

MT. SHASTA PLANNING DEPARTMENT
May 16, 1996
Revised June 7, 1996

STAFF REPORT

Project No. 96.23
Property Owner: Sousa Ready Mix, Inc.
Applicant: Phil Sousa
Request: Use Permit to install an aggregate crushing and screening operation and a concrete batch plant at an existing gravel extraction site within the City of Mt. Shasta.
Parcel Number: 57-771-070/080
Property Size: 97.5 Acres

General Plan Designation: Resource Lands

Resource Lands (RL) are those that are identified as containing soils characteristics, natural conditions, or resources suitable for production of agricultural, timber, or mineral resources for commercial harvest, production, or conservation. Resource Land uses may include, and are not limited to, farming, ranching, orchards, food processing, mining, construction material processing, sawmills, and recreation-oriented uses such as a campground. Resource Lands include private and public open space areas, and areas of visual importance within the National Forest. The purpose of the zoning code is to identify which are permitted and which are conditional uses. General Agriculture, Agriculture Preserves, and Rural Residential are the zoning districts whose uses are permitted or conditionally permitted on Resource Lands, subject to the appropriate development standards, code regulations, and performance standards implemented through the General Plan.

Zoning: C-M (Controlled Manufacturing)
Environmental Recommendation: Mitigated Negative Declaration
Public Notice Date: March 27, 1996

Recommendation: Acceptance and Approval of Mitigated Negative Declaration and Conditional Use Permit 96.23 with Conditions, and Mitigation Monitoring Program included in this Staff Report.

Of the 97.5 acres within this project site, approximately 28 acres have been excavated for gravel extraction. Following annexation of the area in 1987, the (Sousa) Springhill Mine #91-47-0014, which had been approved under a Siskiyou County use permit was accepted by the City. A reclamation financial assurance plan was submitted and approved by the City, placing funds in an account for the City's use should the reclamation not be completed by the applicant.

PROJECT OVERVIEW

This Staff Report reviews two separate and related actions: Approval of the Mitigated Negative Declaration, and approval of Conditional Use Permit 96.23 that provides for the relocation of the access road, installation of a crushing and screening operation, and a concrete batch plant project for Sousa Ready Mix, Inc.

MITIGATED NEGATIVE DECLARATION

The intent of the Mitigated Negative Declaration is to address known environmental impacts, and mitigating those impacts to a level of insignificance. Approval of the Mitigated Negative Declaration does not address nor will it allow any asphalt batch plant or operation. Should such an operation be requested in the future, a new application will be evaluated under the California Environmental Quality Act. At the time of preparation of this staff report, no future plans for such use has been requested nor indicated for future consideration.

CONDITIONAL USE PERMIT

Conditional Use Permit 96.23 would allow the installation and operation of a crushing and screening operation, and a concrete batch plant to be accessed from a relocated access road.

DISCUSSION

Mitigated Negative Declaration

The Mitigated Negative Declaration for the Sousa Ready Mix, Inc. project *did not* discover any impacts that could not be mitigated to a less than significant level. Several Mitigation Measures are included in the Initial Study/Negative Declaration, reflecting the mitigation measures indicated within the Initial Study and this staff report.

Conditional Use Permit

The Conditional Use Permit has been reviewed using the Initial Study and the Mitigation Monitoring Program, and is consistent with both. The Conditional Use Permit *only* approves the aggregate crushing and screening operation and a concrete batch plant with access from a relocated access road. The Initial Study for the project considers the effects of the project on the environment.

The conditional use permit approves the specific project as submitted and no further planning permits will be required. Permits under the jurisdiction of the building and fire departments, as well as outside agencies will be required prior to installation of the project.

RECOMMENDATION & FINDINGS FOR THE MITIGATED NEGATIVE DECLARATION

Staff recommends that the Planning Commission adopt the Mitigated Negative Declaration for the Sousa Ready Mix, Inc. project after making the following findings for the Mitigated Negative Declaration:

