

Harness, Teresa

From: trackingupdates@fedex.com
Sent: Tuesday, December 13, 2011 11:30 AM
To: Harness, Teresa
Subject: FedEx Shipment Notification

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Company Name: COUNTY OF RIVERSIDE
Name: Teresa Harness
E-mail: tharness@rctlma.org

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Status: Shipment information
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Agenda Item No.: 3.1
Area Plan: Southwest
Zoning Area: Rancho California
Supervisory District: First
Project Planner: Dave Jones/Matt Straite
Planning Commission: April 26 and May 3, 2011

CHANGE OF ZONE NO. 7508
NOISE ORDINANCE EXCEPTION NO. 2
SURFACE MINING PERMIT NO. 213
ENVIRONMENTAL IMPACT REPORT NO. 475
Applicant: Granite Construction Co.
Engineer/Representative: Lilburn Corporation

COUNTY OF RIVERSIDE PLANNING DEPARTMENT STAFF REPORT

PROJECT DESCRIPTION AND LOCATION:

The project is proposing a Surface Mining Permit to construct and operate a mine on a 414 acre site located in southwest Riverside County. The 414 acre site would include 155 acres to be used for the quarry and associated support operations, 10 acres would be used for the access road and lower utility pad and the remaining 250 acres would serve as a buffer area intended for permanent conservation.

Applications include Surface Mining Permit No. 213, Change of Zone No. 7508, and Noise Ordinance Exception No. 2 ("project"). Surface Mining Permit No. 213 proposes an aggregate quarry; Change of Zone No. 7508 requests a zone change from Rural Residential (R-R) to Mineral Resources and Related Manufacturing (M-R-A) on 14 parcels consisting of 110 acres near the center of the site where the processing plant shall be located; and Noise Ordinance Exception No.2 requests an exception from County Ordinance No. 847. Environmental Impact Report No. 475 ("EIR") studied the project and its impacts.

The project site is located in the southern end of the Santa Ana Mountains in the Southwest Area Plan of unincorporated Riverside County, south of the City of Temecula, to the west of Interstate 15, just north of the San Diego County line. Note that approximately two and a half acres and the site entrance is located in San Diego County, north of the community of Rainbow.

SIGNIFICANT ISSUES OF POTENTIAL CONCERN:

The following is a list of items that Staff wanted to highlight. This list is not intended to explain all facets of the project, rather they are issues staff wanted to bring to the Commission's attention.

Project Acreage

The project, as proposed by the applicant, is described above as 414 acres with 155 acres intended for plant operations and quarry activities. This is consistent with the hearing notice, the EIR project description, and other related project documents. The EIR describes an alternative to the project entitled the "reduced footprint alternative" which proposes a 20 acre reduction of the quarry footprint (11 acres from the south of the proposed disturbance area and 9 acres from the northern section of the proposed disturbance area, reducing the footprint from 155 acres to 135 acres). This would reduce the permitted reserves by approximately 33 million tons (MT) (approximately 12 percent). This reduction will not impact the site access, area proposed for the access road, or the size of the plant operations (30 acres) within the quarry footprint. In addition, the EIR has recommended a number of mitigation measures (see AL-2b, BIO-1b(1) and BIO-1c(4)), that reduce the quarry footprint to address various impacts. Staff supports these reductions in the size of the quarry footprint. The EIR deemed this alternative the environmentally superior alternative in the EIR. All Staff project recommendations are based on the modified, reduced footprint project description.

Certification of the EIR

The three entitlements before the Commission are from three separate County Ordinances - Surface Mining Permit No. 213 (SMP) is from Ordinance No. 555, which implements the State Surface Mining and Reclamation Act (SMARA), Change of Zone No. 7508 is from Ordinance No. 348, the County Land Use Ordinance, and the Noise Ordinance Exception No. 2 is from Ordinance No. 847, the County Noise Ordinance. The Planning Commission's decision on the Change of Zone is a written recommendation transmitted to the Board of Supervisors for final action. The Planning Commission's decision on the SMP and the Noise Ordinance Exception, however, is considered final unless appealed in accordance with the applicable ordinance. As a result, the EIR will need to be certified prior to approving the SMP and the Noise Ordinance Exception.

EIR Issues- Significant and Unavoidable Impacts

The EIR studied the project's potential environmental impacts. The report is divided by areas of environmental study such as geological impacts, cultural impacts, air quality impacts, etc. The report concluded that there are six (6) categories (12 specific impacts) that remained significant, even after mitigation was analyzed. These six (6) significant and unavoidable impacts are direct impacts to both Air Quality and Traffic as well as Cumulative impacts to Air, Biological Resources, Traffic, and Utilities (water). In the event that the project is approved, these six (6) significant and unavoidable impacts will require the Planning Commission to make statements of overriding considerations balancing the benefits of the project against its unavoidable impacts. Each of these six (6) significant and unavoidable impacts are explained below:

- *Direct Air-*
 - *Impact AQ-2 analyzed if, "construction-related air emissions from the Proposed Project could result in construction-related emissions that exceed any of the South Coast Air Quality Management District (SCAQMD) thresholds of significance in [DEIR] Table 3.2-8 (SCAQMD Thresholds for Construction Emissions)." The DEIR/FEIR identified that the impacts would be significant but temporary. According to DEIR/FEIR Table 3.2-15, particulate matter less than 10 microns in size (PM10) and Sulfur Dioxide (SO2) emissions would be below the South Coast Air Quality Management District (SCAQMD) thresholds. However, emissions of Nitrogen Oxides (NOx), Organic Gases (ROG), Carbon Monoxide (CO), and particulate matter less than 2.5 microns in size (PM2.5) would exceed SCAQMD daily emission thresholds for construction and would be considered a potentially significant impact. These impacts are related to construction only and would, therefore, be temporary in nature.*
 - *Impact AQ-3 analyzed if, "operational emissions from the Proposed Project could exceed any of the SCAQMD thresholds of significance in [DEIR] Table 3.2-10 (SCAQMD Thresholds for Operational Emissions)." According to DEIR/FEIR Table 3.2-20, after mitigation, the emissions of ROG, PM10, and PM2.5 are expected to be reduced to less than their SCAQMD CEQA operation emission significance thresholds. However, NOx and CO emissions are expected to remain above their SCAQMD CEQA operation significance thresholds and would be considered a potentially significant impact.*

Exceedance of the SCAQMD thresholds is not uncommon in EIR's processed by the County.

- *Impact AQ-5 analyzed if, "construction from the Proposed Project could result in offsite ambient air pollutant concentrations that exceed the SCAQMD thresholds of significance in [DEIR] Table 3.2-9 (SCAQMD Thresholds for Ambient Air Quality Concentrations Associated with Proposed Project Construction)." Construction impacts are short term (approximately 2 years), and there are no residential or worker receptors (i.e., no human exposure) at the point of maximum impact. According to DEIR/FEIR Table 3.2-24, Modeled air quality concentrations for construction activities all remain below the SCAQMD air quality impact thresholds, except the 24-hour and annual PM10 concentrations. Therefore, offsite air pollutant concentrations due to Proposed Project construction would be significant for PM10. These impacts are related to construction only and would, therefore, be temporary in nature.*
- *Impact AQ-6 analyzed if, "Proposed Project operations could result in offsite ambient air pollutant concentrations that exceed a SCAQMD threshold of significance in [DEIR] Table 3.2-11 (SCAQMD Thresholds for Ambient Air Quality Concentrations Associated with Proposed Project Operations)." According to DEIR/FEIR Table 3.2-25, the offsite ambient concentration impacts associated with the Proposed Projects operation would be less than significant for NO2, SO2, CO, and annual PM2.5. However, the DEIR/FEIR concludes that the maximum offsite ambient pollutant concentrations of 24-hour PM10, annual PM10, and 24-hour PM2.5 associated with operations would be significant as compared to the SCAQMD incremental thresholds.*
- *Traffic-*
 - *Impact T-1a analyzed if, "the Proposed Project could cause an increase in traffic that is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in reduction of [level of service] LOS at intersections)." The project has included mitigation to pay for and construct intersection improvements that are outside the County's jurisdiction. Although this is technically (physically) feasible, implementation would require approval of other agencies including Caltrans, Temecula, and San Diego County. Because the intersections are within the jurisdiction of Caltrans, Temecula, and San Diego County, and because no improvement can be made without the approval of these jurisdictions, Riverside County cannot ensure that the improvements would mitigate the impacts of the Proposed Project. Therefore, although Riverside County would undertake all reasonable steps to coordinate with these jurisdictions to install the improvements, the Proposed Project's impacts on these intersections are significant and unavoidable. It is also important to note that the impacts to intersections were determined without using the truck trip reduction concept in an attempt to create the most conservative analysis possible.*
 - *Impact T-1b analyzed if, "the Proposed Project could cause an increase in traffic that is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in increased queue lengths)." This impact is significant and unavoidable for the same reason noted above.*

- *Impact T-1c* analyzed if, “the Proposed Project could cause an increase in traffic that is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in increased traffic volume along roadway segments).” This impact is significant and unavoidable for the same reason noted above.
- *Impact T-3* analyzed if, “the Proposed Project could exceed, either individually or cumulatively, an LOS standard established by the San Diego County Congestion Management Agency for designated roads or highways.” This impact is significant and unavoidable for the same reason noted above.
- *Cumulative Air-*
Impact AQ-8 analyzed if, “the Proposed Project could result in GHG [greenhouse gas] emissions that would hinder or delay the state’s ability to meet the reduction targets contained in [Assembly Bill] AB 32.” The Proposed Project is still anticipated to generate approximately 80,000 (30,000 with truck displacement) tons per year of CO₂e even with mitigation applied. Additionally, Section 5.4.2 of the DEIR/FEIR analyzes cumulative effects and explains that although there are regional benefits to air from the Proposed Project, the analysis takes the most conservative approach and concludes that any new source of pollution that contributes to a cumulative exceedance of daily operational emissions thresholds or contributes to a cumulative net increase GHG emissions is significant. Beyond the project level measures identified in Section 3.2, there are no additional feasible mitigations available. As such, the Proposed Project’s air quality impacts related to criteria pollutants and GHG are cumulatively considerable, significant and unavoidable. Even though the environmental documents conservatively determine the impacts to be significant and unavoidable, given the DEIR/FEIR analysis, it is unlikely that the Proposed Project would hinder or delay the state’s ability to meet the reduction targets of AB 32.
- *Cumulative Biological-*
Cumulative biological impacts were assessed in Section 5.4.3 in the DEIR. The biological function of the SAPM linkage area and the Pechanga Corridor is currently substantially impaired by the eight-lane I-15, existing urban development in north San Diego County (Community of Rainbow, Old US 395, and CHP truck weigh station) and in southwest Riverside County (Border Patrol checkpoint, CHP truck weigh Station, Temecula, and surrounding development). Despite implementation of the MSHCP and recommended mitigation measures, the projects in the cumulative list shown in DEIR/FEIR Table 5-1 would contribute to cumulative effects to wildlife movement in the vicinity of the Proposed Project. As no additional, feasible mitigation measures are available, the project’s cumulative effects on wildlife movement remain significant and unavoidable.
- *Cumulative Traffic-*
Cumulative Traffic impacts were assessed in Section 5.4.3 in the DEIR. Potential project-related local, regional, and cumulative traffic impacts were determined to be less than significant with implementation of mitigation measures. The Applicant would pay its fair share of cumulative traffic and transportation improvements including participation in the Riverside County Development Impact Fees and Transportation Uniform Mitigation Fee, as well as the San Diego County Traffic Impact Fees for local road improvements. Although improvements to roadways would mitigate impacts to a less than significant level, for the same reasons noted in the transportation section above, the authority to fund and implement those improvements would be

outside the jurisdictional authority of Riverside County in its role as the CEQA Lead Agency. Because this analysis cannot assume or rely upon the funding and construction by other entities, the impacts remain significant and unavoidable. It is also important to note that the impacts to intersections were determined without using the truck trip reduction concept in an attempt to create the most conservative analysis possible.

- *Cumulative utilities (water)-*
Impact USS-2 analyzed if, "the Proposed Project could have insufficient water supplies from existing entitlements and resources, or new or expanded entitlements might be needed." Based on the Proposed Project make-up water usage estimates of 398 ac-ft/yr (see Figure 3.12-1 of the DEIR/FEIR), Western Municipal Water District (WMWD) has indicated it has sufficient capacity, based on its 2005 Urban Water Management Plan (UWMP Estimates for industrial growth, to serve the Proposed Project under average, single-year dry, and multiple-year dry conditions and issued a Can and Will Serve Letter to the Applicant in February 2009 (see Appendix O-1) Since the preparation of the DEIR, WMWD has prepared and approved a Water Supply Assessment (WSA) which indicates a sufficient supply of water to serve the Proposed Project for a 20-year period. This WSA supersedes the need for a Will Serve Letter and is included in the FEIR Appendix S. Note that the WMWD's proposed condition incorporated by the County requires the Applicant to use non-potable water for the Proposed Project's industrial processes and for fire protection (please refer to Comment Letter L13 from WMWD). Impacts to water supply are determined to be less than significant.

Cumulative water supply impacts were assessed in Section 5.4.12 in the DEIR. Despite implementation of recommended mitigation measures to reduce demand to 369 ac-ft/yr, the County has conservatively determined that given the uncertainties in the ability of the state to provide future water supply, as discussed in Sections 3.12 and 5.4.12, the Proposed Project's water supply impacts are considered cumulatively significant.

SMER Proximity

The Project is located immediately east of, and adjacent to, the Santa Margarita Ecological Reserve (SMER) which is a research field station of San Diego State University (SDSU) and the San Diego State University Foundation. The concern expressed in several comments is regarding the Project's potential noise, vibration, dust and light and how that may impact wildlife, habitat and scientific research projects at the SMER. The DEIR/FEIR analyzed these impacts as they specifically relate to the preserve and found them to be less than significant with mitigation.

Multi Jurisdictional

The Project includes 2.5 acres of property located in San Diego County. This property is the location of the Project's point of entry and lower portion of the Project's access road. In addition, the Rainbow Valley Boulevard / I-15 off-ramps/on-ramps, the ramps that accesses this Project, are located mostly in San Diego County. The EIR analyzed the Project's impacts within San Diego County using San Diego County's standards. The Project's impacts within San Diego County were found to be all less than

significant or less than significant with mitigation with the exception of Cumulative Traffic. Some permits will be needed from San Diego County in order to construct the needed improvements.

Aggregate Demand

The Project is mining aggregate. Aggregate is used in a variety of construction applications, including Portland cement concrete, asphaltic concrete, plaster and stucco, road base, railroad ballast, levees, and fill. Aggregate is required in all construction projects to build, maintain, and repair structures, foundations and infrastructure. California Geologic Survey Map Sheet 52 is a statewide map that compares projected aggregate demand for the next 50 years with currently permitted aggregate resources in 31 regions of the state (CGS, 2006). According to the 26-page report that accompanies Map Sheet 52, the Temescal Valley – Orange County Region (which is the region in which the Proposed Project site is located) "...has only 32 percent of the permitted reserves needed for the next 50 years." Southwest Riverside County and northern San Diego County are among the fastest growing areas in Southern California. The estimated annual demand for aggregates based on projected population in the area is approximately 12.5 million tons by 2050. Quarries in the market area have limited production capacity and are not able to meet the growing demand in this area. Permitted aggregate reserves within Southern California could be exhausted in less than 20 years if no new sites are permitted. If the Proposed Project is permitted at 5 million tons per year, the target market area would still experience on average 7.3 million tons per year of unmet demand through 2050.

While the market demands for aggregate have recently subsided, construction trends are cyclical in nature. Historic patterns indicate that this recent downturn in aggregate need will not result in permanent decreased demand for aggregate. Given the proposed 75 year life of the project, current market trends do not impact the Map Sheet 52 forecast in a way that would substantially impact the long term need for aggregate in this area of California.

