

# Marin supervisors extend San Rafael quarry authorization



A works in the pit of the San Rafael Rock Quarry in 2006. (Robert Tong/Marin Independent Journal)

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The San Rafael Rock Quarry will be allowed to continue its mining operations through 2044.

The Marin County Board of Supervisors approved the plan Tuesday. The action extends the reclamation plan for another 20 years.

The Dutra Group, the operator of the quarry, has a vested right to continue its operations without regard to the depth of the mine pit or the duration of the mining. State law, however, requires all surface mines in California to operate in compliance with an

approved reclamation plan. The quarry's plan was scheduled to terminate on Dec. 31, 2024.

Dan Sicular, an environmental consultant advising the county, said it had no legal basis to deny the request for extending the reclamation plan, unless it could show that the extension would result in new or substantially more severe environmental impacts.

The Dutra Group says it needs to continue mining operations there to extract the 17.5 million tons of rock that are part of the quarry's vested mining rights. The operator says production has slowed over the past decade due in large part to the Great Recession.

For years, residents living near the quarry complained about noise from dynamiting at the site; clouds of crystalline silica dust, which they asserted could cause lung damage and cancer; and a parade of heavy trucks coming in and out of the mine.

In 2010, after reviewing an environmental impact report, the Board of Supervisors approved a new permit and reclamation plan for the quarry. The permit included 172 conditions such as limitations on hours of operation and truck trips.

The Point San Pedro Coalition, which back in 2004 sued the the Dutra Group, said Tuesday that it would not oppose the extended operation of the mine, having secured several concessions from the mine operator.

"Our leadership was very pleased that we were able to sit down with the Dutra team to reach an agreement on some key issues," said Bonnie Marmor, the organization's co-president.

The issues included the condition of about 50 acres of marshland separating the industrial operations of the quarry from Point San Pedro Road and homes along it; air quality monitoring in the area; and road repair required because of truck traffic.

Regarding the marshland, Marmor said, "The quarry has agreed to engage an expert to provide advice with regard to updating the restoration plan consistent with current technology and practices."

In addition, Marmor said, "The quarry is amenable to developing a plan that will determine when compliant air monitoring testing would be conducted by the county."

Marmor said the two parties have not reached agreement on whether the quarry is responsible to maintain Point San Pedro Road through 2044, but she added, "We have agreed to continue discussing the issue of roadway maintenance."

Bill Dutra, CEO of the Dutra Group, said, "We have had a great collaboration over the last decade, and we are getting even stronger in our communication."

Not everyone was supportive of the county's decision to approve the amended reclamation schedule.

Roy Falk of San Rafael said he strongly disagreed with the county's conclusion that an extension of the reclamation period would result in no additional environmental impacts.

Falk said the Sierra Club, Marin Audubon, Point Blue Conservation Science, the Marin Conservation League and the San Pedro Road Coalition all submitted comments noting inadequacies in the environmental impact report done in 2009.

"The Department of Public Works has dismissively disregarded the direct observations and empirical evidence presented by these prestigious conservation agencies," Falk said. "The San Rafael Rock Quarry today is a very visible, foul-smelling, unsightly dead zone in our community. It could be a healthy, attractive environment for waterfowl and other wildlife."

Bill Carney, president of Sustainable San Rafael, said the extension of the reclamation plan would result in an additional 948 tons of carbon dioxide being released into the atmosphere.

Sicular said that in order to improve the condition of the marsh it would be necessary to restore tidal flow in the area. He said this was considered as a requirement when the environmental study was done in 2009, but ultimately rejected.

"It was pointed out by the quarry that restoration of tidal flow would result in flooding of Point San Pedro Road and portions of the quarry, including their access roads," Sicular said.

Regarding greenhouse gas emissions, Sicular said when the original reclamation plan was created, the intent was to require that all new greenhouse gas emissions generated by reclamation be mitigated to a net zero emission result.

"Somehow, I'm not sure how, the basis for the emission reduction was changed," he said. "No one can really explain."

Sicular said instead the original reclamation plan allowed for the generation of 2,700 tons of carbon dioxide. He said the amended plan has reduced the permitted generation of greenhouse gases further to some 900 tons of carbon dioxide.

Jeffrey Rhoads, executive director of Resilient Shore, spoke in favor of the amended reclamation plan.

"We see the Dutra company's San Rafael Rock Quarry as a really critical resource in sea level rise adaptation and flood risk mitigation," Rhoads said, "not just here in San Rafael but throughout the bay region."

During the early 2000s, rock from the quarry was used to make critical repairs in the Sacramento-San Joaquin Delta levee system, which keeps ocean salt water from mixing with freshwater used by millions of California residents for drinking.