updated noise and vibration assessment was conducted for the proposed Project to evaluate potential impacts to nearby receptors and compliance with current Amador County noise standards during extended hours of operation. Accordingly, proposed noise mitigation measures include mining setbacks, acoustic curtains for rock crushing equipment, vehicle noise controls, and limitations on the number of nighttime truck trips.

A Light Pollution Prevention Plan was prepared to identify the location lighting fixtures that will illuminate operational areas during extended hours of operation. The existing Use Permit addresses requirements for site lighting by stipulating that “artificial illumination of any area within Quarry site shall be of a non-glare nature and shall be shielded to extent feasible to prevent glare from affecting neighboring parcels of land with direct line of site of the Quarry...” (COA #23). Consistent with this requirement, existing and proposed lighting fixtures will concentrate illumination downward such that no direct lighting is cast offsite.

Condition of Approval #15 would be amended as follows with additional text shown in **bold underline** and deleted text shown in **~~bold strikeout~~**:

15. “Hours of operation **for excavation, crushing, processing, truck loading, and hauling**, other than maintenance and repair work, shall be limited to the hours of 6:00 a.m. and ~~6:00 p.m.~~ **10:00 p.m.** Days of operation, other than maintenance and repair work, shall be limited to Monday through Friday. Maintenance and repair work of a low noise level may be made outside the foregoing working hours and days of operations. The noise level for maintenance and repair work conducted outside normal working hours and days shall not exceed 45 dBA at the property line. The above limitations on working hours and days may, in case of emergency, be temporarily waived by the Chairman of the Board of Supervisors, or his/her designee, until such time as the matter may be heard by the Board of Supervisors for a final determination. **The extended hours of operation are subject to criteria #1 through #3, below.**
 1. **Mining of the outer areas of the quarry is limited to the hours of 6:00 am – 6:00 pm, Monday through Friday, until mining has progressed to a depth of at least one bench height (~20 ft.) as delineated in the noise report (Bollard; May 2023).**
 2. **Use of excavator-mounted hydraulic rock breakers remains limited to the hours of 6:00 am – 6:00 pm, Monday through Friday.**
 3. **Load out of rip-rap remains limited to the hours of 6:00 am – 6:00 pm, Monday through Friday.”**

Condition of Approval #44 would be amended to add Condition of Approval #44a as follows with additional text shown in **bold underline**:

44a. To reduce potential impacts associated with noise, the following noise mitigation measures are required for excavation, material processing, load-out, and hauling, the operator shall:

1. **Suspend acoustic curtains around the processing plant crushers and screen decks;**
2. **Ensure that all processing area conveyors are properly lubricated at all times;**
3. **Limit excavation activities to 6:00 a.m. to 6:00 p.m. Monday through Friday until the excavation equipment has progressed 20 feet below adjoining grade to be shielded by surrounding topography.**
4. **Use of excavator-mounted hydraulic rock breakers will remain limited to the hours of 6:00 am – 6:00 pm, Monday through Friday.**
5. **Load- out of rip-rap will remain limited to the hours of 6:00 am – 6:00 pm, Monday through Friday.**
6. **Replace tonal backup warning devices with broad-band backup warning devices on mobile mining equipment.**
7. **Following implementation of COAs 44a(1) through (3), noise monitoring shall be performed by a qualified consultant funded by the applicant and selected by the County 3 months and 6 months from commencement of nighttime operations and shall occur while processing plant crushers are in operation to confirm effectiveness of the mitigation measures and compliance with the applicable noise standards.**

Condition of Approval #46 would be amended as follows with additional text shown in **bold underline** and deleted text shown in **~~bold-strikeout~~**:

46. The operator/permittee shall adhere to the following:

- a. On-site equipment shall be outfitted at all times with noise attenuation devices. Haul trucks shall not exceed the standards for maximum permitted noise established in Article 2.5 of Chapter 5 of Division 12 of the California Vehicle Code. (former COA 17)
- b. The following noise standards shall not be exceeded at the property lines (former COA 19):

Time Period	Noise Standard
6 AM – 6 PM <u>10:00 PM</u>	65 decibels (A-weighting)

E. TAC Review and Recommendation: Prior versions of the project application that requested extended overnight (24/7) and weekend hours were reviewed by the Technical Advisory Committee in 2021 and 2022. Ultimately, the application was revised to its current form. The current project application was found to be complete by the Technical Advisory Committee on July 6, 2023. On November 2, 2023, TAC reviewed the project

for environmental impacts, prepared draft conditions of approval, and found no technical objection to the Planning Commission adopting a Subsequent Mitigated Negative Declaration for the project subject to the proposed conditions of approval and mitigation measures included in the staff report.

F. Planning Commission Action: Following the public hearing, the first action of the Planning Commission should a decision on the adequacy of the proposed Subsequent Mitigated Negative Declaration. If the Commission finds the environmental analysis to be adequate, the Commission may then move to approve or deny the amended Use Permit.

G. Recommended Findings: If the Planning Commission moves to approve this project, the following findings are recommended for adoption:

1. The Planning Commission's approval of this Use Permit Amendment is sanctioned by Amador County Code Section 19.56.040 and 19.56.065 and said approval is contingent on the permittee's adherence to County Code Chapter 19.56, Use Permits.
2. The proposed uses are consistent with Amador County Code Section 19.24.030, District Regulations, within the X, Special Use District, are consistent with the General Plan Designations of MRZ, Mineral Resource Zone and AG, Agriculture General of the project site.
3. There are no project-specific significant, unmitigated effects which are peculiar to the project or its site.
4. The establishment, maintenance or operation of the use applied for will not, under the circumstances of the particular case, be detrimental to the health, safety, peace, morals, comfort and general welfare of persons residing or working in the neighborhood of such proposed use or be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the County.
5. On the basis of the administrative record presented, the Planning Commission finds that there is no substantial evidence that the project, as conditioned, will have a significant environmental impact and that the Subsequent Mitigated Negative Declaration included in the Staff Report reflects the Commission's independent judgement and analysis.