

4.10 LAND USE, POPULATION AND HOUSING

This section discusses compatibility of the Project with adjacent land uses and consistency of the Project with planned land uses within Solano County. This section also discusses the affect of the Project on population levels and housing. To provide a basis for this evaluation, the setting provides information on regional land use patterns, the Solano County General Plan goals, and existing land uses within the vicinity of the Project.

IMPACTS EVALUATED IN OTHER SECTIONS

The following topics related to Land Use are evaluated in other sections of this document:

- Consistency with applicable habitat conservation plans, including the Solano Multi-Species Habitat Conservation Plan (Working Draft), and natural community conservation plans is evaluated in Section 4.4, Biological Resources.
- Impacts to agriculture resources are evaluated in Section 4.2, Agricultural and Forest Resources.
- Impacts related to scenic corridors, outdoor lighting standards, and the Solano County Design Review Guidelines are evaluated in Section 4.1, Aesthetics.
- Impacts related to recreational uses are evaluated in Section 4.13, Public Services, Utilities, and Recreation.
- Potential growth inducing impacts of the Project are discussed in Chapter 6.

SETTING

Regional Setting

Solano County extends from San Pablo Bay in the west to the Central Valley in the east and is centrally located between the San Francisco and Sacramento metropolitan regions. Solano County comprises 910 square miles. The western quarter of the County extends into foothills of the coastal range. This area is characterized by steep slopes, which become more gently rolling in the eastern portion. The remainder of the County is part of the Sacramento Valley, which is characterized by level topography, with some isolated areas of low rolling hills. Approximately 14 percent of the total land area within Solano County is in cities (Solano County 2008). These cities include Benicia, Dixon, Fairfield, Rio Vista, Suisun City, Vacaville, and Vallejo. The County population in 2009 was estimated to be 426,729 (State of California 2009). In 2000, about 95 percent of the County's population lived cities.

Lake Herman Quarry is located within the unincorporated area of the County to the east of Vallejo. The unincorporated area of the County encompasses approximately 773 square miles, which represents approximately 85 percent of the total land area within the County. In 2006, 70 percent of the unincorporated area of the County was in agricultural use (or 56.5 percent of the total land in Solano County). About 20 percent of the unincorporated area was undeveloped natural resource lands, and 0.4 percent was dedicated to industrial uses. Solano County is rich in a number of nonfuel mineral resources. Mineral resources mined or produced within Solano County include mercury, sand and gravel, clay, stone products, calcium, and sulfur. Known mineral resource zones (MRZs) are located to the northeast of Vallejo, to the south and southeast of Green Valley, in areas south and east of Travis Air Force Base, and in pockets located within both Vacaville and Fairfield (Solano County 2008). MRZs are classified by the State Geologist on the basis of geologic factors and may fall into one of four general classifications (MRZ-1 through MRZ-4). MRZ-3 zones occur throughout the County while only one MRZ-2 zone is mapped within the County. The Lake Herman Quarry is located within this MRZ-2 zone. MRZ-2 zones have the highest probability of having significant mineral deposits, while MRZ-3 zones are likely to have mineral deposits which may or may not be significant (Solano County 2008).

The General Plan includes a land use diagram that represents the planned distribution of land uses in Solano County through the year 2030 (See Figure 4.10-1). The land use diagram shows that the unincorporated area of the County includes primarily agricultural and open space land, along with some rural residential, commercial, and industrial land use designations. The General Plan states that the unincorporated County is particularly well suited for uses such as agricultural-related industries that are not appropriate within more densely populated areas due to noise, odor and other effects. Maximizing benefits to county residents, taking advantage of new economic opportunities, and protecting valuable environmental resources are the driving forces behind the land use plan (Solano County 2008).