1. That the Sousa Ready Mix, Inc. Negative Declaration has been prepared in compliance with the California Environmental Quality Act.
2. That the Planning Commission has reviewed the Sousa Ready Mix, Inc. Initial Study/Mitigated Negative Declaration.
3. That the Sousa Ready Mix, Inc. Mitigated Negative Declaration reflects the independent judgment of the City of Mt. Shasta.
4. That installation will not commence prior to obtaining a Mt. Shasta Building Permit.
5. That relocation of the access road shall be a paved all-weather surface, constructed to Mt. Shasta Department of Public Works Standards.
6. That access roads within the quarry leading to the aggregate crushing and screening, and concrete batching areas are not required to be paved, but must be defined and accessible to emergency vehicles.
7. That a key box or acceptable emergency access provision be provided to the Mt. Shasta Fire Department.
8. That visible premise identification shall be installed.
9. That fire extinguishers shall be provided on-site in the amount and type as required under the Uniform Fire Code and approved by the Mt. Shasta Fire Department.
10. That a water supply shall be provided on-site for fire suppression and available for fire department pumpers.
11. That no permanent occupants will occupy the site.
12. That the Department of Transportation has responded that the proposed project does not appear to add a significant number of turning movements to Interstate 5, and the connection of Abrams Drive to the State facility appears adequate for the proposed use.
13. That additional on-site storage of, or changes in the manner or the location of hazardous materials in amounts exceeding 55 gallons, 500 lbs., or 200 cubic feet of compressed gas will require an amendment to the current Hazardous Material Business Plan so as to reflect noted changes.
14. That proposed on-site chemical toilet(s) are to be provided for under contract with a licensed septic pumper for maintenance of the units and for routine service as determined necessary.
15. That potable bottled drinking water is to be provided for employees on-site.
16. That relocated access road shall be completed prior to uses considered under Project 96.23.

17. That a berm, utilizing site material resources and vegetation be developed, closing the existing access road. The berm shall be developed to blend with the existing and surrounding land forms, approximately 25 feet in height, and shall be approved by the Mt. Shasta Department of Public Works.
18. That the applicant will file the necessary 3-C Waste Discharge Form with the Regional Water Quality Control Board.
19. That following written comments of concern to air quality, the City Planning Department contacted the Air Pollution Control District, who in turn indicated that the project mitigations proposed were "more than adequate" for protection of air quality resources. Both the City and Air Pollution Control District will monitor the site for air quality monitoring requirements, with the City reporting to the APCD for follow-up on any suspect violations.
20. That off-site noise reduction will occur as a result of a decrease in truck traffic.
21. That noise levels shall not exceed acceptable levels as set forth in the Mt. Shasta General Plan Noise Element.
22. That the Mt. Shasta Police Department has reviewed an approximate five-year period for accidents on both entrances to Spring Hill Drive and found the accident rate extremely low.
23. That the applicant has agreed that no southbound trucks will utilize Spring Hill Drive, with the exception that use will occur with any development project located on Spring Hill Drive. This mitigation refers to concrete trucks associated to this project and does not refer to all trucks.
24. That this project is not responsible for traffic impacts to be created by future projects on which no permits have been approved.
25. That written comments citing water quality, erosion and well water concerns have been clarified in the Lawrence & Associates Ground-Water and Surface-Water Evaluation report of May 14, 1996.
26. That the soil description was indicated as Ponto-Neer Complex within the Initial Study when the entirety of the site contains three soil types; and that further soil description within the Initial Study described the soils as being "underlain with coarse and porous volcanic materials."
27. That the Governor's Office of Planning and Research has indicated that the description of the soils was sufficient and would not warrant recirculation of the Initial Study.
28. That this permit does not request, nor does it allow operation of an asphalt batching plant.
29. That the following addresses the comment letter of April 30, 1996 submitted by Mt. Shasta Tomorrow:
Comment: Occasional complaints on existing plant of dust, noise, possible water pollution and aesthetic impacts.
Response: No complaints have been filed with the City of Mt. Shasta on the site located off Spring Hill Drive (Mt. Shasta Property File #57-771-070/080). No complaints have been filed with the County of Siskiyou on the Upton Road plant (05/07/96 Siskiyou County Planning Department).
Comment: Incompatible with adjacent residential neighborhoods and freeway views of the surrounding area.

Response: There are no adjacent residential neighborhoods. The project is not visible from the freeway. The Mt. Shasta General Plan Open Space and Conservation Element, Goal OC-6 states that the City should "[A]llow mineral resource lands to be commercially developed for purposes of providing construction material and industrial minerals for the area." Further, the Implementation measures address the avoidance of future residential development for the continued operation to supply construction minerals and aggregate in the Mt. Shasta area.

Comment: Initial Study and project application isn't clear on whether this is a relocation of existing facilities or another plant.

Response: The application is clear and concise on the scope of the project which is for the installation of an aggregate crushing and screening operation and a concrete batch plant at the existing gravel extraction site. If the scope of the project was the relocation of an existing plant, the application and city documents would have so stated.

Comment: There have been previous environmental studies which predicted significant environmental impacts to Big Springs Creek which haven't been considered in Initial Study.

Response: The scope of this project is an ancillary use to an existing mining and gravel extraction site. The scope of the project does not significantly impact the environment.

Comment: Initial Study inadequate and inaccurate regarding soil conditions, air quality and water quality issues, fishery habitat impacts, noise, visual impacts, hazards and transportation problems.

Response:

Soil Conditions: See #26 and #27 above.

