

## Notice of Determination

**To:**

☒ Office of Planning and Research  
U.S. Mail: Street Address:  
PO Box 3044 1400 Tenth St., Rm 113  
Sacramento, CA 95812-3044 Sacramento, CA 95812

☒ County Clerk:  
County of Mendocino  
501 Low Gap Road  
Ukiah, CA 95482

**From:**

Mendocino County Planning & Building  
860 North Bush Street  
Ukiah, CA 95482  
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Lead Agency (if different from above):

Address: \_\_\_\_\_

Contact: \_\_\_\_\_

Phone: \_\_\_\_\_

**SUBJECT: Filing of Notice of Determination in compliance with Section 21108 or 21152 of the Public Resource Code.**

State Clearinghouse Number (if submitted to State Clearinghouse): 2006112087

Project Title: UR 19-83/2005, OA 1-2007, & R 4-2011 (Harris Quarry Expansion Project)

Project Applicant: NORTHERN AGGREGATES, INC., 100 North Pine Street, Ukiah, CA 95482

Project Location (include county): Unincorporated area of Mendocino County excluding the Coastal Zone. The proposed application of the use permit, reclamation plan and combining district (rezoning) would be located approximately seven miles south of Willits, west of its intersection with Highway 101; AP# 147-180-13, 147-180-08, and 147-140-07.

Project Description: The project consists of: (1) amendments to the County Zoning Ordinance creating a new Mineral Processing Combining District to the County's zoning ordinance to allow for asphalt processing to occur onsite; (2) a concurrent rezone adding the combining district to an 18-acre portion of the project site to accommodate the proposed asphalt facility; (3) 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 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; and (4) an associated revised Reclamation Plan for the quarry site.

The proposed project would allow the applicant to continue to mine the existing quarry and expand the quarry to the north and west. In all, the existing 11.5-acre quarry would be expanded to a final size of about 30.6 acres. An additional 9.2 acres would be developed for access and processing, and 5.1 acres would be disturbed to provide mitigation proposed to address project impacts. Quarrying would use the same techniques and equipment currently used at the site.

As part of the Project: (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 Project includes approval of up to 100 nighttime operations per year to serve large construction projects and/or during emergency events; (6) 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 (7) at the end of the permit the site will be reclaimed to a mosaic of vegetation types similar to those that currently exist on the site.

In 2012, the County of Mendocino Board of Supervisors adopted Resolution #12-065, certifying the Final Environmental Impact Report (FEIR) for the Harris Quarry Expansion Project, including its incorporated Water

Supply Assessment, the Findings of Fact, Statement of Overriding Considerations and Mitigation Monitoring and Reporting Program, the Draft EIR (State Clearinghouse No. 2006112087), comments and responses to

comments on the Draft EIR, and an errata section listing minor edits to the Draft EIR (collectively, the "original EIR"). Following adoption and certification, the Harris Quarry Expansion Project was challenged by petitioners under the California Environmental Quality Act (CEQA) (Public Resources Code Sections 21000 et seq.). The trial court entered judgment directing the County to set aside and vacate the certification of the original EIR. (*Keep the Code v. County of Mendocino* [Judgment Granting Petition for Writ of Mandate November 11, 2013, SC UK CVPT 1260196].) Both plaintiffs and the real party in interest separately appealed the decision of the trial court. The appellate court affirmed the trial court's decision, and found that "the [original] EIR was sufficient for its required purposes, except to the extent noted as to the consideration of two alternatives [Alternatives 4 and 5] to the project." (*Keep the Code, Inc. v. County of Mendocino* (Nov. 30, 2018, No. A140857) [nonpub. opn.].)

To comply with the court's directive, the 2019 Harris Quarry Use Expansion Project Revised Draft EIR (2019 RDEIR) was prepared and circulated for review in August 2019. The 2019 RDEIR contains updated analyses and discussion of the financial feasibility of Alternatives 4 and 5. The proposed project and associated approvals have not substantively changed from the version previously considered by the Board in 2012.

**This is to advise that the County of Mendocino (Lead Agency) has approved the above described project on December 16, 2019 and has made the following determinations regarding the above described project.**

1. The project [☒will ☐will not] have a significant effect on the environment.
2. ☒ An Environmental Impact Report was prepared for this project pursuant to the provisions of CEQA.  
☐ A Negative Declaration was prepared for this project pursuant to the provisions of CEQA.
3. Mitigation measures [☒ were ☐ were not] made a condition of the approval of the project.
4. A mitigation reporting or monitoring plan [☒ was ☐was not] adopted for this project.
5. A statement of Overriding Considerations [☒ was ☐was not] adopted for this project.
6. Findings [☒ were ☐ were not] made pursuant to the provisions of CEQA.

This is to certify that the project file, which includes the 2019 final EIR with comments and responses, 2019 RDEIR, original EIR, record of project approval, and all supporting materials, is available to the General Public at: Clerk of the Board of Supervisors, 501 Low Gap Road, Room 1010, Ukiah, California 95482.

Signature (Public Agency): Julia Acker Krog Title: Chief Planner

Date: 12/17/2019

Date Received for filing at OPR: Governor's Office of Planning & Research

**DEC 17 2019**

**STATE CLEARINGHOUSE**