Local Setting

Lake Herman Quarry is located on the slopes of the Sulphur Springs Mountain, just outside the City limits of Vallejo adjacent to Lake Herman Road, as shown on Figure 2-1 in Chapter 2 Project Description. The Project site encompasses approximately 468 acres (0.86 square mile) of land in unincorporated Solano County. Approximately 321 acres (or 58%) of the quarry parcel is actively used for quarry operations (hereafter referred to as the quarry). Within the quarry, extraction occurs on the west-facing slopes of Sulphur Springs Mountain. Approximately 72 acres (or 22 %) of the 321-acre quarry contains support facilities, such as administration offices, a materials testing laboratory, two asphaltic concrete plants, and other related facilities (refer to Figure 2-2 Existing Conditions in Chapter 2). The Lake Herman quarry area has been mined since the early 1870s, with commercial operations beginning in the early 1940s and continued on a small scale until mid-1960s. Syar Industries, Inc. acquired the quarry in 1965 and has expanded its operations since that time (Syar Industries, Inc. 2008).

Present land uses surrounding the Project site include the Blue Rock Springs Golf Course and Blue Rock Springs Park to the northwest. Two parcels used for manufacturing lie immediately west of the Project site. Each of the two parcels also contains a residence: one parcel is privately owned and the other is owned by Syar Industries, Inc. To the northeast is open space owned by the Solano Land Trust. To the east, southeast and southwest lay undeveloped rangelands owned by Syar Industries, Inc. Directly to the south is an open space parcel owned by the City of Vallejo. Two PG&E transmission tower easements traverse the quarry site in an east-west direction north and south of the present quarry operation. A PG&E high pressure gas line crosses south of the quarry site and, along with the PG&E transmission lines, constrain quarry expansion to the south. A small AT&T relay station site, less than one acre in size, is located at the Sulphur Springs Mountain summit south of the area proposed for mining expansion. The nearest residential development is located to the west and southwest and is from $\frac{1}{3}$ to over $\frac{1}{2}$ mile away and behind an intervening ridgeline. Residential areas of the cities of Vallejo and Benicia lie farther to the west and south, respectively.

REGULATORY FRAMEWORK

Designation under the State Surface Mining and Reclamation Act of 1975

The Lake Herman Quarry is part of the Sulphur Springs Mountain mineral resource that has been designated by the State of California as an Area of Regional Significance, pursuant to the State Surface Mining and Reclamation Act (SMARA) of 1975. Area of Regional Significance means an area designated by the State Mining and Geology Board pursuant to Public Resources Code section 2790 which is known to contain a deposit of minerals, the extraction of which is judged to be of prime importance in meeting future needs for minerals in a particular region of the state within which the minerals are located and which, if prematurely developed for alternate incompatible land uses, could result in the permanent loss of minerals that are of more than local significance. Lake Herman Quarry is also designated by Solano County as an MRZ-2 Mineral Resource Zone, which is described as areas where adequate information indicates that significant mineral deposits are present, or where it is judged that a high likelihood for their presence exists (Solano County 2008).

Pursuant to Section 2790 of the SMARA, the State Mining and Geology Board has developed land-use categories that are to serve as a guide to local government in establishing land uses on or adjacent to lands classified as MRZ-2 that have been designated as being of regional significance. The land use categories include Incompatible, Compatible, and Interim. Under this categorization, land uses inherently

compatible with mining and/or that require a low public or private investment in structures, land improvements, and landscaping and that would allow mining because of the low economic value of that land and its improvements. Examples of such uses include very low density residential (for example 1 unit per 10 acres), extensive industrial, recreations (public/commercial), agricultural, silvicultural, grazing, and open space (California Department of Conservation 1987).

Solano County General Plan Land Use Designation

Solano County is the agency with jurisdiction over the Project. The City of Vallejo's jurisdictional boundary generally extends to the western edge of the Project site, and its sphere of influence¹ extends partially into the quarry parcel. The City of Benicia's sphere of influence extends into the eastern portion of the Project site. Approximately 54 acres of land proposed for expansion of the mining pit would extend into Benicia's sphere of influence and General Plan Planning Area. This area is designated as Open Space on the City of Benicia Land Use Diagram.

The Solano County General Plan land use designation for the Project site is *Agriculture* with a *Resource Conservation Overlay*. An Agriculture land use designation provides areas for the practice of agriculture as the primary use, including areas that contribute significantly to the local agricultural economy, and allows for secondary uses that support the economic viability of agriculture. An Agriculture land use designation protects these areas from intrusion by nonagricultural uses and other uses that do not directly support the economic viability of agriculture. However, aggregate mining and processing are allowed under the Agriculture land use designation with a conditional use permit and an approved reclamation plan. A Resource Conservation Overlay identifies and protects areas of the County with special resource management needs. This designation recognizes the presence of certain important natural resources in the County while maintaining the validity of underlying land use designations (Solano County 2008).