Air Quality: See #19 above. Initial Study (page 4 and 5) addresses air quality, including mitigations for exposed or disturbed soil surfaces. Stockpiles are included as exposed and disturbed soil surfaces. Prior initial study on air quality impacts and amount of truck traffic identified the maximum truck usage at *one time*. This finding did not limit the number of trips on a daily basis. As shown in the Weld-Brower-Traffic and Transportation Evaluation, a decrease in the number of vehicle trips per day will result as a result of this project. Comments on page 3 relating to the City of Redding and violations by the firm of J. F. Shea within that jurisdiction are not a part of this application.

Water Quality: See Initial Study and 05/14/96 Lawrence & Associates Ground-Water and Surface-Water Evaluation. As indicated in the Initial Study, one of the sources utilized in its preparation was the Spring Hill EIR. What this comment fails to mention is that the Spring Hill annexation was originally initiated to bring industrial lands into the City limits. When this Spring Hill portion was pre-zoned to come into the City, there were no residential designations. The undeveloped areas along Spring Hill Drive were designated with C-2 zoning on lots fronting Mt. Shasta Boulevard, Spring Hill (the hill itself), was unclassified, and the area presently shown as the future Sleep Inn project, as well as all of the area behind the frontage properties were designated as C-M (Controlled Manufacturing).

The certified EIR, in addressing future industrial development, was in actuality, speaking to the entirety of the property within this area. As this project area is wholly contained within a depressed area, off-site drainage indicated within this comment letter refer to increases and excess storm water from development.

Comments referring to the finding of no significant impacts to animal habitat when findings were made to the contrary just a few years ago on the adjacent Sleep Inn project site are based on the existing uses. This area being considered for the placement of equipment has been mined for over ten years. The depression made in the last decade is approximately 50 foot deep. The Sleep Inn project site is virtually undisturbed and vegetation and wildlife habitat are present.

Fishery Habitat Impacts: See 05/14/96 Lawrence & Associates

Ground-Water and Surface-Water Evaluation. No comments were submitted by the Department of Fish and Game, nor the Department of Fish and Wildlife on the project. Both the City and the firm of Lawrence & Associates have conducted water samples from the existing Upton Road site. Due to this site being under the same ownership and the same use as requested with this application, it was determined that a tell-tale track record would be evident as to water quality and effects to downstream users.

Both agencies, the later being more detailed, show that water quality has been retained. Since the incident creating fish kills in 1978, whereby it has never been determined as to whether plant siltation or the Department of Transportation heavy construction during that same time was at fault, no further problems have been associated from this area. Problems affecting the hatchery after this incident have been linked to the continued development of the city by development to the northeast of this project area.

Noise: See #20 and #21 above.

Visual Impacts: There are no adjacent residential neighborhoods. The project is not visible from the freeway. The Mt. Shasta General Plan Open Space and Conservation Element, Goal OC-6 states that the City should "[A]llow mineral resource lands to be commercially developed for purposes of providing construction material and industrial minerals for the area." Further, the Implementation measures address the avoidance of future residential development for the continued operation to supply construction minerals and aggregate in the Mt. Shasta area.

Hazards and Transportation Problems: See 05/09/96 Weld-Brower & Associates Traffic and Transportation Evaluation

Negative Declaration Inadequate - EIR Required: The Initial Study/Mitigated Negative Declaration for the Sousa Ready Mix, Inc. project *did not* discover any impacts that could not be mitigated to a less than significant level. Several Mitigation Measures are included in the Initial Study/Negative Declaration, reflecting the mitigation measures indicated within the Initial Study and this staff report.

Runoff & Soil Erosion: The comments relating to runoff from the site address potentials for developments which are built above or at natural elevations. This project site operates under an approved use permit for the quarry operations; the site is approximately one fourth disturbed by ongoing gravel extraction operations and the depression within this disturbed area is approximately 50 foot deep - there is no runoff.

Interior Road Development: The placement of non-permanent equipment is not considered to be development requiring the development of improved interior roads. All equipment proposed with this application is portable. The equipment, with the exception of the conveyor, will be placed on cribbing or concrete slabs. At such time as the material needs to be moved, the slabs or cribbing can be removed. The conveyor moves around the site to areas of extraction.

Concrete Plants Pose Risk to Ground Water Quality: The information provided and beginning on page 10 of the comments addresses ingredients and additives for plants which make concrete. The Sousa Ready Mix is as described in its name. The plant does not make ~~concrete~~ cement. The plant purchases "ready-mix" ~~concrete~~ from Calaveras Cement Company; the mix is placed in a contained hopper. When an order is being filled, the gravel mixture, ready mix and water are placed directly into the ~~concrete~~ trucks. As the trucks are in transit to a job site, the barrel on the truck revolves, mixing the ingredients during transit.

CEMENT

Evidence Exists of Prior Contamination Risks: The statement of evidence of a 1995 contamination by a visual siting of soil on some plastic sheeting is an incorrect assumption on the part of the author. This occurrence which was visible from I-5 was not a result of the Upton Road site or operation, but was in fact on an adjacent property and conducted by that adjacent property owner.

