

Regional Water Quality Control Board
North Coast Region
Executive Officer's Summary Report
August 19, 2021

ITEM: 2

SUBJECT: Public Hearing on Order No. R1-2021-0015 to consider adoption of proposed Waste Discharge Requirements (WDRs) for the Barella Family LLC Roblar Road Quarry, WDID No. WDID No. 1B10104RSON (Ben Zabinsky)

BOARD ACTION: The Board will consider adoption of Waste Discharge Requirements Order No. R1-2021-0015 (Proposed Order).

BACKGROUND: PES Environmental, on behalf of the Barella Family LLC (Discharger), submitted a Report of Waste Discharge (ROWD) Application Package, dated March 4, 2020 for the proposed operation of an upland hard rock quarry extraction and processing plant in Sonoma County called the Roblar Road Quarry (Facility). The Facility is located in southern Sonoma County (Figure 1) on a 127-acre parcel (APN 027-080-010) associated with development of the quarry and includes a 72-acre parcel (APN 027-080-009) where aggregate mining will occur. The property is bounded on the north by Roblar Road and the County-owned, closed Roblar Landfill; on the west by Roblar Road; on the south by Ranch Tributary (a tributary to Americano Creek); and on the east by privately-owned land. The processing facility will occupy approximately 10 acres. The mined aggregate (gravel) will be crushed, screened, washed, stockpiled, and loaded for offsite transport.

The Facility will be developed in four phases; an Interim Phase to construct the infrastructure to facilitate quarry operations (including improvements to Roblar Road) and three mining phases. The Interim Phase and Phase 1 of Facility operations are expected to occur between 2021 through 2027. Phases 2 and 3 of Facility operations would further expand each subsequent phase of the quarry footprint including grading activities, aggregate excavation, and expansion of the sedimentation control basins and drainage features. Phase 2 is anticipated to occur from 2027 to 2032, and Phase 3 from 2032 to 2042. Approximately 570,000 cubic yards of quarry material (i.e., topsoil, overburden, and rock) are projected to be mined on an annual basis (i.e., approximately 2,260 cubic yards per day).

The Facility is located along Roblar Road in Sonoma County, within a watershed that drains both into a tributary creek (Ranch Tributary) to Americano Creek and directly into Americano Creek. Americano Creek exists along the northern boundary of the Facility and Ranch Tributary runs along the Facility's western boundary. Americano Creek is listed as impaired by nutrients under Section 303(d) of the Clean Water Act.

Shallow groundwater beneath the project site within the Ranch Tributary watershed currently flows southwest to Ranch Tributary, and shallow groundwater beneath the Facility site north of the Ranch Tributary Watershed divide, flows west-northwest towards the Roblar Landfill property and Roblar Road. The Facility includes groundwater monitoring wells located at the Facility site and on the adjacent Roblar Landfill property. Existing wells were sampled by PES Environmental on the behalf of the Discharger to gather pre-project baseline water quality data.

The Regional Water Board developed the requirements in this Order based on information submitted as part of the Discharger's ROWD, monitoring data submitted as part of the application, environmental documentation developed for compliance with the California Environmental Quality Act (CEQA), and other available information.

DISCUSSION: The Proposed Order includes conditions to protect surface water quality in Americano Creek and Ranch Tributary, groundwater quality, and requires a hydrologic study to assess any effects of the development and operation of the Facility on the hydrograph (i.e., stream flow) of Americano Creek and Ranch Tributary. Requirements of the Proposed Order include: 1) groundwater and surface water quality monitoring, 2) flow monitoring in Americano Creek and Ranch Tributary, 3) monitoring of groundwater levels, and 4) treatment of groundwater that is reused onsite and applied to land to a level meeting water quality objectives via an onsite Granular Activated Carbon and ion exchange water treatment system. The Proposed Order also requires the Discharger to inspect, maintain, and adjust water quality protection measures throughout the duration of Facility development, operations and site reclamation.

The Order requires the Discharger to submit a water quality plan prior to initiating Phase 3 of Facility operations, and to implement the plan once approved by the Regional Water Board's Executive Officer. The water quality plan will be implemented to ensure final quarry reclamation is protective of water quality prior to the rescission of these WDRs. The Proposed Order also includes prohibitions for any discharge of waste to surface waters and prohibits the discharge of wastewater to the infiltration/irrigation fields that exceeds groundwater quality objectives.

A copy of the Draft Order was posted on the Regional Water Board website and was available for public comment from April 30, 2021, through June 1, 2021. The Sonoma County Permit and Resource Management Department submitted timely comments on the Draft Order. No other written comments were received during the public comment period. The comments by Sonoma County suggested various changes to make the Proposed Order more consistent with the Surface Mining and Reclamation Act (SMARA), which is implemented by the County. Sonoma County also suggested that some of the conditions in the Draft Order were too specific in that they required specific Best Management Practices (BMPs) that may not allow for flexibility and adaptation based on changing circumstances or other considerations where alternate BMPs are equally protective of water quality.

Staff have reviewed the comments and suggested changes and found them reasonable, and staff revised the Draft Order accordingly to make the distinction between permit conditions and the requirements of SMARA clearer. Staff are also in support of the comment that some permit conditions are too specific and have, in response, made several revisions to allow for more flexibility in the selection of practices while maintaining the same or greater level of water quality protection.

A full explanation of all comments and Staff responses are provided in the attached Response to Written Comments document. Staff discussed the revisions with the Discharger prior to including them in the Proposed Order and also made some additional staff initiated clarifying revisions based on those discussions. Staff does not anticipate that the Proposed Order will be contested.

RECOMMENDATION: Adopt Order No. R1-2021-0015, as proposed.

SUPPORTING DOCUMENTS:

1. Proposed Order R1-2021-0015
2. Comment Letters – Available Upon Request
3. Staff Response to Written Comments
4. Notice of Public Hearing

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