Lands surrounding the Project site to the south and east also have the *Agriculture with a Resource Conservation Overlay* designation. Lands surrounding the Project site to the north and west have a land use designation of *Parks and Recreation*.

Solano County Zoning Designation

The zoning designation for Lake Herman Quarry is A-20 (Extensive Agriculture.) Extensive Agriculture designates property with lower quality soils used for dry land farming and range land. Surface mining is allowed under the "A" zoning designation with a conditional use permit (Solano County Zoning Regulations Sec. 28-21).

Tri-City and County Cooperative Plan for Agriculture and Open Space Preservation

The Tri City Group is a Joint Powers Authority, consisting of representation of the Cities of Benicia, Vallejo, Fairfield and Solano County. It provides guidance on open space, agricultural, and recreational opportunities for approximately 10,000 acres of land in the hills in and between the member agencies jurisdictions. The guidance is outlined in the Tri-City and County Cooperative Plan for Agriculture and Open Space Preservation. Although the Project site does not fall within the Tri City planning area's boundary, the Project site borders the Tri-City planning area along the northern boundary of the Project site (refer to Figure 4.13-1).

Goals, Policies, and Programs of the Solano County General Plan and Tri-City and County Cooperative Plan

The Solano County General Plan chapters (or "elements") with goals and policies that are most pertinent to the proposed Project's land use are Land Use, Agriculture, and Resources, as discussed below.

¹ Spheres of influence (SOI) are the areas designated by the Solano County Local Agency Formation Commission (LAFCO) as the probable ultimate physical boundary and service area of a city.

Solano County General Plan

- LU.P-12 Locate, design, and site commercial and industrial development, including locations near ferries, rail, and ports, in a manner that minimizes traffic congestion and other negative effects on surrounding residential and agricultural uses.
- LU.P-26 Encourage the location of industrial development in cities that have available labor and necessary facilities and services to support industry.
- LU.P-28 Locate and develop industrial uses in a manner that does not conflict with adjacent and surrounding agricultural activities and protects water quality and marshland and wetland habitats.
- LU.P-37 Encourage land use patterns and development that will result in fewer and shorter motor vehicle trips, and make transportation choices like transit, biking, or walking more viable alternatives.
- AR.G-2 Preserve and protect the County's agricultural lands as irreplaceable resources for present and future generations.**
- AR.G-5 Reduce conflict between agricultural and nonagricultural uses in Agriculture-designated areas.**
- AG.P-4 Require farmland conversion mitigation for either of the following actions:
- a. General Plan amendment that changes the designation of any land from an agricultural to a nonagricultural use or
 - b. An application for a development permit that changes the use of land from production agriculture to a nonagricultural use, regardless of the General Plan designation.
- RS.P-33 Preserve, for future use, areas with important mineral resources by preventing residential, commercial, and industrial development that would be incompatible with mining practices to the extent feasible.
- RS.P-34 Ensure that mineral extraction operations are performed in a manner compatible with land uses on the site and surrounding area and do not adversely affect the environment. At the end of such operations, ensure that the site is restored to conform with Surface Mining and Reclamation Act requirements and to a use compatible with surrounding land uses.
- RS.I-2: Use the Resource Conservation Overlay on the Land Use Diagram to identify areas of the County with high-priority needs for biological resource management. Areas covered by the Resource Conservation Overlay are intended to provide options to establish mitigation banks for biological impacts generated outside the overlay district.
- RS.I-6: Require all discretionary development proposals (with the exception of agricultural uses) within the Resource Conservation Overlay to submit an assessment that evaluates site conditions and potential project-related impacts on the targeted resource(s) of concern. The site assessment shall be prepared by a qualified professional approved by Solano County. The assessment shall be paid for by the applicant. The assessment will be used to (1) determine if the project will create negative impacts on the viability of the targeted resource and (2) determine the appropriate measures to avoid or mitigate such impacts.
- RS.I-16: Designate land uses in mineral areas appropriately to ensure compatibility between mineral extraction and surrounding uses.
- RS.I-17 Evaluate impacts related to extracting mineral resources from new areas as part of the required permitting process to ensure that remediation occurs after minerals are extracted. Comply with regulations found in the Surface Mining and Reclamation Act.