Truck Trip Reduction

The Proposed Project is anticipated to serve southwest Riverside County and northern San Diego County. These areas are currently served by quarries located to the north in the Corona and Lake Elsinore area, San Bernardino County and the Coachella Valley. It is anticipated that the proposed quarry would reduce the number of truck miles to serve Southern Riverside and Northern San Diego counties by providing an aggregate facility closer to the areas that demand this product. The closer the product is to the job site, the lower the cost of the material due to reduced transportation costs and the lower the impacts to air quality and fuel consumption due to reduced transportation distances.

Although the Proposed Project is anticipated to reduce the number of truck miles (see Appendix K of the DEIR/FEIR) and, hence, reduce local aggregate costs, fuel consumption and transportation emission, no reduction of vehicle miles or truck trips was utilized in the assessment of impacts associated with the Proposed Project. The the EIR analysis assumed a worst case scenario in order to fully comprehend the possible impacts, and thus, added all truck trips to the existing, future, and cumulative conditions. However, the EIR provides additional studies (not used in the individual determinations) that indicate the project will bring regional air quality benefits, and have regional reductions in overall traffic and cost of aggregate.

Special Linkage Area (SLA)

The Proposed Project is located within an area of the County designated by the Multiple Species Habitat Conservation Plan (MSHCP) as a "Special Linkage Area" or SLA. The SLA includes an approximately four (4) square mile area and is bisected by Interstate 15 and Old US 395. Uses within the SLA currently include, commercial, residential and light industrial uses particularly along the Old US 395 corridor. As the DEIR/FEIR notes, designation of the SLA within the Western Riverside County MSHCP was added by the County in response to comments received on the draft MSHCP related to the separately prepared Santa Ana-Palomar Mountain (SAPM) Linkage plan, which was released during the final preparation of the MSHCP. Therefore, the SLA does not stand alone and, instead, is intended to contribute to the much larger SAPM Linkage Area.

This Special Linkage Area will contribute to assembly of a portion of the Santa Ana-Palomar Mountains Linkage for the benefit of Covered Species. (MSHCP Section 3.3.15)

The SLA is not in a core area or a criteria area as those terms are defined in the MSHCP and, unlike existing core areas and linkages, the MSHCP does not provide specific management goals for the SLA or restrict development in any manner. Instead, for land use planning purposes, projects within the SLA are only required to study the relationship between the SLA and the Project in a CEQA level document. Additionally the analysis must be subject to the following rebuttable presumption of significance for the purposes of environmental review:

Would the project interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites? (MSHCP Section 3.3.15)

Therefore, although proposed projects in the SLA are required to undergo environmental review pursuant to the California Environmental Quality Act (CEQA), the SLA does not preclude development from occurring provided that the appropriate environmental studies are completed and mitigation measures are applied.

Public Opposition

Of the approximately 2,200 comments from a total of 232 commenters submitted on the Draft EIR, only eleven (11) represented support or a neutral stance on the Proposed Project. The largest number of comments received was relative to air quality impacts and the potential effect Project related airborne constituents may have on the health of the residents surrounding the Proposed Project. Notwithstanding the determination of significant and unavoidable impacts based on incremental increases in PM10 and PM2.5 being greater than the SCAQMD's Operation Ambient Air Quality Significance Thresholds, the Proposed Project would not cause an exceedance of the ambient air quality standards. Also, health risk analysis determined a less than significant increase in the cancer risk.

OVERVIEW:

The County has reviewed the project and determined that it is consistent with all zoning standards, General Plan requirements and policies and is consistent with all other applicable ordinances. Additionally, the Environmental Impact Report has been completed in accordance, consistent with all California Environmental Quality Act (CEQA) requirements.

The project would bring many benefits to the County, the region, and the community surrounding the site. As explained previously, the State of California, through Map Sheet 52, has indicated that this region has a need for aggregate that the project will only partially satisfy. The mining operation will utilize a significant economic mineral resource (MRZ-2a classification). Approximately one hundred (100) high quality jobs can be directly attributed to the mining operation. As explained in the EIR, the project is located close to existing major transportation infrastructure, which minimizes impacts through design; the project will not be visible to significant population areas; and the location will reduce truck trips which will have regional traffic, air quality and aggregate cost benefits.

The Planning Department has determined that the possible impacts that may result from the project are outweighed by the benefits the project will bring to the County; as such, Staff is recommending approval of the project.

SUMMARY OF FINDINGS:

1. Existing General Plan Land Use (Ex. #5): Rural: Rural Mountainous (R:RM)
2. Surrounding General Plan Land Use (Ex. #5): City of Temecula to the north and west, Community Development: Light Industrial (CD:LI) to the east, and the County of San Diego to the south.
3. Proposed Zoning (Ex. #3): Rural Residential (R-R) proposed to remain for 304 acres of the site and Mineral Resources and Related Manufacturing (M-R-A) proposed for 110 acres of the site.
4. Surrounding Zoning (Ex. #2): City of Temecula to the north and west, Rural Residential (RR) to the east, and the County of San Diego to the south.
5. Existing Land Use (Ex. #1): Vacant
6. Surrounding Land Use (Ex. #1): Freeway and scattered businesses to the east, the County of San Diego featuring truck scales and limited single family residential to the south, and the City of Temecula to the west and north featuring the Santa Margarita Ecological Reserve (SMER).
7. Project Data: Total Acreage: 414
Total Acreage of active mining: 135 (with reduced footprint)

8. Environmental Concerns: See Environmental Impact Report No. 475

FINDINGS: The following findings are in addition to those incorporated in the summary of findings, and in the EIR which is incorporated herein by reference.

1. The project site is designated Rural: Rural Mountainous (R:RM) on the Southwest Area Plan.
2. The proposed use, surface mining and related activities, are permitted uses in the Rural: Rural Mountainous (R:RM) designation which specifically explains "limited recreational uses, compatible resource development (which may include the extraction of mineral resources with approval of a surface mining permit) and associated uses, and governmental uses are also allowed within this designation."¹
3. The proposed project is in conformance with Land Use Policies of the General Plan specifically regarding the Rural Mountainous designation, including:
 - a. LU 17.1 which requires blending of natural contours, which the project achieves by placing the project behind ridges and staging all cuts needed for the access road.
 - b. LU 17.2 which requires adequate infrastructure, such as roads and water to be provided to the site. Sewer use on the site is limited, based on the use, water supply will mostly be using untreated raw water which is locally available, and the project is located on a transportation corridor (I-15) that is capable of providing all needed circulation.
 - c. LU 17.3 which requires that development not adversely impact character of surrounding areas. The project has been conditioned to address direct impacts to surrounding communities.
4. The project site is surrounded by properties which are designated Open Space (OS) by the City of Temecula to the north and west, Community Development: Light Industrial (CD:LI) to the east, and the Multiple Rural Use by the County of San Diego to the south.
5. The County of San Diego General Plan Land Use Designation on 2.5 acres of the project site and surrounding property to the south of the project site is Multiple Rural Use (MRU) which, according to the San Diego County General Plan, is not intended for any development to occur, except single family development (lot size based on slope).
6. The City of Temecula on November 10, 2010 annexed the surrounding property to the north and west of the site, also part of the Santa Margarita Ecological Reserve (SMER). The City has designated the land directly contiguous to the site as Open Space (OS) in their General Plan.

¹ Riverside County General Plan, Land Use Section

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7. The zoning for the subject site is Rural Residential (R-R). The project is proposing to change the zoning for 110 acres of the subject property from Rural Residential (R-R) to Mineral Resources and Related Manufacturing (M-R-A).
8. The proposed use, surface mining and related activities, is a permitted use, per section 5.1a(15) of Article V, the Rural Residential (R-R) zone, of Ordinance No. 348.
9. The proposed use, surface mining and related activities, is consistent with the development standards set forth in the Rural Residential (R-R) zone.
10. The project site is surrounded by properties which are zoned Open Space-Conservation-Santa Margarita (OS-C-SM) by the City of Temecula to the north and west, Rural Residential (R-R) to the east, and A-70 by the County of San Diego to the south.
11. A 2.5-acre portion of the project site located in San Diego County is zoned as A-70. Surface mining operations, and related facilities and activities are permitted in this zoning district, subject to a San Diego County approved Major Grading Permit. A private access road to the project site would be constructed on the 2.5-acre portion. The access road would be, in part, on a dedicated and recorded 60-foot wide easement within the 2.5-acre parcel. A Major Grading Permit will need to be obtained from San Diego County for construction of the access road, pursuant to the San Diego County Grading Ordinance.
12. The City of Temecula has recently annexed the property directly contiguous to the site on the north and west. As part of that annexation they have designated the property boarding the site as Open Space- Conservation- Santa Margarita (OS-C-SM).
13. The proposed project is consistent with the provisions of Sections 4, 5 and 6 of Ordinance No. 555 which implements the Surface Mining and Reclamation Act (SMARA) of 1975.
14. The project is not consistent with the provisions of Ordinance No. 847, Section 4 (and Table 1), which lists specific noise level requirements by Land Use designation.
15. Section 7 of Ordinance No. 847 allows exceptions from the standards set forth in Section 4 and Section 6 of Ordinance No. 847.
16. A continuous events exception, per section 7.a.3 of the Ordinance, has been requested as part of the project. As described in the Environmental Noise Analysis (Appendix I of the DEIR/FEIR) and shown in Table 3.10-18 of the DEIR/FEIR, the existing maximum noise levels at all monitoring locations exceed the applicable Riverside County Noise Ordinance maximum noise level standards of 45 Lmax dBA at night.
17. The ambient noise levels in the region are dominated largely by traffic-related noise from I-5. Because the current noise levels exceed the Lmax levels specified in the Riverside County Noise Ordinance, it is impossible for the project to comply with this standard. To the extent that project-related noise sources might exceed the noise ordinance standards, those sources are located such that they would be essentially indistinguishable from the ambient noise from I-15. Therefore, the project would not be detrimental to the health, safety, or general welfare of the community.

18. This project is not located within a Criteria Area of the Multi-Species Habitat Conservation Plan.
19. The project site is within an area of the Multi-Species Habitat Conservation Plan designated as the Special Linkage Area (SLA). Designation of this SLA within the Western Riverside County MSHCP was added by Riverside County in response to comments received on the draft MSHCP related to the separately prepared Santa Ana-Palomar Mountains (SAPM) Linkage Plan, which was released during the final preparation of the MSHCP. The SLA is an approximate 4-square-mile area adjacent to and east of Criterion Cell No. EC-G and south of Cell PCL-14. The SLA is bisected by I-15; Old US 395; and commercial, residential, and light industrial development along Old US 395 east of the Site. With the exception of a 2.5-acre portion of the Site access roadway located in San Diego County, the Proposed Project is contained entirely within this SLA.
20. The Western Riverside County MSHCP does not provide specific management goals for the SLA. Rather, for land use planning purposes, projects within the SLA are subject to the following rebuttable presumption of significance, "Would the project interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?"² The EIR level analysis studied this question and found that the projects impacts were cumulatively significant and unavoidable.
21. Environmental Impact Report No. 475 studied the site. Mitigation Measures were made conditions of approval. The analysis found that the following six (6) categories would be significant and unavoidable and require statements of overriding considerations:
 - (1) Air
 - (2) Traffic
 - (3) Cumulative Air
 - (4) Cumulative Biological
 - (5) Cumulative Traffic
 - (6) Cumulative utilities (water)

CONCLUSIONS:

1. The proposed project is in conformance with the Rural: Rural Mountainous Land Use Designation, and with all other elements of the Riverside County General Plan.
2. The proposed project is consistent with the Rural Residential (R-R) and Mineral Resources and Related Manufacturing (M-R-A) zoning classifications of Ordinance No. 348, and with all other applicable provisions of Ordinance No. 348.
3. The proposed project is consistent with the exception requirements of Ordinance No. 847, and with other applicable provisions of Ordinance No. 847.

² MSHCP Section 3.3.15

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4. The proposed project is consistent with the surface mining requirements of Ordinance No. 555, and with other applicable provisions of Ordinance No. 555.
5. The public's health, safety, and general welfare are protected through project design.
6. The proposed project is conditionally compatible with the present and future logical development of the area.
7. The proposed project will have a significant effect on the environment as defined by CEQA.
8. The proposed project will not preclude reserve design for the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP).

RECOMMENDATIONS:

TENTATIVE CERTIFICATION of **ENVIRONMENTAL IMPACT REPORT NO. 475** based on the findings incorporated in the Staff Report and subject to resolution adoption by the Planning Commission certifying the Environmental Impact Report; and,

TENTATIVE APPROVAL of **CHANGE OF ZONE NO. 7508**, amending the zoning classification for 110 acres of the subject property from Rural Residential (R-R) to Mineral Resources and Related Manufacturing (M-R-A) in accordance with Exhibit# 3, based upon the findings and conclusions incorporated in the staff report; and,

TENTATIVE APPROVAL of **NOISE ORDINANCE EXCEPTION NO. 2**, as per Section 7 of Ordinance No. 847, requesting exception to Sections 4 and 6 (**GENERAL SOUND LEVEL STANDARDS and SPECIAL SOUND SOURCES STANDARDS**) based upon the findings and conclusions incorporated in the staff report; and,

TENTATIVE APPROVAL of **SURFACE MINING PERMIT NO. 213**, with the reduced footprint as modified by the EIR and the conditions of approval subject to the attached conditions of approval, and based upon the findings and conclusions incorporated in the staff report.

INFORMATIONAL ITEMS:

1. As of this writing, letters in support and opposition have been received and are attached to this Staff Report, including an attached compact disk containing several letter received by the community of Redhawk in Temecula in 2006.
2. The project site is not located within:
 - a. A city sphere of influence;
 - b. A 100-year flood plain, an area drainage plan, or dam inundation area;
 - c. A Parks and Recreation District (or a CSA that provides for park facilities);
 - d. An Area drainage plan;
 - e. A dam inundation area; or,
 - f. An area prone to liquefaction.

**CHANGE OF ZONE NO. 7508
NOISE ORDINANCE EXCEPTION NO. 2
SURFACE MINING PERMIT NO. 213
ENVIRONMENTAL IMPACT REPORT NO. 475
Planning Commission Staff Report: April 26 and May 3, 2011
Page 13 of 13**

3. The project site is located within:
 - a. High Fire Area;
 - b. The boundaries of the Southwest Area Plan;
 - c. The Stephens Kangaroo Rat Fee Area; and,
 - d. Adjacent to the Santa Margarita Ecological Reserve (SMER).

4. The subject site is currently designated as Assessor's Parcel Numbers 918-090-007 through 042, 918-100-001 through 008, 918-110-001, 918-100-012, 918-110-028, 918-120-044, 918-130-043, 918-130-031.

