



Napa County

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Legislation Text

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TO: Board of Supervisors

FROM: David Morrison-Director, Planning, Building and Environmental Services

REPORT BY: Barb Ruffino, Staff Services Manager

SUBJECT: Approval of Amendment No. 1 to Agreement No. 200199B with Land Logistics, Inc.

RECOMMENDATION

Director of Planning, Building and Environmental Services requests approval of and authorization for the Chair to sign Amendment No. 1 to Agreement No. 200199B (previously referred to as Agreement No. 200199C) with Land Logistics Inc., to increase the maximum to \$67,179 and extend the term to June 30, 2023 with an automatic rollover for two additional fiscal years to provide Surface Mining and Reclamation Act (SMARA) lead agency inspections for the Syar Napa Quarry facility.

EXECUTIVE SUMMARY

On November 25, 2019 the County signed an agreement with Land Logistics Inc. to obtain specialized services, as authorized by Government Code section 31000, in order to conduct annual SMARA (Surface Mining and Reclamation Act) lead agency inspections required under Public Resources Code Section 2774 for the Syar Napa Quarry Facility (Mine ID #91-28-0004) and associated Surface Mining Permit (#P08-00337-SMP). The original agreement had a maximum compensation of \$26,904 and will expire on June 30, 2022. The Director of Planning, Building and Environmental Services would like to increase the maximum compensation to \$67,179 and extend the terms of the agreement to June 30, 2023 with an auto rollover for two more fiscal years.

FISCAL & STRATEGIC PLAN IMPACT

Is there a Fiscal Impact?	Yes
Is it currently budgeted?	Yes
Where is it budgeted?	Budgeted in CEQA subdivision 17000-02
Is it Mandatory or Discretionary?	Discretionary

Discretionary Justification:	This amendment is necessary in order to continue robust inspections and inspection reports of the Syar Quarry facility.
Is the general fund affected?	No
Future fiscal impact:	No fiscal impact is anticipated to occur as a result of this amendment as the costs will be passed on to the project applicant.
Consequences if not approved:	Thorough inspections of the Syar Quarry may not occur.
County Strategic Plan pillar addressed:	Livable Economy for All

ENVIRONMENTAL IMPACT

ENVIRONMENTAL DETERMINATION: The proposed action is not a project as defined by 14 California Code of Regulations 15378 (State CEQA Guidelines) and therefore CEQA is not applicable.

BACKGROUND AND DISCUSSION

The Syar Napa Quarry (Quarry) Surface Mining Permit No. P08-00337-SMP (SMP) was approved on appeal by the Board of Supervisors on October 18, 2016: upholding the Planning Commission's November 18, 2015, approval of the Quarry's SMP.

To provide a more robust and consistent inspection and reporting process, and MRRC-1 Annual Surface Mining Inspection Reports, PBES contracted Land Logistics to assist and support PBES conducting and preparing the Quarry's 2019 and 2020 MRRC-1 inspections and inspection reports. Land Logistics is a firm that specializes in assisting government agencies only with SMARA inspection and reporting.

Annual Surface Mining Inspection Reports (or MRRC-1 Reports) are submitted to the State Division of Mine Reclamation (DMR) by the County to determine if the operation is in compliance with SMARA (the Surface Mining and Reclamation Act) and permit conditions. The MRRC-1 Report also provides the opportunity to annually review and adjust the Quarry's Financial Assurance Cost Estimate (FACE).

While SMARA is primarily intended to implement State mining requirements, the Annual MRRC-1 Surface Mining Inspection Report is the key SMARA Lead Agency reporting and compliance tool, and is the mechanism the County is utilizing to report and document Quarry compliance with both the SMP and SMARA.

All costs of the consultant are paid for by the applicant.