Tri-City and County Cooperative Plan for Agriculture and Open Space Protection

- 3.1.6 SMARA Reclamation Policy. Mineral resource extraction activities within the Cooperative Planning Area shall be conducted in compliance with the Surface Mining and Reclamation Act of 1975 (SMARA) so that mined lands area reclaimed to a condition compatible with other open space uses.
- 3.4.2 Mineral Resources Extraction Policy. Mineral resource extraction activities shall be compatible with open space uses and shall be subject to the approval of a conditional use permit from the agency having jurisdiction of the property and with the approval of the reclamation plan pursuant to SMARA.
- 3.4.4 Mineral Extraction Approach. Mineral extraction within the Cooperative Planning Area shall be accomplished by state-of-the-art quarrying methods that will be compatible with surrounding land uses. The use of earthen berms, trees and other landscaping shall conceal a significant portion of the mining activities from view except for those roads necessary to haul quarry materials from the site.

EVALUATION CRITERIA WITH THRESHOLD OF SIGNIFICANCE

TABLE 4.10-1

Evaluation Criteria with Significance Threshold – Land Use, Population and Housing

Evaluation Criteria	As Measured by	Significance Threshold	Sources of Criteria
LU-1. Will the Project conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project adopted for the purpose of avoiding or mitigating an environment effect or increase potential for conflict as a result of incompatible land uses?	Number of conflicts.	Greater than 0 conflicts.	CEQA Guidelines Appendix G, Checklist Item X (b) Solano County General Plan Solano County Zoning Ordinance Tri-City and County Cooperative Plan

METHODOLOGY

The Solano County General Plan was used to determine existing and planned land uses, and to identify General Plan policies that are used as the basis for evaluation of impacts under evaluation criteria LU-1. Existing land uses were also determined from aerial photographs. Zoning designations and ordinances were used as the basis for the evaluation of consistency with zoning.

Two of the criteria included on the State CEQA Guidelines environmental checklist form (CEQA Guidelines, Appendix G) to be used to determine if a project would have a significant impact on land use, population or housing are not evaluated in this EIR because the Project has no potential to result in an impact in these areas. Those criteria state that a project would have a significant impact if it would: a) physically divide an established community, and/or b) displace substantial numbers of existing housing or people, necessitating the construction of replacement housing elsewhere. The Project is located within unincorporated Solano County, outside the boundaries of any established community. The Project, therefore, has no potential to physically divide an established community. The Project does not include the removal of housing. The Project, therefore, has no potential to displace housing or people, necessitating construction of replacement housing.

IMPACTS AND MITIGATION MEASURES

Impact: **LU-1: Will the Project conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project adopted for the purpose of avoiding or mitigating an environment effect or increase potential for conflict as a result of incompatible land uses?**

Analysis: *Less than Significant*

The Project would not conflict with applicable Solano County land use plans, policies, or regulations, and would not substantially increase the potential for conflict as a result of incompatible land uses for the following reasons.

The Project would be required to meet all applicable requirements of the SMARA, including the Mining and Reclamation Plan that has been prepared by Syar Industries, Inc. pursuant to SMARA (Syar Industries, Inc. 2013). Adherence to the requirements contained in these documents, and implementation of the mitigation measures recommended in this EIR, would reduce potential environmental impacts from the project to a less than significant level, as discussed throughout this EIR (with the exception of a cumulative impact identified in Transportation). Pursuant to Section 2790 of the SMARA, the State Mining and Geology Board has developed land-use categories that are to serve as a guide to local government in establishing land uses on or adjacent to lands classified as MRZ-2 that have been designated as being of regional significance. Under this categorization, land uses compatible with mining include recreation (public/commercial), agricultural, grazing, and open space (California Department of Conservation 1987). The lands surrounding the Project site are designated agricultural, open space, and recreation. Therefore the Project would be considered a compatible use under SMARA.