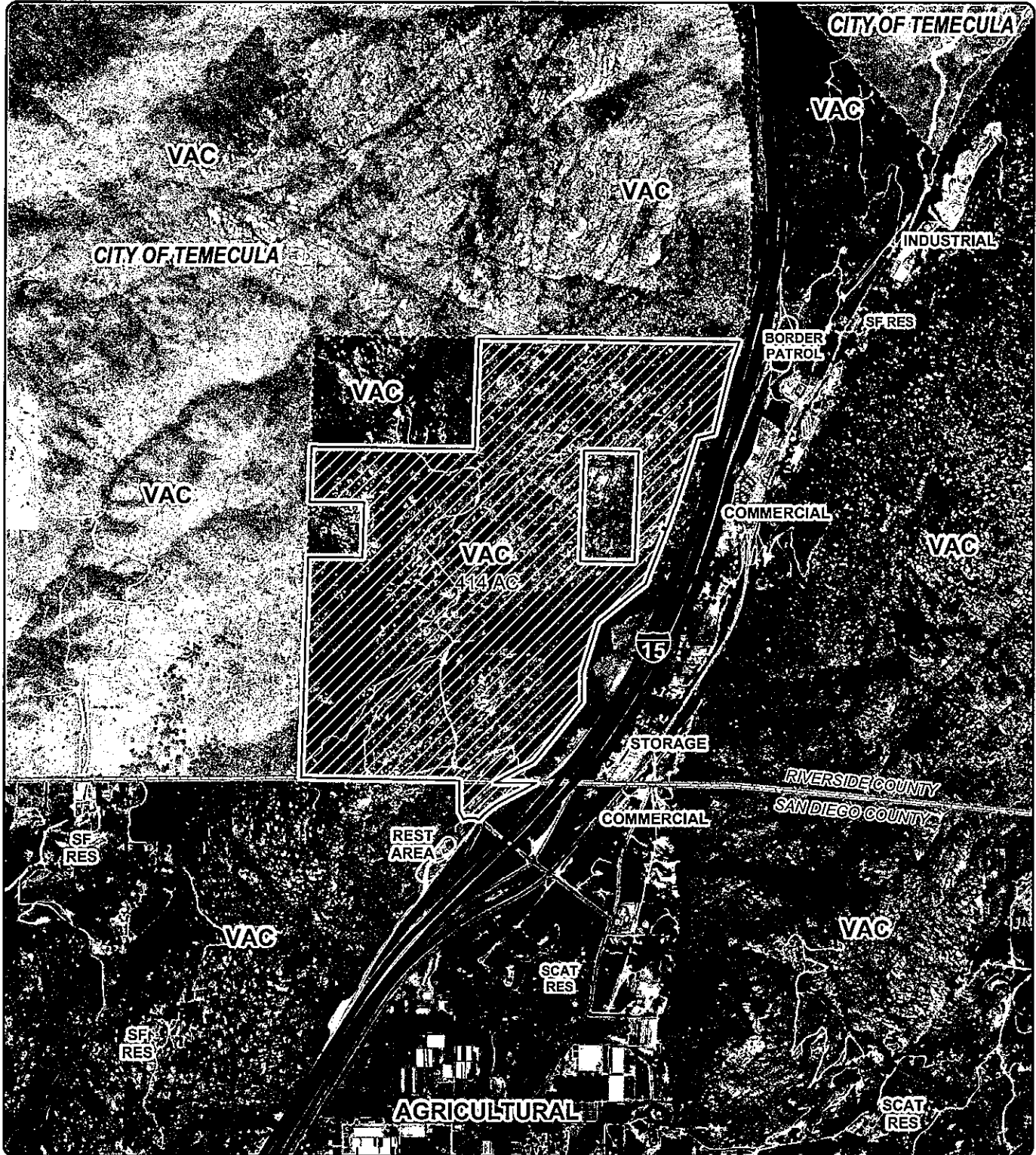
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Date Prepared: 01/01/01
Date Revised: 6/08/09 by RJuarez

RIVERSIDE COUNTY PLANNING DEPARTMENT
CZ07508, SMP00213, NOISE ORD EXCEP. NO. 2

Supervisor Buster
District 1

Date Drawn: 3/31/11
Exhibit 1

LAND USE

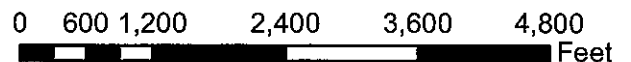


Zoning Area: Rancho California
Township/Range: T8SR3W
Section: 36

Assessors Bk. Pg. 918-09
Thomas Bros. Pg. 998 J1
Edition 2009



DISCLAIMER: On October 7, 2003, the County of Riverside adopted a new General Plan providing new land use designations for unincorporated Riverside County parcels. The new General Plan may contain different types of land use than is provided for under existing zoning. For further information, please contact the Riverside County Planning Department offices in Riverside at (951) 955-3200 (Western County), or in Indio at (760) 863-8277 (Eastern County) or website at <http://www.lima.ca.gov/030609.us/index.html>

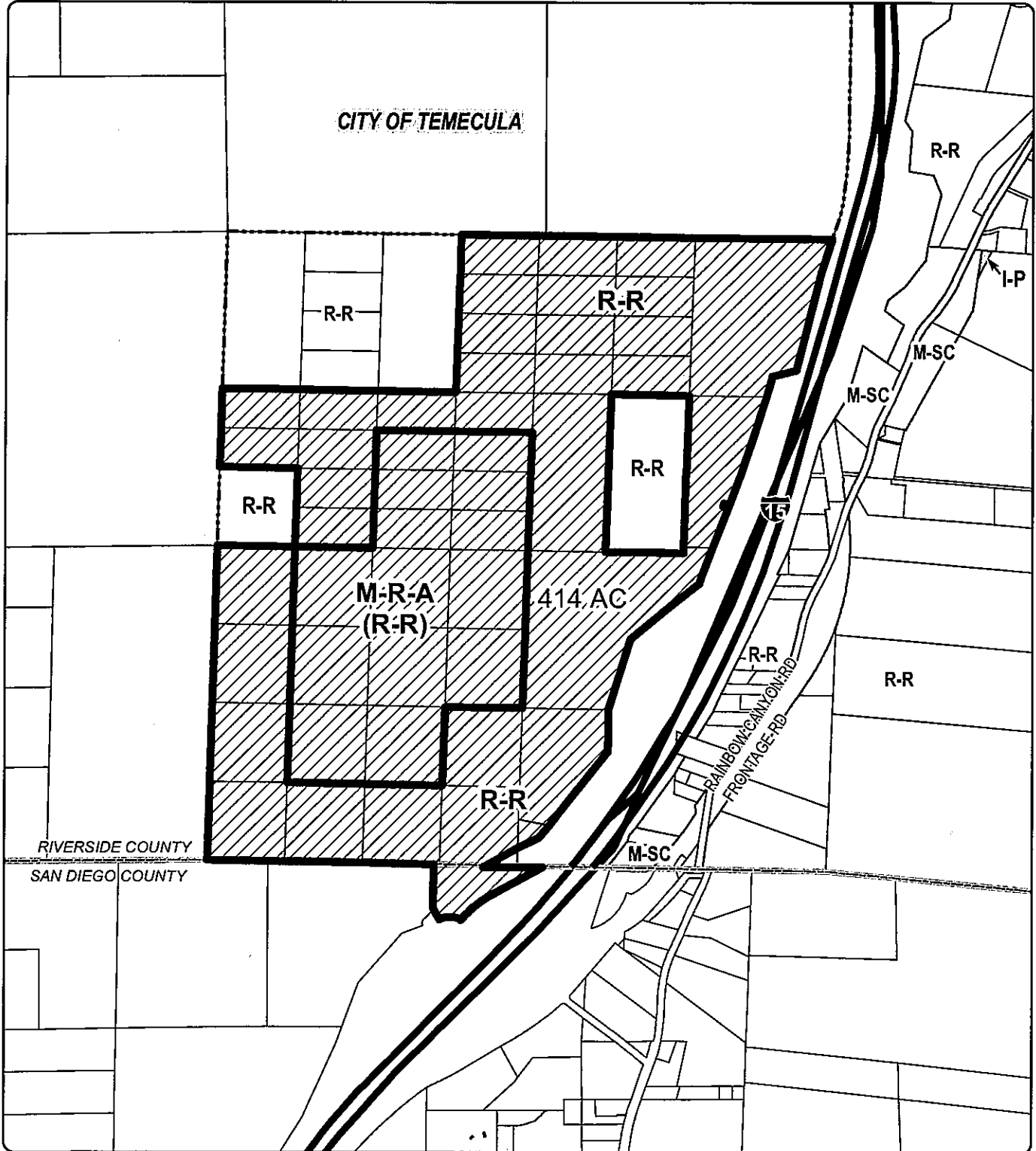


RIVERSIDE COUNTY PLANNING DEPARTMENT
 CZ07508, SMP00213, NOISE ORD EXCEP. NO. 2

Supervisor Buster
 District 1

PROPOSED ZONING

Date Drawn: 3/31/11
 Exhibit 3



Zoning Area: Rancho California
 Township/Range: T8SR3W
 Section: 36

Assessors Bk. Pg. 918-09
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 Edition 2009



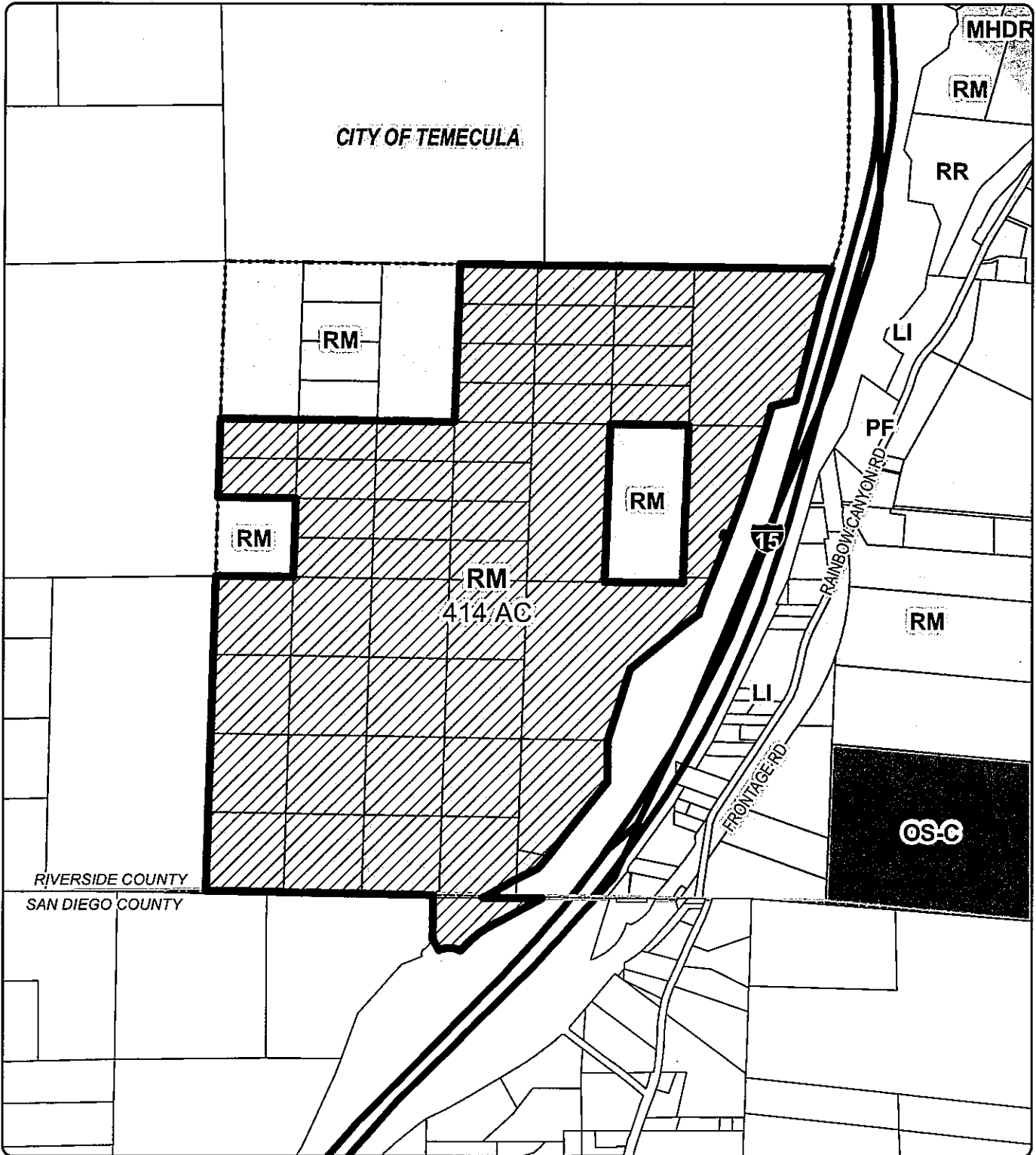
DISCLAIMER: On October 7, 2003, the County of Riverside adopted a new General Plan providing new land use designations for unincorporated Riverside County parcels. The new General Plan may contain different types of land use than is provided for under existing zoning. For further information, please contact the Riverside County Planning Department offices in Riverside at (951) 955-3200 (Western County), or in Indio at (760) 863-8277 (Eastern County) or website at <http://www.tlma.co.riverside.ca.us/index.html>

RIVERSIDE COUNTY PLANNING DEPARTMENT
CZ07508, SMP00213, NOISE ORD EXCEP. NO. 2

Supervisor Buster
District 1

Date Drawn: 3/31/11
Exhibit 5

EXISTING GENERAL PLAN



Zoning Area: Rancho California
Township/Range: T8SR3W
Section: 36

Assessors Bk. Pg. 918-09
Thomas Bros. Pg. 998 J1
Edition 2009



DISCLAIMER: On October 7, 2003, the County of Riverside adopted a new General Plan providing new land use designations for unincorporated Riverside County parcels. The new General Plan may contain different types of land use than is provided for under existing zoning. For further information, please contact the Riverside County Planning Department offices in Riverside at (951) 955-3200 (Western County), or in Indio at (760) 863-8277 (Eastern County) or website at <http://www.tirma.co.riverside.ca.us/index.html>

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SURFACE MINING PERMIT Case #: SMP00213

Parcel: 918-130-031

10. GENERAL CONDITIONS

EVERY DEPARTMENT

10. EVERY. 1 SMP - PROJECT DESCRIPTION RECOMMND

The use hereby permitted is for surface mining and processing of a maximum of 270 million tons of aggregate at a rate not to exceed 5 million tons of aggregate per year for a maximum of 75 years. The processing of aggregate is to be conducted through the use of a single processing plant. In addition, the use includes 2 asphalt batch plants, one concrete batch plants (1 each) and one construction material (concrete and asphalt material) recylcle plant and associated bins, water tanks, fuel tanks and office structures as described in Exhibit C, Project Summary.

10. EVERY. 2 SMP - HOLD HARMLESS RECOMMND

The applicant/permittee or any successor-in-interest shall defend, indemnify, and hold harmless the County of Riverside or its agents, officers, and employees (COUNTY) from the following:

(a) any claim, action, or proceeding against the COUNTY to attack, set aside, void, or annul an approval of the COUNTY, its advisory agencies, appeal boards, or legislative body concerning the Surface Mining Permit, Change of Zone, and Noise Ordinance Exception and

(b) any claim, action or proceeding against the COUNTY to attack, set aside, void or annul any other decision made by the COUNTY concerning Surface Mining Permit, Chnage of Zone, and Noise Ordinance Exception, including, but not limited to, decisions made in response to California Public Records Act requests.

The COUNTY shall promptly notify the applicant/permittee of any such claim, action, or proceeding and shall cooperate fully in the defense. If the COUNTY fails to promptly notify the applicant/permittee of any such claim, action, or proceeding or fails to cooperate fully in the defense, the applicant/permittee shall not, thereafter, be responsible to defend, indemnify or hold harmless the COUNTY.

The obligations imposed by this condition include, but are not limited to, the following: the applicant/permittee shall pay all legal services expenses the COUNTY incurs in

SURFACE MINING PERMIT Case #: SMP00213

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10. GENERAL CONDITIONS

10. EVERY. 2 SMP - HOLD HARMLESS (cont.) RECOMMND

connection with any such claim, action or proceeding, whether it incurs such expenses directly, whether it is ordered by a court to pay such expenses, or whether it incurs such expenses by providing legal services through its Office of County Counsel.

10. EVERY. 3 SMP - DEFINITIONS RECOMMND

The words identified in the following list that appear in all capitals in the attached conditions of Surface Mining Permit No.213, shall be henceforth defined as follows:

APPROVED EXHIBIT NO. "A" = Mining Plan Approved Exhibit No. "A", SMP Case No. 213, Amended No. 1, Dated 8/10/2007.

