

Moorpark expresses concerns about proposed expansion of gravel company

Michele Willer-Allred, Ventura County Star, 4-24-15

MOORPARK -- Moorpark City Council members want county officials to address their concerns over a proposed expansion of a mining facility just outside the city.

They cited increased truck traffic and noise as some of the negative impacts the project could generate.

Wayne J Sand and Gravel is seeking county approval to expand its mining facility adjacent to Grimes Canyon Road, and is asking for an operations permit effective until 2043.

The proposal includes increasing the excavation area from 48 acres to 134 acres; boosting production from 270,000 tons to 700,000 tons per year; and allowing for an average of 240 and a maximum of 300 truck trips per day, up from the current 72 to 100 trips per day.

Public comments on a recirculated draft environmental impact report on the project are due by Thursday.

The city has hired a law firm to review and assist with a comment letter to the county.

Brian Miller, chief of staff for Supervisor Peter Foy, who represents Moorpark, said the county was required to prepare a recirculated draft EIR for the Wayne J project because of a 2010 California appellate court ruling in *Nelson v. County of Kern*.

The case established that an EIR for a mine expansion project must consider a reclamation plan as part of the project. A full reclamation plan that met the requirements of the Surface Mining and Reclamation Act had not been prepared for the Wayne J project.

Council members at last week's meeting said county officials have ignored and continue to ignore their concerns when approving permits for mining facilities near Moorpark.

In 2013, the Board of Supervisors approved a revised conditional use permit for Grimes Rock Inc., a mining facility on Grimes Canyon Road, even though Moorpark city officials and residents cited safety, health and noise concerns from added truck traffic expected from the project.

"We know that the county values the aggregate resources, but they need to realize that they need to value the residents of Moorpark equally, and I've really not felt that working with them," said Mayor Janice Parvin.

Miller said that when supervisors approved Grimes Rock, they only allowed additional truck trips during "non-peak" traffic hours to minimize impacts to the surrounding community.

Miller said another company, Best Rock, recently went out of business and 456 truck trips a day went with it.

"Even with the additional truck trips which were added during non-peak hours to Grimes Rock, there is still fewer trips on the roadways because Best Rock closed," Miller said.

At last week's meeting, the council also discussed its frustration with the county for recently changing

environmental review procedures on the Wayne J project.

The county originally circulated a draft EIR in 2006 and a final EIR in 2009 for the project.

In June 2010, the Board of Supervisors adopted revisions to the county's Initial Study Assessment Guidelines.

The recirculated draft EIR, prepared by the county's Resource Management Agency Planning Division, states that the guidelines "specifically exclude project-related traffic on state or federal highways and roads in the regional road network from impact assessment."

As a result, mitigation measures for noise impacts have now been deleted in the draft EIR because on-road noise generated by material hauling trucks has been eliminated from consideration as an environmental impact.

"It's unconscionable to me that the county would deliberately try to avoid mitigating and that's what they're doing," Councilwoman Roseann Mikos said at last week's meeting.

Miller said the initial assessment guidelines for noise impacts has not changed since February 2006, and that increased traffic noise on roads within the regional road network and on state and federal highways is not subject to the noise thresholds and county noise policy.

The county's general plan states that "State and federal highways ... are noise generators having Federal and State regulations that preempt local regulations."

Miller said the county does not have jurisdiction to restrict traffic on state or federal highways.

"Once a truck has entered a state or federal highway, the county can't track or dictate where that vehicle goes," said Miller.

Parvin said she hopes the county listens to what Moorpark has to say this time.

"I just feel we're talking and not being heard," Parvin said. "We're just talking heads. That's how I feel we're being perceived."