The Solano County General Plan land use designation for the Project site is Agriculture with a Resource Conservation Overlay. Aggregate mining and processing are allowed under the Agriculture land use designation with a conditional use permit and an approved reclamation plan. A Resource Conservation Overlay identifies and protects areas of the County with special resource management needs. This designation recognizes the presence of certain important natural resources in the County while maintaining the validity of underlying land use designations. A Resource Conservation Overlay designation does not preclude use of the land for aggregate mining and processing. The Project, therefore, would be consistent with the Solano County land use designation with granting of a use permit by the County.

The Solano County zoning designation for Lake Herman Quarry is A-20 (Extensive Agriculture.) Extensive Agriculture designates property with lower quality soils, used for dry land farming and range land. Surface mining is allowed under the "A" zoning designation with a conditional use permit (Solano County Zoning Regulations Section 28-21). The Project, therefore, would be consistent with the Solano County zoning designation with granting of a conditional use permit by the County.

The Solano County General Plan contains goals, policies and implementing programs that are directly relevant to land use issues found in the Land Use, Agriculture, and Resources Chapters (or Elements) of the General Plan.

Land Use policies LU.P-12 and LU.P-28 are to locate, design, and site industrial development in a manner that minimizes traffic congestion and other negative effects on surrounding residential and agricultural uses; and in a manner that does not conflict with adjacent and surrounding agricultural activities, and protects water quality and marshland and wetland habitats. The Project is situated away from residential developments and outside traffic congestion areas, as described in Section 4.14 Transportation. There are no surrounding residential developments, and the project does not preclude the continuing use of surrounding lands for dry land farming and grazing. As described in Sections 4.9 Hydrology and Water Quality and Section 4.4 Biological Resources, impacts

to water quality and wetland habitats are mitigated to less than significant. Therefore, the project would not conflict with these Land Use policies.

Land Use policies LU.P-26 and LU.P-37 encourage the location of industrial development in cities that have available labor and necessary facilities and services to support industry; and encourage land use patterns and development that will result in fewer and shorter motor vehicle trips. The Project is consistent with these policies because it would further develop an already established quarry with an existing infrastructure, with services to support mining activities, and an existing labor force. If needed, additional labor would be available from the surrounding cities of Vallejo and Benicia. The quarry's geographic location is in close proximity to an extensive transportation network including highway, rail, inland waterways, and coastal access. The Sulphur Springs Mountain deposit is one of the few remaining locations in the North San Francisco Bay Production/Consumption Region with a large concentration of construction grade aggregate. Since there are no other local sources for this material, any other sources would result in environmental, economic, and infrastructure costs associated with long-distance shipping of such materials that would not occur under the proposed project. Therefore, the project would not conflict with these Land Use policies.

Agriculture goals AR.G-2 and AR.G-5 are to preserve and protect the County's agricultural lands as irreplaceable resources for present and future generations, and to reduce conflict between agricultural and nonagricultural uses in Agriculture-designated areas. Because use of the Project site for mining is an allowable use with a conditional use permit from the County, and because the long-term plan for this land is to reclaim the land for uses consistent with the agricultural land use and zoning designation the Project is not considered to have a conflict with these Agricultural goals.

The Project would not cause a conflict with surrounding agricultural uses. The existing quarry operations and the proposed expansion, have not in the past, and would not in the future, preclude the surrounding areas from being used for dry land farming and grazing.

Agriculture Policy AG.P-4 requires farmland conversion mitigation for either of the following actions: a) a General Plan amendment that changes the designation of any land from an agricultural to a nonagricultural use or, b) an application for a development permit that changes the use of land from production agriculture to a nonagricultural use, regardless of the General Plan designation. The Project does not require a General Plan Amendment. The proposed uses for mining are allowed under the A zoning designation with a conditional use permit. In addition, the expansion area is not in agricultural production, the project would not change the use of land from production agriculture to nonagricultural use.