APPROVED EXHIBIT NO. "B" = Reclamation Plan Approved Exhibit No. "B", SMP Case No. 213, Amended No. 1, Dated 8/10/2007.

APPROVED EXHIBIT NO. "C" = Project Description Approved Exhibit No. "C", SMP Case No. 213, Amended No. 1, Dated 8/10/2007.

BS GRADE DEPARTMENT

10.BS GRADE. 1 SMP-APPROVED CONDITIONS RECOMMND

ALL PRIOR BUILDING & SAFETY DEPARTMENT CONDITIONS APPROVED UNDER SURFACE MINING PERMIT RECLAMATION PLAN) SMP00213 (INCLUDING OTHER REVISIONS AND SUBSTANTIAL CONFORMANCES) SHALL REMAIN IN EFFECT DURING THE LIFE OF THIS SMP00213 (REVISED PERMIT/SUBSTANTIAL CONFORMANCE) SMP00213 UNLESS SPECIFICALLY REMOVED OR REPLACED BY ANOTHER CONDITION.

10.BS GRADE. 2 SMP-ANNUAL REPORT INFO RECOMMND

The operator shall submit to the Building & Safety Department with the annual report the following information (This report shall be prepared by a qualified, licensed professional).

1) New topography maps detailing disturbed land and proximity to permit boundaries and property lines.

2) Certify maximum depth of excavated areas.

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10. GENERAL CONDITIONS

10.BS GRADE. 2

SMP-ANNUAL REPORT INFO (cont.)

RECOMMND

3) Provide quantity in cubic yards and tons of minerals mined during the reporting period.

4) Certify all excavated areas are within the limits of the Surface Mining Permit/Reclamation Plan.

5) Provide data indicating any reclaimed land during the reporting period.

6) A certified engineering geologist or geotechnical engineer shall inspect all excavated slopes within the permitted boundaries (active and inactive) for slope stability. The operator shall provide to B&S a copy of the inspection report.

NOTE: At least every three years of operation, the operator shall provide to B&S, aerial topography showing incremental and total changes to excavations. This will include cross-sectional maps showing berms, slope angles and benches of all excavations.

10.BS GRADE. 3

SMP-ANNUAL F.A.C.E.

RECOMMND

Each year after the 1st year of land disturbed under this urface Mining Permit, Reclamation Plan or Substantial Conformance, the operator shall REVIEW & UPDATE the financial assurance on file with the County of Riverside. The operator shall submit a new cost estimate to the Building & Safety Department for review. The updated cost estimate shall include at least any new disturbed land, reclaimed land and allow for a yearly inflation factor.

All cost estimate shall utilize the guidelines outlined by the California Department of Conservation and the requirements of SMARA as outlined in the California Resources Code section 2773.1(a)(3), 2774(c), 3804, 3805 and 3805.5 and County of Riverside Ordinance 555 or as amended in the future.

10.BS GRADE. 4

SMP-TEMPORARY OFFICE

RECOMMND

Temporary/portable office trailers are permitted providing they are installed after a building permit is obtained.

Other structures for night watchman security must be

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10. GENERAL CONDITIONS

10.BS GRADE. 4 SMP-TEMPORARY OFFICE (cont.) RECOMMND

installed or constructed by building permit.

10.BS GRADE. 6 SMP-IMPORTING VEGETATION RECOMMND

There shall be no importing and/or storage of any cut vegetation without specific approval of the Planning Department and the Environmental Health Department.

10.BS GRADE. 7 SMP-PRIVATE RD GRDG PERMIT RECOMMND

Construction of a private road requires a grading permit. All private roads which are conditioned to be paved shall conform to Ordinance 457 base and paving and inspection requirements.

10.BS GRADE. 8 SMP-BUILDING/GRADING PERMIT RECOMMND

THE PROVISIONS OF ALL RIVERSIDE COUNTY ORDINANCES SHALL APPLY DURING THE LIFE OF THIS SURFACE MINING PERMIT/ RECLAMATION PLAN, SPECIFICALLY, ORDINANCE 457 SHALL APPLY FOR ALL BUILDING PERMITS AND OTHER CONSTRUCTION WITHIN THE SURFACE MINING BOUNDARIES AND PROPERTY LINES OF SAID PARCELS. UNLESS SPECIFICALLY REGULATED BY ANOTHER APPROVED CONDITION OF THIS CASE.

10.BS GRADE. 9 SMP-PROPERTY LINE SETBACKS RECOMMND

There shall be a graded setback from all property lines of not less than 50 feet from all cut/fill slopes.

Within the setback area, the four foot verticle height safety berm can be installed.

In all other areas within the boundaries of the Reclamation Plan/Surface Mining Permit where mining will not take place, the provisions of Riverside County Grading Ordinance 457 shall be followed.

10.BS GRADE. 10 SMP-FENCING OF PERIMETER RECOMMND

The perimeter of the surface mine shall be fenced with at least 6 foot chain link fencing or other fencing that has been approved by another specific condition of this case and have a secure entrance gate system.

Fencing, gates and perimeter signs are required for safety

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10. GENERAL CONDITIONS

10.BS GRADE. 10 SMP-FENCING OF PERIMETER (cont.) RECOMMND

and to prevent/limit unauthorized access to the site.

10.BS GRADE. 11 SMP-OFFSITE EXCAVATION RECOMMND

ANY OFF SITE (outside of the Surface Mine Permit/Reclamation Plan/Substantial Conformance) EXCAVATIONS OR GRADING requires a grading permit. It shall be the responsibility of the operator to obtain proposed or required easements and/or permissions necessary to perform the excavations/grading proposed.

10.BS GRADE. 12 SMP-MISCELLANOUS INSPECT RECOMMND

In addition to the Special Inspection for the Annual Report, at any time during normal business hours, persons from the Building & Safety Department may conduct a site inspection for compliance with the conditions of approval, complaints by individuals or other reasons as identified at that time.

10.BS GRADE. 13 SMP- FAULT LOCATIONS RECOMMND

Prior to issuance of any building permit, the operator shall have a licensed professional, clearly delineate on maps and in the field any portions of the property, which are located within the "Fault Hazard Zone". No structures or any part thereof shall be located in thoes areas.

10.BS GRADE. 14 SMP-OBEY ALL GRDG REGS RECOMMND

All grading shall conform to the California Building Code, Ordinance 457, and all other relevant laws, rules, and regulations governing grading in Riverside County and prior to commencing any grading which includes 50 or more cubic yards, the applicant shall obtain a grading permit from the Building and Safety Department.

10.BS GRADE. 15 SMP- DISTURBS NEED G/PMT RECOMMND

Ordinance 457 requires a grading permit prior to clearing, grubbing or any top soil disturbances related to construction grading.

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10. GENERAL CONDITIONS

10.BS GRADE. 16 SMP-NPDES/SWPPP

RECOMMND

Prior to issuance of any grading or construction permits - whichever comes first - the applicant shall provide the Building and Safety Department evidence of compliance with the following: "Effective March 10, 2003 owner operators of grading or construction projects are required to comply with the N.P.D.E.S. (National Pollutant Discharge Elimination System) requirement to obtain a construction permit from the State Water Resource Control Board (SWRCB). The permit requirement applies to grading and construction sites of "ONE" acre or larger. The owner operator can comply by submitting a "Notice of Intent" (NOI), develop and implement a STORM WATER POLLUTION PREVENTION PLAN (SWPPP) and a monitoring program and reporting plan for the construction site. For additional information and to obtain a copy of the NPDES State Construction Permit contact the SWRCB at (916) 657-1146.

10.BS GRADE. 17 SMP-GEOTECH/SOILS RPTS

RECOMMND

Prior to the issuance of a building permit, a Geotechnical soils report shall be submitted to the Building & Safety Department for review and approval. All grading for structures shall be in conformance with the recommendations of the geotechnical soils reports as approved by Riverside County.

The geotechnical/soils, compaction and inspection reports will be reviewed in accordance with the RIVERSIDE COUNTY GEOTECHNICAL GUIDELINES FOR REVIEW OF GEOTECHNICAL AND GEOLOGIC REPORTS.

10.BS GRADE. 18 SMP-MAX SLOPE RATIO

RECOMMND

Slopes shall not be finished at a slope ratio steeper than 2:1 (horizontal: vertical) unless they are adequately determined and demonstrated to be stable by the project certified engineering geologist and geotechnical engineer.

Slope stability shall be documented in a report(s) to be submitted to the Department of Building and Safety as well as the County Geologist for review and approval prior to final approval of finished slopes. This report(s) shall be submitted annually, at a minimum, in conjunction with the required annual SMARA inspection (may submit reports outside of annual inspection schedule as necessary to maintain safe conditions and forward progress of finishing

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10. GENERAL CONDITIONS

10.BS GRADE. 18 SMP-MAX SLOPE RATIO (cont.) RECOMMND
slopes for reclamation purposes).

10.BS GRADE. 19 SMP-DRAINAGE DESIGN Q-100 RECOMMND
All drainage acilities shall be designed in accordance with
Riverside County Flood Control & Water Conservation
District's requirements to accommodate 100 year storm
flows.

10.BS GRADE. 20 SMP-MINIMUM DRAINAGE GRADE RECOMMND
Minimum drainage grade shall be 1% except on portland
cement concrete where 0.35% shall be the minimum.

10.BS GRADE. 21 SMP-DRAINAGE & TERRACING RECOMMND
Provide drainage facilities and terracing in conformance
with the California Building Code's chapter on "Excavation
and Grading".

10.BS GRADE. 22 SMP-SLOPES IN FLOODWAY RECOMMND
Graded slopes which infringe into the 100 year storm flow
flood way boundaries, shall be protected from erosion, or
other flood hazards, by a method acceptable to the Building
& Safety Department's District Grading Engineer - which may
include Riverside County Flood Control & Water Conservation
District's review and approval. However, no graded slope
will be allowed which in the professional judgment of the
District Grading Engineer blocks, concentrates or diverts
drainage flows.

10.BS GRADE. 23 SMP-EASEMENTS & ACCESS RECOMMND
Prior to the issuance of the surface mining permit, it
shall be the responsibility of the applicant to obtain any
proposed or required easements and/or permissions necessary
for access to the site for excavating and/or grading.

10.BS GRADE. 24 SMP-NOTARIZED OFFSITE LTR RECOMMND
A notarized letter of permission, from the affected
property owners or easement holders, is required for any
proposed off site grading.

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10. GENERAL CONDITIONS

10.BS GRADE. 25 SMP-RECORDED ESMT REQ'D RECOMMND

A recorded easement is required for off site drainage facilities.

10.BS GRADE. 26 SMP-OFF ST. PAVED PARKING RECOMMND

All off street parking areas which are conditioned or proposed to be paved shall conform to Ordinance 457 base and paving design and inspection requirements.

10.BS GRADE. 27 SMP-NO B/PMT W/O G/PMT RECOMMND

Prior to issuance of any building permit, the property owner shall obtain a grading permit and/or approval to construct from the Grading Division of the Building and Safety Department.

10.BS GRADE. 28 SMP- PM-10 REDUCTION RECOMMND

SURFACE MINING OPERATIONS LOCATED WITHIN THE SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT SHALL COMPLY WITH RULE 1157 "PM-10 EMISSION REDUCTION FROM AGGREGATE AND RELATED OPERATIONS". THE OPERATOR SHALL HAVE A COPY OF ALL INSPECTIONS CONDUCTED BY THE DISTRICT AVAILABLE FOR THE CURRENT ANNUAL SURFACE MINE INSPECTION.

10.BS GRADE. 29 SMP- CONTRACTOR EQUIPMENT RECOMMND

All non-mining equipment must be stored in a designated area permitted for "Contractor Storage".

A "Contractor Storage" permit must be obtained from the Planning Department prior to storage of any non-mining equipment.

10.BS GRADE. 30 SMP-TRASH & DEBRIS RECOMMND

The parcel(s) where the mine is located shall be kept free of trash (including old tires) and other debris. There shall be no importing of recyclable materials or construction debris without specific permit for that activity.

10.BS GRADE. 31 SMP- QUARRY SIGNS RECOMMND

Signs shall be installed at the top of all manufactured slopes (cut or fill), at intervals not greater than 100

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10. GENERAL CONDITIONS

10.BS GRADE. 31 SMP- QUARRY SIGNS (cont.)

RECOMMND

lineal feet.

Each sign shall read "DANGER" "OPEN PIT MINE" "STEEP SLOPE". Signs shall be at least 18" X 18" square with contrasting background to lettering. (ie: white background and black lettering).

Perimeter signs around the approved Reclamation Plan or Surface Mine boundaries shall be installed not greater than 250 lineal feet. Each sign shall read "DANGER" "KEEP OUT" and "MINERAL RESOURCE ZONE" or "SURFACE MINING OPERATION". All signs shall be with constrasting lettering/background.

10.BS GRADE. 32 SMP- BENCHES & SLOPES

RECOMMND

During the mining operation, on the working faces of the quarry wall, benches shall be installed at no more than 30 feet in vertical height intervals or not higher than the equipment being used can reach to extract material. Each bench shall be a minimum of 15' in width.

Working slopes below benches shall not be steeper than 1:1 (horizontal to vertical). Finished slopes may not exceed 2:1 or as identified in another approved condition or approved exhibit to this case.

10.BS GRADE. 33 SMP- SAFETY BERMS

RECOMMND

A four (4) foot, minimum vertical height, SAFETY BERM shall be installed at the top of all cut/fill slopes (including roads) at least three (3) feet in width.

10.BS GRADE. 34 SMP-HAZMAT GENERATOR PERMIT

RECOMMND

Surface mining operations shall obtain from County Of Riverside, Department of Environmental Health, Hazardous Materials Management Division, a "HAZARDOUS MATERIALS GENERATOR'S PERMIT" for this specific location. The operator shall have a copy of all inspections conducted by HAZMAT, available for the current Annual Surface Mine inspection

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10. GENERAL CONDITIONS

10.BS GRADE. 35 SMP- VEHICLE STORAGE RECOMMND

There shall be no storage of passenger vehicles, campers, travel trailers or other personal property that is not related directly to the mining of minerals at this site.

10.BS GRADE. 36 SMP- BUSINESS LICENSING RECOMMND

Every person conducting a business within the unincorporated area of Riverside County, as defined in Riverside County Ordinance No. 857, shall obtain a business license. For more information regarding business registration, contact the Business Registration and License Program Office of the Building and Safety Department at www.rctlma.orgbuslic.

10.BS GRADE. 37 SMP- BMP REGISTRATION RECOMMND

Prior to final building inspection, the applicant/owner shall register the project - specific WQMP treatment controlled BMPs with the Department of Building Safety Business Registration Division. Any person or entity that owns or operates a commercial and/or industrial facility shall register such facility for annual inspections.

10.BS GRADE. 38 SMP- PRE MINING MEETING RECOMMND

Prior to the startup of mining operations, the applicant is required to schedule a pre-mining meeting with the Building and Safety Department Environmental Compliance Division mine inspector, County Geologist, Project Planner, County Archeologist and County Biologist.

10.BS GRADE. 39 SMP- APPROVED WQMP RECOMMND

Prior to the issuance of a grading permit, the owner/applicant shall submit to the Building & Safety Department evidence that the project-specific Water Quality Management Plan (WQMP) has been approved by the Riverside County Flood Control District and that all approved water quality treatment control BMP'S have been included on the mining plan.

10.BS GRADE. 40 SMP-BLASTING REPORT FORM RECOMMND

Prior to issuance of permit for this mine's first special inspection, the operator shall prepare, submit and have approved an appropriate blasting report form. This form

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10. GENERAL CONDITIONS

10.BS GRADE. 40 SMP-BLASTING REPORT FORM (cont.)