Refilling Site After Excavation Risks Ground Water Pollution: This project does not effect the reclamation of the site. An approved mining and reclamation plan, and financial assurance plan have already been approved by the County, City and Department of Mines and Geology.

The storage of fuel and its containment are already addressed in an existing Hazardous Material Business Plan, which if and when amendments are made as to the location and/or amount, said Plan shall be modified with the Siskiyou County Department of Public Health. The storage of fuels is federally regulated and must meet the regulations as set forth by the Department of Public Health (Hazardous Material Business Plan) and the Mt. Shasta Fire Department (Uniform Fire Code).

Inadequate Wildfire Protection: As shown in the project application and site plan, the placement of equipment is in excess of the 30 feet from vegetation area(s).

Insect Control: The existing Sousa plant on Upton Road and not a plant in Redding which is outside our environmental setting and weather patterns, was utilized in reviewing the impacts which could occur with the project as proposed. This existing plant does not show evidence of any mosquito problems and the issue was not found to be relevant to this project based on the City's investigation of the existing plant.

- 30 31. That additional Mitigation Measures be added as identified and clarified on page 7 of 7 of the May 14, 1996 Ground-Water and Surface-Water Evaluation prepared by the firm of Lawrence & Associates.
- 31 32. That additional Mitigation Measure be added as identified and clarified on page 2 of 4 of the May 13, 1996 Comments to Sousa Use Permit prepared by the firm of The Land Designers.
- 32 33. That based on possible changes or amendments at the public hearing, the Mitigation Monitoring Program shall be prepared and developed, incorporating all mitigation measures as identified and approved by the Planning Commission at their regular meeting of May 21, 1996, and presented to the Planning Commission at their regular meeting in June 1996 for acceptance and approval.

RECOMMENDATION AND FINDINGS FOR THE CONDITIONAL USE PERMIT

Staff recommends that the Planning Commission approve Conditional Use Permit 96.23 and Mitigation Monitoring Program after making the following findings for the Conditional Use Permit:

1. That the Mining and Extraction of materials is not a part of this application, which operates under a separate and previously approved Use Permit.
2. That the Conditional Use Permit *only* approves the installation of an aggregate crushing and screening operation, a concrete batch plant and access relocation at an existing gravel extraction site.
3. That the proposed use is consistent with the Mt. Shasta General Plan.
4. That the proposed expansion of use is consistent with the Mt. Shasta General Plan.
5. That the site is physically suited for the proposed density of development.
6. That the site is physically suited for the proposed intensity of development.
7. That the design of the project or proposed expansion of use is not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.
8. That the design of the project or the type of improvements is not likely to cause serious public health problems.
9. That the design of the project or the type of improvements will not conflict with easements, acquired by the public at large, for access through, or use of, property within the proposed project.

CONDITIONS FOR THE CONDITIONAL USE PERMIT

1. Conditions shall follow the requirements and restrictions placed on development and construction as a result of the Initial Study/Mitigated Negative Declaration.
2. Conditions shall follow additional Mitigation Measures as identified and clarified within this staff report and identified under "Recommendation & Findings for the Mitigated Negative Declaration."

Attachments:

03/96 No Content Comments by City Clerk, Deputy City Clerk, Department of Finance, and Police Department

03/19/96 Mt. Shasta Building Department - Building Permit Requirement

03/20/96 Mt. Shasta Fire Department Fire Suppression and Access Requirements

03/21/96 Ken Kellogg, City Engineer Clarify Project Has No Permanent Occupants

03/28/96 Department of Transportation State Facility Adequate for Proposed Use

03/29/96 Mt. Shasta Department of Public Works Clarify Use is Existing and Conditions for this Use by Report

04/15/96 Siskiyou County Department of Public Health Items to be addressed with project approval

04/19/96 State of California - Governor's Office of Planning and Research Letter of Compliance

04/19/96 Springhill Enterprises Project Concerns

04/22/96 California Regional Water Quality Control Board Filing of Waste Discharge Form

04/27/96 Siskiyou County Planning Department No Comments

04/29/96 H. K. "Bud" Miller Project Concerns

04/30/96 Laurence Cook Project Concerns

04/30/96 Mt. Shasta Tomorrow Project Concerns

05/07/96 City of Mt. Shasta Water Sample Results - Upton Road Plant - Wells 1 and 2

05/07/96 Siskiyou County Planning Department Complaint Record on Upton Road Plant Location

05/09/96 Weid-Brower & Associates Traffic and Transportation Evaluation

05/13/96 The Land Designers Response to Project Comments

05/14/96 Lawrence & Associates Ground-Water and Surface-Water Evaluation

05/14/96 Calaveras Cement Company Chemical Content of Portland Cement Ready Mix