Resource policies RS.P-33 and RS.P-34 and Implementing Measure RS.I-16 and RS.I-17 are to preserve for future use areas with important mineral resources by preventing residential, commercial, and industrial development that would be incompatible with mining practices to the extent feasible. This should be accomplished by designating land uses in mineral areas appropriately to ensure compatibility between mineral extraction and surrounding uses and ensure that mineral extraction operations are performed in a manner compatible with land uses on the site and surrounding area, do not adversely affect the environment. In addition, at the end of mining operations, the site is required to be restored to conform with SMARA and to allow a use compatible with surrounding land uses. Consistent with these policies, lands surrounding the Lake Herman Quarry are not designated for residential, commercial, or industrial development but are open space and agricultural uses. Mineral extraction operations are, and would continue to be, performed in a manner compatible with these land uses and would adhere to design measures identified in the *Mining and Reclamation Plan* and implementation of mitigation measures recommended in this EIR. In addition, as described in the *Mining and Reclamation Plan* (Syar Industries, Inc. 2013), at the end of mining operations the site would be restored for agricultural use as compatible with the land use designation and zoning for the site and

surrounding area. The Project therefore would be consistent with these policies and implementing measures.

Resource Implementing Programs RS.I-2 and RS.I-6 state that areas covered by the Resource Conservation Overlay are intended to provide options to establish mitigation banks for biological impacts generated outside the overlay district. Under RS.I-6 the County should require all discretionary development proposals (with the exception of agricultural uses) within the Resource Conservation Overlay to submit an assessment that evaluates site conditions and potential project-related impacts on the targeted resource(s) of concern. Although not a traditional "development proposal" a majority of the Project site, including the existing quarry operations, is located within the Resource Conservation Overlay. The Project would expand quarry operations further into the Resource Conservation Overlay to the east, but would not preclude or interfere with the establishment of mitigation banks in appropriate areas within the Resource Conservation Overlay. As described in further detail in section 4.4 Biological Resources a biological resource assessment has been prepared for the Project site. In compliance with RS.I-6 the assessment has identified impacts from the Project and mitigation measures to mitigate those impacts. The Project is therefore in compliance with these implementing programs.

The Project does not fall within the Tri-City and County Cooperative Plan. However, the Project site borders the Tri-City and County Cooperative planning boundary and therefore consideration is given to those portions of the Plan that are applicable to the Project. Pursuant to policy 3.1.6 the *Mining and Reclamation Plan* includes reclamation of the site to an open space/agricultural use at the end of the 35-year term of the use permit. Pursuant to policy 3.4.2 the Project would be approved with a Conditional Use Permit and would comply with Chapter 29 Surface Mining and Reclamation of the Solano County Code. With regard to policy 3.4.4, the Tri-City and County Plan recognizes mineral resource extraction as an open space use. Much of the surrounding land use is open space and agricultural. The Project site currently uses landscaping, trees and berms to conceal portions of the Project site. This includes the area along Lake Herman Road and between the golf course and the Project site. The Project is therefore in compliance with the Tri-City and County Cooperative Plan policies.