RECOMMND

shall contain the necessary information to document the blasting operations undertaken for mining as well as the initial construction blasting for roads, etc.

This report form shall be submitted to the County Geologist and the County mine inspector for review and approval of the format and content prior to issuance of the first special inspection permit.

Completed blasting reports, during active mining operations, shall be submitted to the County's inspector on a quarterly basis (more frequently if necessary, upon request by the County) for review and consideration.

10.BS GRADE. 41 SMP- 1ST FINANCIAL ASSURANCE

RECOMMND

Prior to commencement of any surface disturbance, construction of any processing plant, surface mining operation, or issuance of the first Special Inspection Permit, the permittee shall establish Financial Assurances to ensure reclamation of the Surface Mining Operation with the Riverside County Department of Building and Safety.

a. The financial assurance shall take the form of a surety bond, irrevocable letter of credit, trust fund or other form of financial assurance as approved by the Director of Building and Safety.

b. The amount of the financial assurance required for this permit shall be established through County review of the required financial assurance cost estimate prepared by the applicant pursuant to the requirements of SMARA and County Ordinance 555.

c. The financial assurance shall remain in effect for the life of the mine including Reclamation and the monitoring timetable. A final inspection by Building and Safety will advise the Director of Building and Safety to release the bond.

d. The financial assurance shall be made payable to Riverside County and the State of California, Department of Conservation.

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10. GENERAL CONDITIONS

10.BS GRADE. 42

SMP-1ST INSPECTION REPORT

RECOMMND

Prior to commencement of any surface disturbance, or construction of any processing plant, surface mining operation the permittee shall apply for a special inspection permit from the Riverside County Department of Building and Safety which will be accompanied by the appropriate filing fee set forth in Riverside County Ordinance 671. The Special Inspection Permit shall be accompanied by a written report which specifies conformance with these conditions of approval.

EPD DEPARTMENT

10.EPD. 1

- NOISE MITIGATION MEASURE

RECOMMND

Mitigation Measure BIO-1c(5) from EIR475

The following mitigation measures shall be implemented to reduce potential noise effects on the adjacent SMER property.

- The Applicant shall prohibit mining activities, aggregate plant, and recycling plant operations between the Riverside County-defined noise nighttime hours of 10 p.m. and 7 a.m.

- The Applicant shall enclose the concrete truck filling operations associated with the concrete plant by placing those operations in a tunnel-like structure so that the sides of the truck and its engine are shielded by the walls of the tunnel.

- The Applicant shall not simultaneously operate the asphalt plant and concrete batch plant between the Riverside County-defined noise nighttime hours of 10 p.m. and 7 a.m.

- The Applicant shall require that audio back-up alarms on mobile equipment be turned off at night and equipped with a flashing strobe if consistent with Mining Safety and Health Administration regulations.

- Upon receipt and validation of any noise complaints pertaining to the operation of the facility, Applicant shall conduct further acoustical analysis, which shall be conducted by a qualified acoustical consultant with experience in evaluating community noise levels and standards. The acoustical analysis shall address complaints

SURFACE MINING PERMIT Case #: SMP00213

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10. GENERAL CONDITIONS

10.EPD. 1 - NOISE MITIGATION MEASURE (cont.)

RECOMMND

by nearby noise sensitive receivers. The acoustical analysis shall be submitted to the Riverside County Departments of Planning and Environmental Health for review and approval. Additional mitigation measures identified in any subsequent acoustical analysis shall be implemented after receipt and acceptance of the acoustical analysis to ensure conformance with Riverside County standards. The Applicant shall complete an acoustical review application and reimburse the Department of Public Health for their time and expenses incurred reviewing the acoustical analysis. The applicable Riverside County standards is 45 dBA - 10-minute noise equivalent level ("Leq"), between the hours of 10:00 p.m. to 7:00 a.m. (nighttime standard) and 65 dBA - 10-minute Leq, between 7:00 a.m. and 10:00 p. m. (daytime standard).

- During all construction, excavation, hauling activities, and while processing aggregate materials, the Applicant, it's contractors and operators shall equip all fixed and mobile equipment with properly operating and maintained mufflers, engine enclosures, or other noise-suppression devices consistent with manufacturers' standard including lined crushers and screens, and minimum 5-foot-long silencers on the asphalt plant exhaust fans.

10.EPD. 2 - NO DRAINAGE DISCHARGE

RECOMMND

Mitigation Measure BIO-2a from EIR475

Drainage water shall not be discharge to adjacent jurisdictional waters, the SMER or Western Riverside County MSHCP criteria areas. Drainage water shall be collected on the Site within a detention basin located at the southern aspect of the Quarry Area. Drainage water shall not be allowed to enter into the watershed of the drainage feature located at the western portion of the 414-acre Site, itself a tributary to a tributary of the Santa Margarita River.

10.EPD. 3 - H2O POLLUTION & EROSION

RECOMMND

Mitigation Measure BIO-2c from EIR475

The Applicant shall prepare plans for water pollution and erosion control for all discretionary projects involving the movement of earth in excess of 50 cubic yards within Riverside County. The plans would describe sediment and

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10. GENERAL CONDITIONS

10.EPD. 3

- H2O POLLUTION & EROSION (cont.)

RECOMMND

hazardous materials control, dewatering or diversion structures, fueling and equipment management practices, and use of plant material for erosion control. Plans would be reviewed and approved by Riverside County Planning Department, Environmental Programs Division and participating jurisdiction prior to construction. To mitigate any potentially significant indirect impacts to riparian resources located downstream of the Site to a less than significant level, the following measures would be implemented by the Applicant during the construction, operation, and reclamation phases:

1. Comply with any and all conditions of permits by the USACE or RWQCB under Sections 404 or 401 of the federal CWA, by CDFG under Section 1602 of the Fish and Game Code, or by Riverside County pursuant to the Western Riverside County MSHCP. Permit conditions generally include both short-term (during construction) and long term (operation) requirements.

2. Implement all applicable regulations associated with the SWPPP, landscape plan, and any water pollution or erosion control plans prepared for the Proposed Project to satisfy NPDES permit requirements.

3. The Proposed Project is subject to reclamation standards of the Surface Mining and Reclamation Act of 1975 (SMARA), and the Applicant proposes to revegetate the Site at the close of mining. Effective revegetation and maintenance would minimize the effects of invasive plants. Under SMARA, the Applicant would be required to reclaim the quarry and any other areas disturbed during its construction and operation (e.g., overburden areas, processing and stockpiling areas, roads, and equipment yards) at the close of mining. The Applicant would reclaim the Site to open space (Granite, 2007). The reclamation plan would include the following:

"A revegetation plan with quantitative success criteria (vegetation cover and species richness)

"Recommendations for soil preparation

"A plant palette to include exclusively native species occurring on the Site, such as Engelmann oak, coast live oak, and Rainbow manzanita, both those to be planted as seeds and nursery stock

"Planting methods, including densities and locations

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10. GENERAL CONDITIONS

10.EPD. 3 - H2O POLLUTION & EROSION (cont.) (cont.) RECOMMND

(pounds per acre of seed
"Irrigation and maintenance requirements
"A monitoring plan over a minimum 5-year period
"Weed control and remedial actions to be required if
success criteria are not met

10.EPD. 4 - SKR FEE RECOMMND

Mitigation Measure BIO-6 from EIR475

The Proposed Project is located within the SKR Fee Assessment Area. The applicant shall be required to pay the assessed SKR Fee. Payment of this fee would ensure conformance with the SKR HCP.

FLOOD RI DEPARTMENT

10.FLOOD RI. 1 USE FLOOD HAZARD REPORT RECOMMND

This is a proposal to establish a surface mining operation in the Rainbow Canyon area. The 414 acre site is located west of the 15 Freeway and north of the San Diego County line in the Rancho California area. It should be noted that while the majority of this site is located within Riverside County, approximately 2.5 acres are located within San Diego County. This project is being reviewed in conjunction with Environmental Impact Report No. 475.

The topography of the site consists of steep terrain with well defined ridges and natural watercourses. A moderately sized watercourse traverses the western portion of the site. The mining operation proposes to excavate a large pit along a ridge, the rim of which would be setback from this watercourse. This pit would capture onsite runoff from the proposed developed portion of the site with no release of runoff offsite. Section 7.0 of Exhibit C of the report titled "Project Description for Liberty Quarry" states that runoff would then either recharge into the ground or evaporate.

In compliance with San Diego Regional Water Quality Control Board Orders, projects submitted within the Santa Margarita River watershed of the unincorporated area of Riverside County for discretionary approval are required to comply with the Water Quality Management Plan for Urban Runoff (WQMP). However, the extents of the mining operation

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10.FLOOD RI. 1 USE FLOOD HAZARD REPORT (cont.)

RECOMMND

itself would constitute continuing construction and, as such, would best be handled under a Storm Water Pollution Prevention Plan (SWPPP). For the remainder of the site, the applicant has submitted a preliminary project specific Water Quality Management Plan (WQMP) to mitigate the development's impact to water quality. Treatment Control Best Management Practices (BMPs) include catch basin inlet filters to remove trash and sediment as well as oil and grease from the runoff prior to its being discharged into a detention basin/sand filter. The WQMP will need significant revisions to meet the requirements of a final project specific WQMP.

10.FLOOD RI. 2 USE SUBMIT FINAL WQMP>PRELIM

RECOMMND

In compliance with Santa Ana Region and San Diego Region Regional Water Quality Control Board Orders, and Beginning January 1, 2005, projects submitted within the western region of the unincorporated area of Riverside County for discretionary approval will be required to comply with the Water Quality Management Plan for Urban Runoff (WQMP). The WQMP addresses post-development water quality impacts from new development and redevelopment projects. The WQMP requirements will vary depending on the project's geographic location (Santa Ana, Santa Margarita or Whitewater River watersheds). The WQMP provides detailed guidelines and templates to assist the developer in completing the necessary studies. These documents are available on-line at:
www.floodcontrol.co.riverside.ca.us under Programs and Services, Stormwater Quality.

To comply with the WQMP a developer must submit a "Project Specific" WQMP. This report is intended to a) identify potential post-project pollutants and hydrologic impacts associated with the development; b) identify proposed mitigation measures (BMPs) for identified impacts including site design, source control and treatment control post-development BMPs; and c) identify sustainable funding and maintenance mechanisms for the aforementioned BMPs. A template for this report is indicated as 'exhibit A' on the website above. A final Project Specific WQMP must be approved by the District prior to issuance of building or grading permits.

Projects that require a Project Specific WQMPs were.

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10. GENERAL CONDITIONS

10.FLOOD RI. 2 USE SUBMIT FINAL WQMP>PRELIM (cont.) RECOMMND

required to submit a PRELIMINARY Project Specific WQMP along with the land-use application package in the tentative phase of development in order to obtain recommended conditions of approval. The developer has submitted a report that minimally meets the criteria for a preliminary project specific WQMP of addressing points a, b, and c above. It shall be noted that while the preliminary project specific WQMP was adequate at that stage, the preliminary WQMP report will need significant revisions at the improvement plan check phase of the development in order to meet the requirements of a final project specific WQMP - including detailed drawings for the BMPs along with all supporting calculations. It should also be noted that if 401 certification is necessary for the project, the Water Quality Control Board may require additional water quality measures.

10.FLOOD RI. 3 USE BMP MAINTENANCE & INSPECT RECOMMND

The BMP maintenance plan shall contain provisions for all treatment controlled BMPs to be inspected, and if required, cleaned no later than October 15 each year. Required documentation shall identify the entity that will inspect and maintain all structural BMPs within the project boundaries. A copy of all necessary documentation shall be submitted to the District for review and approval prior to the issuance of occupancy permits.

10.FLOOD RI. 4 USE WQMP ESTABL MAINT ENTITY RECOMMND

This project proposes BMP facilities that will require maintenance by public agency or commercial property owner association. To ensure that the public is not unduly burdened with future costs, prior to final approval or recordation of this case, the District will require an acceptable financial mechanism be implemented to provide for maintenance of treatment control BMPs in perpetuity. This may consist of a mechanism to assess individual benefiting property owners, or other means approved by the District. The site's treatment control BMPs must be shown on the project's improvement plans - either the street plans, grading plans, or landscaping plans. The type of improvement plans that will show the BMPs will depend on the selected maintenance entity.

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PLANNING DEPARTMENT

10.PLANNING. 1

SMP - GEO01902

RECOMMND

County Geologic Report (GEO) No. 1902, submitted for this project (SMP00213), was prepared by Keinfelder and is entitled: "Geotechnical Report, Proposed Liberty Quarry, Riverside County, California", dated August 10, 2007. In addition, the following reports were prepared by Kleinfelder for this project:

"Geologic and Hydrologic Evaluation, Proposed Liberty Quarry, Riverside County, California", dated August 10, 2007.

"Response to County of Riverside Review Comments, County Geologic Report No. 1902, Geotechnical Report, Proposed Liberty Quarry, Riverside County, California", dated May 2, 2008.

These reports are herein incorporated as a part of GEO No. 1902.

GEO No. 1902 concluded:

1. There are no known active faults present within the site or projecting towards the site.

2. There is a very low potential for surface fault rupture at the site.

3. There is no potential for liquefaction of soils at the site.

4. The deterministic and probabilistic factors of safety for the proposed mine walls are 1.9. The final slopes will demonstrate an average factor of safety greater than 1.5 and are expected to maintain stability.

5. The final quarry high wall design will be stable and safe and the factor of safety will be suitable and appropriate for an end use as open space.

6. The borings and rock analysis are sufficient in quantity, placement, and depth to establish the viability of the site for mining purposes and for initial site stability analysis.

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10. GENERAL CONDITIONS

10. PLANNING. 1

SMP - GEO01902 (cont.)

RECOMMND

7. The data analyzed is sufficient for performing initial slope stability analysis.

8. Groundwater occurred only in discrete, limited water-bearing zones, and yielded very low amounts of water to test wells and boreholes.

9. Stormwater runoff from the proposed quarry site will decrease as the quarry is constructed because drainage area will be removed as the quarry is mined below existing grades.

10. Groundwater occurs in relatively limited quantities within localized joints and fractures in otherwise impermeable rock beneath and in the immediate vicinity of the proposed quarry. There is limited hydraulic connection between fractures.

11. No distinct groundwater surface, aquifer, or gradient occurs beneath the project site.

12. The proposed quarry site appears to be topographically, structurally, and hydraulically isolated from near-by off-site intermontane valleys and topographic lowlands.

13. Operations at the quarry are not anticipated to adversely affect local or regional groundwater supplies for residents in the surrounding area, or Temecula or Rainbow Valleys.

14. As mining operations advance into underlying bedrock, surface seeps adjacent to quarry operations are expected to decline or potentially cease ephemeral flow.

15. Blasting effects are expected to be extremely limited to the immediate vicinity of the blasting.

GEO No. 1902 recommended:

1. Mining is to be conducted in a top down manner.

2. During the course of site development, additional drilling, sampling and testing along with surface geologic mapping. Additional evaluations will be performed during the mining process to continuously evaluate rock stability.

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10. GENERAL CONDITIONS

10.PLANNING. 1

SMP - GEO01902 (cont.) (cont.)

RECOMMND

3.The working face will be equal to one-half the bench height and range between 20 to 40 feet depending on the local geological conditions, with a flat working bench (at least 30 feet wide) located below the working bench. (Regular inspections of mine slopes will be made and reported to the County as described elsewhere in this conditions set.)

4.A Certified Engineering Geologist (CEG) or Geotechnical Engineer (GE) will map the exposed rock face on a weekly basis. Inspection and mapping of the mining face may be more frequent, as needed, depending on the field conditions.

5.No finished slope steeper than 2:1 shall be established except in compliance with the recommendation of the CEG or GE (project consultant-of-record).

6.In the case that the final bench configuration is deemed not stable by the CEG or GE, wire mesh, benching and/or rock anchors or other measures (potentially reducing overall slope ratio) recommended by the CEG or GE may be implemented so that the originally-planned 60-degree overall quarry high wall may be maintained.

7.The quarry operator will plan for and mitigate the blast damage to the final walls by implementing a proper production blast design and employing controlled blasting techniques. (Blast design and techniques are proposed in the Liberty Quarry Blast Plan and can/will be modified as necessary to maintain safe operations).

8.Precipitation within the quarry excavation boundary will need to be collected and conveyed to designated storage areas within the footprint.

9.Mitigation of potential surface water impacts related to construction and on-going mining operations can be addressed through SWPPP's implementing BMP's tailored to site-specific conditions and activities.

GEO No. 1902 satisfies the requirement for a Geologic Study for Planning /CEQA purposes. GEO No. 1902 is hereby accepted for Planning purposes. This approval is not intended, and should not be misconstrued as approval for grading or any other permit. Engineering and other

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10. GENERAL CONDITIONS

10.PLANNING. 1 SMP - GEO01902 (cont.) (cont.) (cont.) RECOMMND

building code parameters will be reviewed and additional comments and/or conditions may be imposed by the Building and Safety Department upon application for grading and/or building permits and/or other permit as necessary.

10.PLANNING. 2 SMP - SLOPE RATIO RECOMMND

SLOPES SHALL NOT BE FINISHED AT A SLOPE RATIO STEEPER THAN 2:1 (HORIZONTAL:VERTICAL) UNLESS THEY ARE ADEQUATELY DETERMINED AND DEMONSTRATED TO BE STABLE BY THE PROJECT CERTIFIED ENGINEERING GEOLOGIST AND GEOTECHNICAL ENGINEER.

SLOPE STABILITY SHALL BE DOCUMENTED IN A REPORT(S) TO BE SUBMITTED TO THE DEPARTMENT OF BUILDING AND SAFETY AS WELL AS THE COUNTY GEOLOGIST FOR REVIEW AND APPROVAL PRIOR TO FINAL APPROVAL OF FINISHED SLOPES. THIS REPORT(S) SHALL BE SUBMITTED ANNUALLY, AT A MINIMUM, IN CONJUNCTION WITH THE REQUIRED ANNUAL SMARA INSPECTION (MAY SUBMIT REPORTS OUTSIDE OF ANNUAL INSPECTION SCHEDULE AS NECESSARY TO MAINTAIN SAFE CONDITIONS AND FORWARD PROGRESS OF FINISHING SLOPES FOR RECLAMATION PURPOSES).

10.PLANNING. 3 GEN - IF HUMAN REMAINS FOUND RECOMMND

The developer/permit holder or any successor in interest shall comply with the following codes for the life of this project:

If human remains are encountered, State Health and Safety Code Section 7050.5 states that no further disturbance shall occur until the County Coroner has made the necessary findings as to origin. Further, pursuant to Public Resources Code Section 5097.98 (b), remains shall be left in place and free from disturbance until a final decision as to the treatment and their disposition has been made. If the Riverside County Coroner determines the remains to be Native American, the Native American Heritage Commission shall be contacted within the period specified by law. Subsequently, the Native American Heritage Commission shall identify the "Most Likely Descendant." The Most Likely Descendant shall then make recommendations and engage in consultation with the County and the property owner concerning the treatment of the remains as provided in Public Resources Code Section 5097.98. Human remains from other ethnic/cultural groups with recognized historical associations to the project area shall also be subject to

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10. GENERAL CONDITIONS

10.PLANNING. 3 GEN - IF HUMAN REMAINS FOUND (cont.) RECOMMND

consultation between appropriate representatives from that group and the County Planning /Director.

10.PLANNING. 4 GEN - INADVERTANT ARCHAEO FIND RECOMMND

The developer/permit holder or any successor in interest shall comply with the following for the life of this project:

If during ground disturbance activities, cultural resources are discovered that were not assessed by the archaeological reports and/or environmental assessment conducted prior to project approval, the following procedures shall be followed. A cultural resources site is defined, for this condition, as being three or more artifacts in close association with each other, but may include fewer artifacts if the area of the find is determined to be of significance due to it sacred or cultural importance.

1.All ground disturbance activities within 100 feet of the discovered cultural resource shall be halted until a meeting is convened between the developer, the project archaeologist, the Native American tribal representative (or other appropriate ethnic/cultural group representative), and the Planning Director to discuss the significance of the find.

2.At the meeting, the significance of the discoveries shall be discussed and after consultation with the Native American tribal (or other appropriate ethnic/cultural group representative) and the archaeologist, a decision is made, with the concurrence of the Planning Director, as to the appropriate mitigation (documentation, recovery, avoidance, etc) for the cultural resource.

3.Further ground disturbance shall not resume within the area of the discovery until an agreement has been reached by all parties as to the appropriate preservation or mitigation measures.

10.PLANNING. 5 SMP - COMPLY W/ ORD./EXHIBITS RECOMMND

The development of these premises shall comply with the standards of Ordinance Nos. 348 and 555 and all other applicable Riverside County ordinances and state and federal codes. The development of the premises shall

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10. GENERAL CONDITIONS

10.PLANNING. 5 SMP - COMPLY W/ ORD./EXHIBITS (cont.) RECOMMND

conform substantially with that as shown on the Mining and Reclamation Plans and Project Description, unless otherwise amended by these conditions.

10.PLANNING. 6 SMP - CAUSES FOR REVOCATION RECOMMND

In the event the use hereby permitted under this surface mining permit, a) ceases operation for a period of one (1) year or more (unless an Interim Management Plan is approved in accordance with SMARA and Ordinance No. 555), b) is found to be in violation of the terms and conditions of this permit, c) is found to have been obtained by fraud or perjured testimony, or d) is found to be detrimental to the public health, safety and welfare, or is a public nuisance, this permit shall be subject to the revocation procedures in Section 18.31 of Ordinance No. 348 and/or the applicable section of Ordinance No. 555.

10.PLANNING. 7 SMP - CONDITION REVIEW FEE RECOMMND

All subsequent submittals required by these conditions of approval, including but not limited to a revegetation plan or mitigation monitoring shall be reviewed, with payment therefore made on an hourly basis as a "research fee," or other such fee as may be in effect at the time of submittal, as required by Ordinance No. 671.

10.PLANNING. 9 SMP - SPARK ARRESTOR REQUIRED RECOMMND

During the life of the permit, the permittee shall comply with spark arrestor requirements of the Public Resources Code for all equipment used on the premises other than turbocharger vehicles designed and licensed for highway use.

10.PLANNING. 10 SMP - DUST PREVENTION MEASURE RECOMMND

During the life of the permit, all roads, driveways and mining areas shall be kept continuously wetted while being used, and shall be treated with EPA approved dust suppressants to prevent emission of dust. Nonhazardous soil stabilizers shall be applied to all inactive surface mining areas and/or stockpiles (previously mined areas which remain inactive for 96 hours or more).

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10. GENERAL CONDITIONS

10.PLANNING. 11 SMP - COMPLY W/ SAFETY REQ. RECOMMND

During the life of the permit, mining operations and practices shall comply with the Safety requirements of MSHA, OSHA, the State Division of Industrial Safety, and California Mine Safety Orders.

10.PLANNING. 12 SMP - RUNOFF OUTLETS RECOMMND

The permitted shall during the proposed mining operations, ensure that off-site storm runoff through the property outlets are in substantially the same location as exists under the natural conditions and that the existing watercourses do not pond or stagnate at any time during the mining except as shown on the Mining Plan, Exhibit "A" and the Reclamation Plan, Exhibit "B".

10.PLANNING. 13 SMP - OPERATING HOURS RECOMMND

On-site operating hours, other than maintenance or emergencies, shall be limited to the following:

Mining, aggregate processing and recycle plant operations shall be limited to the hours between 7:00 A.M. and 10:00 P.M., Monday through Saturday. Operations shall be prohibited on Sundays and Federally recognized holidays.

Asphalt Batch Plant and Concrete Batch Plant operations shall be allowed to operate from 4:00 A.M. to 12:00 (midnight) with the limitation such that the Asphalt Batch Plant and Concrete Batch Plant shall not be operated simultaneously between the nighttime hours of 10:00 P.M. and 12:00 (midnight).

Trucking and hauling operations shall be limited to non-rush hour periods between 7:00 A.M. and 10:00 P.M., Monday through Friday, with the exception of limited periods of 24 hour, seven days per week operations required to service Caltrans and Riverside County Transportation Commission road improvement projects. All operations to be conducted beyond 10:00 P.M. shall be reported to Riverside County a minimum of 48 hours in advance of said operations.

No operations shall be allowed on Federally recognized holidays, except in emergency situations.

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10. GENERAL CONDITIONS

10.PLANNING. 14 SMP - LOADED TRUCK CARE RECOMMND

All loaded trucks egressing from the subject property shall be properly trimmed with a two (2) foot freeboard height and/or covered and sprayed with water so as to minimize dust and prevent spillage onto the public roadway. In the event that spillage onto the road does occur, said spillage shall be removed immediately (within one hour of the spillage) from the road right-of-way.

10.PLANNING. 15 SMP - FIRE PREVENTION RECOMMND

All work areas and parking areas shall be maintained free of flammable vegetation and debris at all times. No open fires shall be allowed.

10.PLANNING. 16 SMP - CEASED OPERATION EFFECT RECOMMND

In the event the use hereby permitted ceases operation for a period of one (1) year or more, this approval shall become null and void, unless an Interim Management Plan is submitted to the Planning Director within 90 days of the operation becoming idle, as specified in SMARA and Riverside County Ordinance No. 555. The applicant shall be responsible for the submission of the Interim Management Plan and remains responsible for the implementation of the Reclamation Plan should the permit become null and void.

10.PLANNING. 17 SMP - STOCKPILE PROTECTION RECOMMND

Stockpiles shall be protected against water and wind erosion by covering with burlap or other Riverside County approved material, wetting, and/or temporary hydroseeding with native plant species.

10.PLANNING. 18 SMP - COMPLY W/ 348 STANDARDS RECOMMND

The development of the property shall comply with all applicable provisions of Riverside County Ordinance No. 348 except as modified by the conditions of this permit.

10.PLANNING. 19 SMP - COMPLY W/ ORD. 655 RECOMMND

Surface mining operations approved by this permit shall conform to all of the applicable requirements of Riverside County Ordinance No. 655, regulating light pollution.

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10. GENERAL CONDITIONS

10.PLANNING. 20 SMP - COMPLY W/ SCAQMD RULES RECOMMND

The permittee shall comply with all applicable South Coast Air Quality Management District (SCAQMD) rules and regulations, including but not limited to, New Source Review Regulations, Standards of Performance for Asphaltic Concrete Plants, Rule 403 for fugitive dust, and PM10 requirements.

10.PLANNING. 23 SMP - SUSPEND OPER. FOR WIND RECOMMND

All surface mining operations, including excavating, crushing, screening and related material loading and hauling, shall be suspended when wind speeds (as instantaneous gusts) exceed 20 miles per hour. All surface mining operations shall be suspended during first and second stage smog alerts.

10.PLANNING. 24 SMP - SIGNS NEED PERMIT RECOMMND

No signs are approved pursuant to this use. Prior to the installation of any on-site advertising or directional signs, a signing plan shall be submitted to and approved by the Riverside County Planning Department, pursuant to the requirements of Riverside County Ordinance No. 348 and all necessary building permits shall be obtained from the Riverside County Department of Building and Safety.

10.PLANNING. 25 SMP - RESPONSIBLE TO RECLAIM RECOMMND

The permittee (mine operator and/or land owner) shall accept responsibility for reclaiming the mine lands in accordance with the approved reclamation plan and within the time limits of said plan and in conformance with reclamation requirements and standards according to State of California Surface Mining and Reclamation Act and Riverside County Ordinance No. 555 guidelines.

10.PLANNING. 26 SMP - ANNUAL REPORT RECOMMND

During the life of this permit, the permittee shall annually prepare and submit a written report to the Planning Director of the County of Riverside, demonstrating compliance with all the conditions of approval and mitigation for this SMP00213 and EIR00475. The Planning Director and/or Building Director may require inspection or other monitoring to ensure such compliance. Annual inspection shall include the Planning Department as well.

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10. GENERAL CONDITIONS

10. PLANNING. 27

SMP - BLASTING OPERATIONS

RECOMMND

Blasting shall only be conducted between the hours of 10:00 A.M. and 6:00 P.M., Monday through Saturday. No blasting shall be conducted on Sunday or any Federally recognized holidays. No blasting shall be conducted after sunset. If an emergency situation, related to safety or weather conditions, should occur, blasting may occur outside of these hours. Blasting shall be performed in accordance with the following specifications, and in such a manner that noise, ground and air vibrations, and dust are maintained at levels which satisfy Federal, State and County standards:

- a. Blasting shall be conducted by a trained and licensed blaster.
- b. The explosive used for blasting work will be standard commercial products specifically designed for mine applications.
- c. Blasting shall be performed using electric or non-electric blasting systems.
- d. All blasts shall be detonated with a millisecond delay system to limit the quantity of explosive denoted per delay period and to provide for sequential control of the blast detonation.
- e. The explosives shall include bulk ANFO suitably primed for blast hole conditions.
- f. Water-resistant explosive shall be used where wet blast hole conditions exists.
- g. Explosive supplies shall be used in accordance with the technical recommendations of the manufacturer and the Institute of Markers of Explosives.
- h. All blast holes shall be carefully stemmed with inert granular material, and individual blast holes will be loaded with due recognition of instant rock fracture and burden conditions.
- i. Seismic monitoring of each blast shall be performed by an independent, qualified consultant.
- j. The mining operator shall inform the County Fire Department and Sheriff Department, prior to 4:30 PM, of the intention to blast the following day.
- k. Notify neighbors within 1,000 feet prior to a blasting episode (in accordance with 60.PLANNING.7).
- l. Prior to a blasting episode, the site shall be cleared of people, all vehicles shall be either stored undercover or at a safe distance, all surplus explosives shall be stored in a safe place, warning signals shall be sounded and visual inspection of the site shall be made to assure

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10.PLANNING. 27 SMP - BLASTING OPERATIONS (cont.)

RECOMMND

there are no unauthorized people in the vicinity of the blast.

m. Blasting signals shall be posted at one or more conspicuous locations on the mining site and all employees shall be familiar with the signals and instructed as to the safety procedures.

n. Following a blasting episode, the area shall be inspected to assure that the blast went as planned. The "all clear" signal shall not be sounded until the licensed blaster has made a thorough visual inspection of the blast area for misfires.

o. Design of blasting configurations, i.e. drill hole pattern, diameter, depth, explosive types, quantities and delay systems shall be determined by the location of the blast, rock conditions of the area to be blasted, and distance to neighboring improvements. Determinations shall be made by drilling and visual observations, mine development plans and allowable explosive quantities per delay second.

p. The initial mine development and mine production blasts shall be limited to 2,000 pounds of explosive per eight-millisecond blast increment. Seismic monitoring at the site of mining operations shall be performed to determine the actual vibration levels from these blasts.

q. Vibratory ground motion from mine blasting shall not peak particle velocities of one inch per second.

r. Drilling shall be conducted between the hours of 6:00 AM to 6:00 PM, any day, Monday through Friday, except Federally recognized holidays.

s. Airblast at any residential structure shall not exceed 129 dBL, as measured by a sound instrument with a 6 Hz of lower flat response or 105 dBL peak, as measured by a A-weighted sound level meter.

t. Acoustic blankets shall be used around drilling operations to reduce potential drilling noise.