Mitigation: No mitigation is necessary

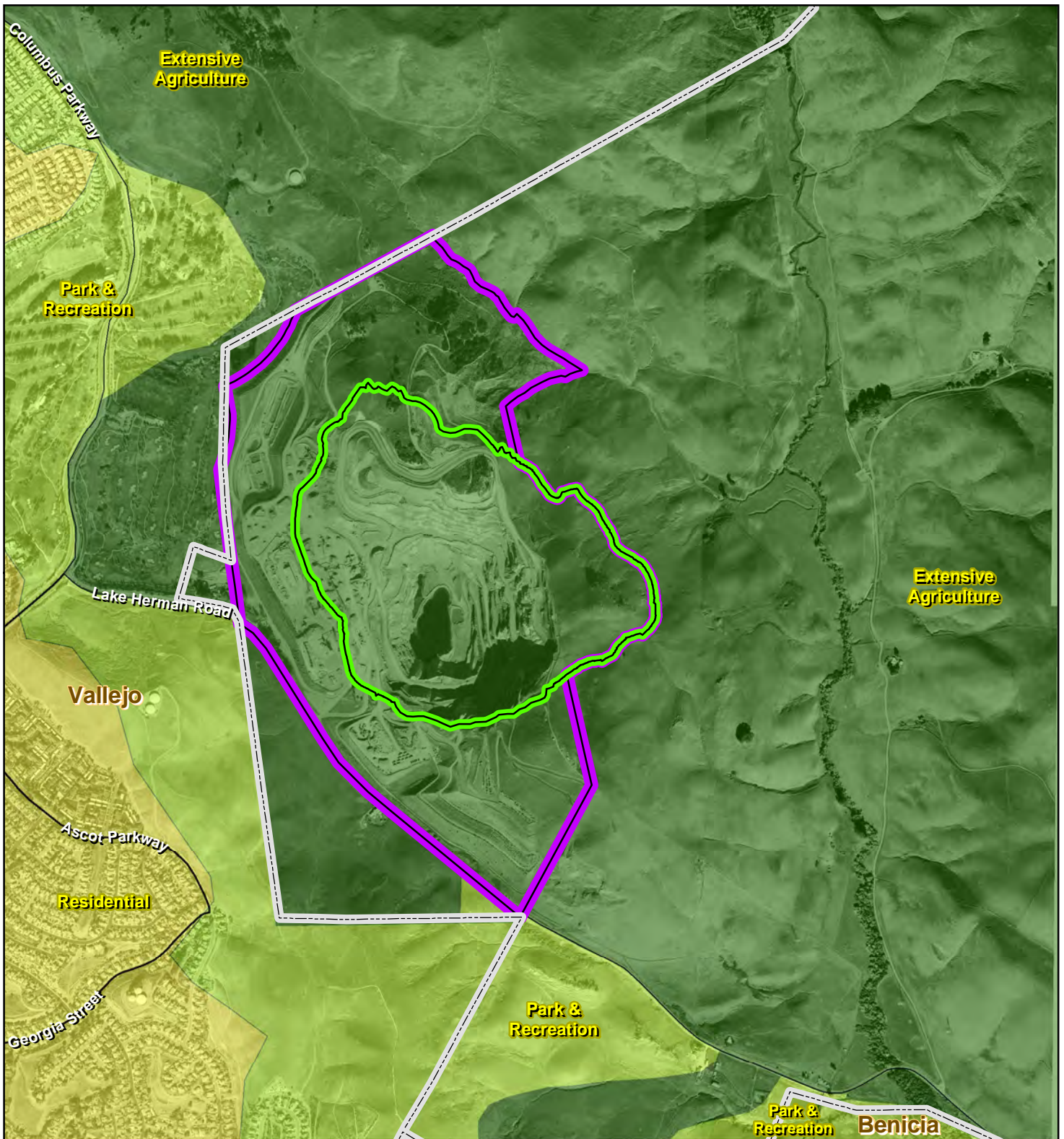
CUMULATIVE IMPACTS

Impact: LU-C1: Will the Project's incremental effect on land use and planning policies be cumulatively considerable?

Analysis: *No Impact*

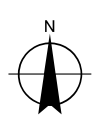
Analysis: As discussed in the analysis under Impact LU-1 the Project would not conflict with applicable land use plans, policies, and regulations, and would not substantially increase the potential for conflict as a result of incompatible land uses. Therefore the Project would not contribute to a cumulative impact on land use and planning policies.

Mitigation: No mitigation is necessary



	Jurisdictional Boundaries	Land Use	Residential	Agriculture	Open Space
	Proposed Quarry Pit		Low (2 to 7 units per acre)		
	Project Area				Extensive Agriculture
					
					Park & Recreation

Paper Size 8.5" x 11" (ANSI A)
 0 300 600 900 1,200 1,500
 Feet
 Map Projection: Lambert Conformal Conic
 Horizontal Datum: North American 1983
 Grid: NAD 1983 StatePlane California II FIPS 0402 Feet



Solano County
 Lake Herman Quarry EIR

Job Number | 1174109001
 Revision | A
 Date | 21 Jun 2013

Land Use Map Figure 4.10-1

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 USDA: Aerial NAIIP 2009 1 foot resolution; Solano County GIS, roads, General Plan Land Use Created by: gldavidson

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