10.PLANNING. 28 SMP - BLASTING RECORDS

RECOMMND

A record of each blast, including seismograph data, shall be retained for at least three (3) years and shall be submitted to the County Building and Safety Department on a quarterly basis or more frequently, as deemed appropriate by the Building and Safety Director. Such records shall contain the following data:

a. Location, data and time of blast.

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10. GENERAL CONDITIONS

10.PLANNING. 28

SMP - BLASTING RECORDS (cont.)

RECOMMND

- b. Name, signature and license number of "Blaster-in-charge".
- c. Direction and distance, in feet, to the nearest improvement or residence.
- d. Weather conditions, including temperature, wind direction and approximate wind velocity.
- e. Number of holes, burden and spacing.
- f. Diameter and depth of holes.
- g. Types of explosive(s) used.
- h. Total weight of explosives detonated.
- i. Maximum weight of explosives detonated within an eight (8) millisecond period.
- j. Maximum number of holes detonated within any eight (8) millisecond period.
- k. Type of initiation system.
- l. Type of length of stemming.
- m. Type of delay detonator and delay periods used.
- n. Sketch of the delay pattern.
- o. Seismogram including the calibration signal of the gain setting and:
 - 1. seismographic reading, including locations of seismograph and its distance, in feet, from the blast,
 - 2. name of the person taking the seismograph reading,
 - 3. name of the person and firm analyzing the seismographic record.

10.PLANNING. 29

SMP - PREBLAST INSPECTION

RECOMMND

Preblast inspections shall be made by a civil engineer, licensed by the State of California, of all residences and facilities existing at time of permit approval located within 1,000 feet of potential blasting areas.

10.PLANNING. 30

SMP - BLASTING COMPLAINTS

RECOMMND

Any blasting complaints shall be recorded by the permittee as to complainant, address, date, time, nature of the complaints, the investigation that was conducted, and the resolution achieved. Complaint records shall be made available to the public agencies regulating blasting.

10.PLANNING. 31

SMP - 90 DAYS TO PROTEST

RECOMMND

The project applicant has 90 days from the date of approval of these conditions to protest, in accordance with the procedures set forth in Government Code Section 66020, the

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10.PLANNING. 31 SMP - 90 DAYS TO PROTEST (cont.) RECOMMND

imposition of any and all fees, dedications, reservations and/or other exactions imposed on this project as a result of this approval or conditional approval of this project.

10.PLANNING. 33 USE - BUSINESS LICENSING RECOMMND

Every person conducting a business within the unincorporated area of Riverside County, as defined in Riverside County Ordinance No. 857, shall obtain a business license. For more information regarding business registration, contact the Business Registration and License Program Office of the Building and Safety Department at www.rctlma.org.buslic.

10.PLANNING. 34 SMP - MITIG MEASURE AL-2d RECOMMND

Mitigation Measure AL-2d from EIR475 requires:

At the time quarrying on the upper north quarry slopes is completed, the slopes in this area that are visible from Rainbow Glen and Rainbow Hills to the southeast will be stained and the benches would be hydroseeded with native plant seeds to be consistent with natural colors and vegetation. This shall be done as part of concurrent reclamation activities anticipated as part of the Proposed Project.

10.PLANNING. 35 USE - ORD 810 O S FEE (1) RECOMMND

In accordance with Riverside County Ordinance No. 810, to assist in providing revenue to acquire and preserve open space and habitat, an Interim Open Space Mitigation Fee shall be paid for each development project or portion of an expanded development project to be constructed in Western Riverside County. The amount of the fee for commercial or industrial development shall be calculated on the basis of "Project Area," which shall mean the net area, measured in acres, from the adjacent road right-of-way to the limits of the project development.

10.PLANNING. 36 SMP - MITIG MEASURE AQ-3c RECOMMND

Mitigation Measure AQ-3c from EIR475 requires:

Applicant commits to purchasing all new off road equipment which is alternative fueled and/or compliant with the ARB

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10.PLANNING. 36 SMP - MITIG MEASURE AQ-3c (cont.) RECOMMND

and US EPA Off-Road Compression-Ignition Engine Standard for the year in which it is purchased.
(Also required in the Annual checklist condition of approval 60.Planning.27)

10.PLANNING. 37 SMP - MITIG MEASURE AQ-3i RECOMMND

Mitigation Measure AQ-3i from EIR475 requires:

All buildings on the Site shall conform to energy use guidelines in Title 24 of the California Administrative Code and the adopted Uniform Building Code in Riverside County.

10.PLANNING. 38 SMP - MITIG MEASURE AQ-3j RECOMMND

Mitigation Measure AQ-3j from EIR475 requires:

Applicant shall implement a Liberty Quarry Clean Air Truck Program, whereby Applicant would either retrofit or replace 130 heavy-duty, diesel-fueled truck engines when the proposed quarry first opens for permanent plant operation. The Applicant would work with trucking firms and concrete companies to identify and retrofit these trucks prior to initiating permanent plant operations. Liberty Quarry would only need about 13 trucks the first year; 130 trucks would not be needed until the quarry reaches full production approximately 10 years later. The engine retrofits (diesel particulate filters and NOx catalysts) will reduce individual truck emissions of PM10 by about 85 percent and NOx emissions by up to 40 percent, depending on the technology used for the retrofit. Applicant plans to replace some of the engines with model year 2007 or newer engines rather than retrofitting existing engines. Engine replacement results in emission reductions of PM10 by 90 to 96 percent (depending on the age of the replaced engine) and NOx by 95 percent or more from older engines.

10.PLANNING. 39 SMP - MITIG MEASURE AQ-3k RECOMMND

Mitigation Measure AQ-3k from EIR475 requires:

The project Applicant shall establish an air quality monitoring program. The air monitoring program and locations of monitoring stations shall be subject to review

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10.PLANNING. 39

SMP - MITIG MEASURE AQ-3k (cont.)

RECOMMND

by the County of Riverside and shall be consistent with existing monitoring protocols established by the South Coast Air Quality Management District. The air monitoring program shall be established and operational at least 12 months prior to initiation of permanent plant operations on the project site. The monitoring program shall monitor ambient air quality conditions and all monitoring results shall be provided to the County of Riverside and made available to the public on a quarterly basis.

(Also required in the Annual checklist condition of approval 60.Planning.27)

10.PLANNING. 40

SMP - MITIG MEASURE CR-3a

RECOMMND

Mitigation Measure CR-3a from EIR475 requires:

Prior to grading activities, the Proposed Project proponent shall retain a Riverside County certified archaeological monitor and tribal monitors from the Pechanga Cultural Resources Department. The archaeological monitor and tribal monitors shall monitor all grading down the top of hardrock or bedrock for the mining pit area, access road, all trenching, grubbing, rock removal, and areas where conventional mass grading will occur, including archaeological testing. Pursuant to CEQA Guidelines Section 15064.5(f), "provisions for historical or unique archaeological resources accidentally discovered during construction" shall be instituted. If any prehistoric or historical subsurface cultural resources are discovered during ground disturbing activities, all work within 100 feet of the resources shall be halted; and Applicant shall consult with Riverside County and a qualified archaeologist (as approved by the county) to assess the significance of the find according to guidelines. If any find is determined to be significant, Riverside County representatives and the qualified archaeologist shall meet to determine the appropriate avoidance measures or other appropriate mitigation. In considering any suggested mitigation proposed by the consulting archaeologist to mitigate impacts to historical resources or unique archaeological resources, Riverside County would determine whether avoidance is feasible, considering factors such as the nature of the find, project design, costs, tribal consultation, and other considerations. If avoidance is infeasible, other appropriate measures (e.g., data

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10.PLANNING. 40 SMP - MITIG MEASURE CR-3a (cont.) RECOMMND

recovery) would be implemented. Work may proceed on other parts of the Project Site while mitigation for historical resources or unique archaeological resources is performed. All significant cultural materials that are recovered shall be, at the discretion of the consulting archaeologist, in consultation with the Pechanga Tribe, subject to scientific analysis, professional museum curation, and documentation in accordance with current professional standards.

10.PLANNING. 41 SMP - MITIG MEASURE CR-5 RECOMMND

Mitigation Measure CR-5 from EIR475 requires:

If human remains are discovered, all work would stop near the find; and the county coroner would be notified, in accordance with Section 7050.5 of California's Health and Safety Code. If the remains are determined to be Native American, the coroner would notify the NAHC; and the procedures outlined in CEQA Guidelines Section 15064.5(d) and (e) would be followed.

10.PLANNING. 42 SMP - MITIG MEASURE CR-6a RECOMMND

Mitigation Measure CR-6a from EIR475 requires:

Prior to grading activities, the Proposed Project proponent shall retain a Riverside County certified archaeological monitor and tribal monitors from the Pechanga Cultural Resources Department. The archaeological monitor and tribal monitors shall monitor all grading down to the top of hardrock or bedrock for the mining pit area, access road, all trenching, grubbing, rock removal, and areas where conventional mass grading will occur, including archaeological testing. Tribal monitors shall also have the authority to stop and redirect grading activities in consultation with the project archaeologist, if archeological artifacts or human remains are found. Grading in that area shall not recommence until the cultural resource has been properly recorded, evaluated and mitigated pursuant to the provisions of CEQA Guidelines Section 15064.5 described for Mitigation Measure CR-5.

10.PLANNING. 43 SMP - MITIG MEASURE GEO-3b RECOMMND

Mitigation Measure GEO-3b from EIR475 requires:

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10. PLANNING. 43

SMP - MITIG MEASURE GEO-3b (cont.)

RECOMMND

The Applicant shall implement a geologic verification and monitoring program under the management of a qualified, registered geotechnical engineer and an engineering geologist. The program would generally include the collection of monitoring data from new core holes and exposed bench faces as mining operations proceed throughout the quarry area. The program document would require all geologic data, engineering drawings, permits, monitoring and mitigation conditions prior to initial Site development as well as preparation of detailed Site development phasing. The program would also include provisions for initial Site development, Site development blasting, production blasting within the initial mining areas, final pit wall slope face, and reporting and record keeping requirements.

The geologic verification and monitoring program will monitor rock strength and slope stability so that mining activities can be modified, if necessary, for the continued safe operation of the quarry and to produce stable slopes and benches. The program will be designed and implemented on an ongoing basis as mining progresses from initial Site development through the end of Phase 3.

Verification and monitoring activities include geologic mapping of exposed bedrock surfaces after blasting and excavation. All geologic and blasting data will be reviewed every time 100,000 yd³ of material has been blasted. Verification drilling and coring will be performed if deemed necessary by the independent geologist. Rock quality designation (RQD) and rock mass rating (RMR) will be recorded; rock strength and rock mass stability assumptions will be evaluated. Slope stability assumptions will be evaluated, at a minimum, after each 500,000 cubic yards (yd³) of material is blasted. A minimum overall safety factor of 1.5 will be maintained. In addition, hydrogeologic data will be monitored continually to confirm the lack of an aquifer. Periodic monitoring of the Kirkpatrick well (see Section 3.7) will be performed.

The name and qualifications of the registered engineering geologist or geotechnical engineer assigned to the Proposed Project will be provided to Riverside County. All records will be kept onsite, and duplicate records will be maintained by the engineering geologist or geotechnical engineer. During the first year, the engineering geologist or geotechnical engineer will prepare and submit quarterly .

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10. GENERAL CONDITIONS

10.PLANNING. 43 SMP - MITIG MEASURE GEO-3b (cont.) (cont.) RECOMMND

reports to Riverside County. With approval of the county, the reports may be prepared and submitted annually after the first year. The reports will include the following information.

- Drill hole patterns and locations
- Amount of explosive loaded in the holes
- Weather data at time of the blast
- Monitoring data
- Geological mapping and data (e.g., RQD and RMR)
- Core hole data and testing data
- Seepage data
- Slope stability verification analysis
- Hydrogeologic monitoring data
- Modifications to the mining plan, slope height, bench width, and slope angle

10.PLANNING. 44 SMP - MITIG MEASURE GEO-13 RECOMMND

Mitigation Measure GEO-13 from EIR475 requires:

The Applicant shall comply with State and local mandates requiring implementation of a stormwater pollution prevention plan (SWPPP) and use of best management practices (BMP) to control any runoff onsite and offsite that could potentially result in erosion. Mitigation Measures HWQ-1a and HWQ-1b (see Section 3.7) includes information regarding SWPPP requirements. Implementation of a SWPPP would minimize the effect of water erosion at the Site to less than significant.

10.PLANNING. 45 SMP - MITIG MEASURE HAZ-1 RECOMMND

Mitigation Measure HAZ-1 from EIR475 requires:

The Applicant shall require that the transport of explosives, blasting agents, and blasting equipment be directed and supervised by a qualified blast officer. Prior to delivery of blasting materials, the blasting contractor would notify the mine safety personnel of the quarry at least 24 hours in advance of expected delivery time. The contractor would make arrangements for the mine safety personnel to perform each of the following:

- Meet the explosive hauling vehicle

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10.PLANNING. 45

SMP - MITIG MEASURE HAZ-1 (cont.)

RECOMMND

-Inspect vehicle for compliance with transportation regulations

-Escort vehicle to designated storage magazines

Additionally, the blasting contractor and the explosive delivery company must show evidence of compliance with each of the following requirements.

-Maintain current enrollment in the California Biennial Inspection Terminal (BIT) Program

-Maintain a current U.S. Department of Transportation HAZMAT Certification Registration

-Maintain a current California HAZMAT Transportation License

-Maintain a general liability insurance policy for explosive transportation for not less than \$5,000,000

-Maintain a copy of the driver's current California driver license with HAZMAT endorsement

-Maintain current enrollment in California PULL NOTICE Program

-Maintain current enrollment in a drug screening program according to U.S. Department of Transportation CFR Title 49 regulations

All vehicles and explosive transport magazines shall conform to all federal, state, and local regulations associated with the transportation and handling of explosives. Additionally, all drivers of vehicles transporting explosives shall be properly trained and licensed in accordance with all federal, state, and local agencies and regulations.

10.PLANNING. 46

SMP - MITIG MEASURE HAZ-2

RECOMMND

Mitigation Measure HAZ-2 from EIR475 requires:

The Applicant shall ensure that use of blasting materials for blasting operations would adhere to the following:

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10.PLANNING. 46 SMP - MITIG MEASURE HAZ-2 (cont.) RECOMMND

-Blasting operations would be performed by a blaster licensed through the Bureau of Alcohol, Tobacco, Firearms, and Explosives (BATF&E).

-Blasting would be conducted upon issuance of a blasting permit by the Riverside County Fire Department and the Riverside County Sheriff's Department.

10.PLANNING. 47 SMP - MITIG MEASURE HAZ-3 RECOMMND

Mitigation Measure HAZ-3 from EIR475 requires:

To reduce the potential for and the severity of spills, the Applicant's activities shall be operated in accordance with management plans approved by regulatory authorities, including the following:

-The Above Ground Storage Tanks (AST) would be constructed on concrete pads to contain the contents of the tank and a 100 year rainfall event, in compliance with requirements.

-A hazardous materials business plan would be filed and approved by the Riverside County HMMD and implemented by the Applicant. The plan would include an inventory of hazardous materials and address proper storage, handling, and disposal of hazardous materials. The plan would provide spill response and notification requirements.

-A Spill Prevention, Control and Countermeasure (SPCC) plan is required for operation of the fuel tanks. A plan would be developed and implemented, specifying storage handling requirements and requirements for secondary containment and spill response to contain accidental releases.

10.PLANNING. 48 SMP - MITIG MEASURE HWQ-1a RECOMMND

Mitigation Measure HWQ-1a from EIR475 requires:

Prior to initiation of ground disturbance activities, the Applicant shall submit a Notice of Intent with the SWRCB to comply with NPDES General Permit for Discharges of Storm Water Associated with Construction Activity. The Applicant (or its designee) shall prepare a stormwater pollution prevention plan (SWPPP) to identify potential pollutant sources that affect the quality of discharges associated with construction activity, to identify non-stormwater

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10. GENERAL CONDITIONS

10.PLANNING. 48

SMP - MITIG MEASURE HWQ-1a (cont.)

RECOMMND

discharges, and to design best management practices (BMP) to effectively prohibit the discharge of pollutants from the Site into Waters of the United States during construction. BMPs shall address erosion and sediment control, wind erosion control, source controls, and waste management. The contractor shall ensure that the SWPPP requirements are implemented at the Site and that water quality standards are maintained. Best management practices shall be modified, as necessary, so that an adequate combination of erosion controls is implemented for active and inactive (previously disturbed) construction areas. Examples of best management practices include: use of silt fence or fiber rolls to prevent the migration of sediment offsite, application of water to disturbed areas during working or windy conditions to prevent dust and erosion, and use of drip pans for mobile fueling. In addition, the SWPPP shall outline a regular BMP maintenance and monitoring schedule. The SWPPP will likely require modification as the project progresses and as conditions warrant to remain consistent with changes in other site plans that effect soil disturbing activities, site drainage patterns or any other activity that may impact storm water runoff quality.

(Also required in the Annual checklist condition of approval 60.Planning.27)

10.PLANNING. 49

SMP - MITIG MEASURE HWQ-1b

RECOMMND

Mitigation Measure HWQ-1b from EIR475 requires:

The Applicant shall comply with the NPDES General Permit for Storm Water Discharges Associated with Industrial Activities and submit a Notice of Intent to the SWRCB prior to startup of project operations. The Applicant shall develop and implement an SWPPP that identifies and evaluates sources of pollutants associated with operations that affect the quality of industrial stormwater discharges and authorized nonstormwater discharges, and describes and ensures the implementation of BMPs to reduce or prevent pollutants in industrial stormwater discharges and authorized nonstormwater discharges. BMP methods of pollutant control will include both nonstructural and structural measures. Nonstructural BMPs may include good housekeeping practices, preventative maintenance, and other nonstructural control techniques. Structural BMPs may

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10.PLANNING. 49 SMP - MITIG MEASURE HWQ-1b (cont.) RECOMMND

include onsite surface containment, control berms, and other structural control techniques to minimize polluted stormwater runoff. In addition, the SWPPP shall outline a regular BMP maintenance and facility monitoring schedule in compliance with the Industrial General Permit.

(Also required in the Annual checklist condition of approval 60.Planning.27)

10.PLANNING. 50 SMP - MITIG MEASURE HWQ-1c RECOMMND

Mitigation Measure HWQ-1c from EIR475 requires:

Prior to the issuance of a building or grading permit, the Applicant shall comply with the San Diego RWQCB NPDES MS4 Permit (Order No. R9-2004-001) and submit for review and approval, a project-specific Water Quality Management Plan (WQMP) that addresses the project post-construction runoff and its potential impact on stormwater quality. The WQMP shall include characterization of the site (including hydrologic conditions of concern), description of onsite activities, and identification of pollutants that have the potential to impact stormwater quality. The WQMP shall address Site Design BMPs, such as minimizing impervious areas, incorporating the applicable Source Control BMPs (i.e., isolation of vehicle fueling and maintenance areas) and Treatment Control BMPs (i.e., sedimentation pond), and describing the associated site design considerations and implementation procedures. In addition, the WQMP would describe the long-term operation and maintenance requirements, and associated mechanism for funding, for BMPs requiring long-term maintenance.

10.PLANNING. 51 SMP - MITIG MEASURE HWQ-1d RECOMMND

Mitigation Measure HWQ-1d from EIR475 requires:

The Applicant shall comply with Riverside County Ordinance 754 - the Riverside County Stormwater/Urban Runoff Management and Discharge Controls Ordinance - by implementing (1) the measures identified in HWQ-1a, HWQ-1b, and HWQ-1c, in which management plans incorporate the appropriate and feasible BMPs contained in the California Stormwater Best Management Practice Handbooks for Municipal, Industrial/Commercial and Construction Activity; and (2) those measures identified by the Director of TLMA.

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10.PLANNING. 51 SMP - MITIG MEASURE HWQ-1d (cont.) RECOMMND

Implementation of these measures reduces pollutants in stormwater discharges to the maximum extent practicable during project design, construction, and operation; corrects or prevents illicit connections to the storm drain system; and implements business practices to prevent the unauthorized discharge of nonstormwater to the storm drain system.

10.PLANNING. 52 SMP - MITIG MEASURE N-4a RECOMMND

Mitigation Measure N-4a from EIR475 requires:

The Applicant shall limit construction activities to the hours of 6 a.m. (7 a.m. during the months of October through May) to 6 p.m.

10.PLANNING. 53 SMP - MITIG MEASURE N-4b RECOMMND

Mitigation Measure N-4b from EIR475 requires:

Applicant shall comply with the blasting mitigation plan.

10.PLANNING. 54 SMP - MITIG MEASURE N-5a RECOMMND

Mitigation Measure N-5a from EIR475 requires:

The Applicant shall restrict mining activities, aggregate plant, and recycling plant operations between the Riverside County-defined noise nighttime hours of 10 p.m. and 7 a.m.

10.PLANNING. 55 SMP - MITIG MEASURE N-5c RECOMMND

Mitigation Measure N-5c from EIR475 requires:

The Applicant shall not simultaneously operate the asphalt plant and concrete batch plant between the Riverside County-defined noise nighttime hours of 10 p.m. and 7 a.m.

10.PLANNING. 56 SMP - MITIG MEASURE N-5e RECOMMND

Mitigation Measure N-5e from EIR475 requires:

Upon receipt and validation of any noise complaints pertaining to the operation of the facility, Applicant shall conduct further acoustical analysis, which shall be conducted by a qualified acoustical consultant with

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10.PLANNING. 56

SMP - MITIG MEASURE N-5e (cont.)

RECOMMND

experience in evaluating community noise levels and standards. The acoustical analysis shall address complaints by nearby noise-sensitive receivers. The acoustical analysis shall be submitted to the Riverside County Departments of Planning and Environmental Health for review and approval. Additional mitigation measures identified in any subsequent acoustical analysis shall be implemented after receipt and acceptance of the acoustical analysis to ensure conformance with Riverside County standards. The Applicant shall complete an acoustical review application and reimburse the Department of Public Health for their time and expenses incurred reviewing the acoustical analysis. The applicable Riverside County standards is 45 dBA - 10-minute noise equivalent level ("Leq"), between the hours of 10:00 p.m. to 7:00 a.m. (nighttime standard) and 65 dBA - 10 minute Leq, between 7:00 a.m. and 10:00 p. m. (daytime standard).

10.PLANNING. 57

SMP - MITIG MEASURE USS-3c

RECOMMND

Mitigation Measure USS-3c from EIR475 requires:

The onsite wastewater treatment systems (OWTS) or advanced treatment units (ATU) must obtain San Diego RWQCB clearance in addition to the County of Riverside, Department of Environmental Health (DEH) approval if the daily estimated average wastewater flow discharged onsite is greater than 1,200 gallons per day and/or if the aforementioned San Diego RWQCB general waiver conditions cannot be met.

10.PLANNING. 58

SMP - MITIG MEASURE USS-2a

RECOMMND

Mitigation Measure USS-2a from EIR475 requires:

The Applicant shall implement water usage Scenario 2 (see the Water Usage and Demand Study, Granite Construction, 2008; see Appendix O-3), which would use up to 369 ac-ft of make-up water per year (see Figure 3.12-2) through the use of belt presses for an overall water supply reduction of 30 ac ft/yr. With use of belt presses, the Proposed Project annual make up water usage shall not exceed 369 ac ft/yr.

10.PLANNING. 59

SMP - MITIG MEASURE USS-2b

RECOMMND

Mitigation Measure USS-2b from EIR475 requires:

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10.PLANNING. 59 SMP - MITIG MEASURE USS-2b (cont.) RECOMMND

In the event that circumstances reduce the available water supply below 369 ac-ft/year but production demand is at a maximum, the Applicant shall reduce its water demand to match available water supplies by modifying its operations including, but not limited to, reducing aggregate processing operations, use of using water for washing of aggregate, and use of using water for dust suppression.

10.PLANNING. 60 SMP - MITIG MEASURE USS-3a RECOMMND

Mitigation Measure USS-3a from EIR475 requires:

In general, onsite wastewater treatment systems (OWTS) or advanced treatment units (ATU) would comply with San Diego RWQCB Conditional Waiver No. 1, general waiver conditions 1.I.A. for Onsite Disposal. These general waiver conditions include:

-Prevent the direct or indirect discharge of effluent from onsite disposal systems to any surface waters of the state (including ephemeral streams and vernal pools).

-Effluent from onsite disposal systems must be discharged to the subsurface and cannot surface or pond.

-Effluent from onsite disposal systems must not adversely affect the quality or beneficial uses of underlying groundwater.

-Effluent from onsite disposal systems must not cause or threaten to cause a condition of contamination, pollution, or nuisance.

-Effluent from onsite disposal systems must be discharged at least 5 feet above the highest known historical or anticipated groundwater level.

-Effluent from onsite disposal systems must be discharged at least 100 feet away from any surface water body.

-Effluent from onsite disposal systems must not adversely impact the quality or beneficial uses of groundwater in any water wells.

-Onsite disposal systems must be designed and operated in accordance with applicable regulatory requirements and/or

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10.PLANNING. 60

SMP - MITIG MEASURE USS-3a (cont.)

RECOMMND

standards as provided in the Specific Conditions (see Mitigation Measure USS-3b).

-The owner/operator of an onsite disposal system must comply with local, state, and federal ordinances and regulations and obtain any required approvals, permits, certifications, and/or licenses from authorized local agencies. Copies of any approvals, permits, certifications, and/or licenses must be available for onsite inspection.

-The owner/operator of an onsite disposal system must maintain and operate the system in accordance with the design approved by the authorized local agencies.

-The San Diego Water Board and/or other local regulatory agencies must be allowed reasonable access to the site in order to perform inspections and conduct monitoring.

-Onsite disposal systems can only accept domestic wastes and/or wastewater.

-Estimated daily discharge of domestic wastewater is less than 1,200 gallons per day.

10.PLANNING. 61

SMP - MITIG MEASURE USS-3b

RECOMMND

Mitigation Measure USS-3b from EIR475 requires:

The onsite wastewater treatment systems (OWTS) or advanced treatment units (ATU) would comply with San Diego RWQCB Conditional Waiver No. 1, specific waiver conditions 1.II.A. for new Onsite Septic Sewerage Systems. These specific waiver conditions include:

-New onsite septic or sewerage systems must comply with the conditions set forth in the section entitled Guidelines for New Community and Individual Sewerage Facilities in Chapter 4 (Implementation) of the Basin Plan.

-New onsite septic or sewerage systems proposed to be constructed in areas where groundwater quality objectives have been exceeded must be evaluated for potential adverse effects on groundwater quality and beneficial uses to determine if regulating the system with individual WDRs is more appropriate.

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10.PLANNING. 61 SMP - MITIG MEASURE USS-3b (cont.) RECOMMND

-New onsite septic or sewerage systems proposed to be constructed within areas designated as Zone A, as defined by the California Department of Public Health's Drinking Water Source Assessment and Protection Program, must be constructed with an adequate setback from the drinking water supply source that will be protective of drinking water quality.

Six months after adoption of State Water Board OWTS regulations, applications received by the authorized local agency for the construction of new onsite septic or sewerage systems must be in compliance with new OWTS regulations for design and installation.

10.PLANNING. 62 SMP - MITIG MEASURE VB-1a RECOMMND

Mitigation Measure VB-1a from EIR475 requires:

The scaled distance equation for ground vibration, which is presented in Section 3.13.2.4, correlates the weight of the charge and the distance to the receptor with the expected vibration. Predicted ground vibrations at a particular location can be reduced by reducing the scaled distance, which is the distance from the explosive charge to the recording location, in feet, divided by the square root of the charge weight, in pounds. By adjusting the blast design to a scaled distance of greater than 43, the potential ground vibration at Monitoring Station No. 19 would be reduced to below the human response threshold of 0.60 in/sec. A radius of 1,000 feet from Receptor Location No. 19 was selected for the implementation distance, because at 1,000 feet and beyond, the current blast design results in a scaled distance of less than 43.

10.PLANNING. 63 SMP - MITIG MEASURE VB-1b RECOMMND

Mitigation Measure VB-1b from EIR475 requires:

A blast plan has been prepared for the Proposed Project (see Appendix J, Sub-appendix C) and will be implemented during Phases 1 through 3 of the Proposed Project. The blast plan specifies procedures for handling of explosives and blasting, including safety precautions, such as pre-blast notifications and steps to take in the event of a misfire. The blast plan specifies the qualifications required of the blasting contractor. The use and handling

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10.PLANNING. 63

SMP - MITIG MEASURE VB-1b (cont.)

RECOMMND

of all explosive materials shall be done by fully trained and licensed personnel with experience in quarry blasting. Blasting is limited to the hours of 10 a.m. to 6 p.m., once per day MoM-nday through Saturday; no blasting is allowed after sunset. The blaster-in-charge will prepare a blasting record after each blast, detailing the date, time, location, and specifications of the blast (e.g., drill pattern, hole depth, and products used). With implementation of the blast plan, the blast would be controlled so that the potential for exceeding the vibration threshold for human response is minimal.

10.PLANNING. 64

SMP - MITIG MEASURE VB-1c

RECOMMND

Mitigation Measure VB-1c from EIR475 requires:

A blast monitoring plan consistent with to the draft Plan in Appendix J, Sub-Appendix D in the DEIR, will be submitted to the Riverside County Planning Department, the Fire Department, and the Sheriff's Department for approval prior to any construction or operational blasting activities and shall be implemented by the Applicant during all blasting activities. Said Blast Monitoring Plan shall set forth the types and placement of instrumentation at a minimum of three nearby receptors. If the blasting operations at the Liberty Quarry exceed the referenced control limits for any single axis of any blast, Granite Construction and their blasting contractor shall cease all blasting activities and submit a report to the County. The report shall give the blast design parameters and seismographic data and include any necessary proposed corrective action, which in their opinion will reduce vibration intensity to below control limits. Corrective action is subject to County approval.

(Also required in the Prior to Startup checklist condition of approval 20.Planning.XX)

10.PLANNING. 65

SMP - SCAQMD MITIGATION REQ

RECOMMND

The following Mitigation Measures are required from EIR475. Compliance with these Measures is facilitated by annual reviews by the South Coast Air Quality Management District (SCAQMD):

AQ-2a: Applicant shall comply with SCAQMD Rule 403, which

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10. GENERAL CONDITIONS

10. PLANNING. 65

SMP - SCAQMD MITIGATION REQ (cont.)

RECOMMND

specifies the following dust control measures:

- No visible dust emissions beyond the property line
 - No dust emissions exceeding 20 percent opacity anywhere on the property
 - No offsite increase in ambient PM10 concentrations greater than 50 g/m3
 - No track-out exceeding 25 feet from the property
 - Wheel washing or paving to eliminate track out
 - Employment of a dust control supervisor who has the authority to expeditiously employ sufficient dust mitigation measures to ensure compliance
 - Watering to maintain soil moisture at 12 percent on haul roads and other active unpaved surfaces that are not chemically stabilized
 - Watering to prevent visible dust more than 100 feet from any earth moving or mining activity
 - Watering, dust suppressants, covering with larger aggregate, and re-vegetation of inactive disturbed areas to prevent wind driven dust
 - Daily watering and 15 mph speed limit on unpaved roads
 - Chemical stabilization, watering, covering, and enclosing storage piles
 - Suspend all blasting, excavation, and grading operations when wind gusts (as instantaneous gusts) exceed 25 mph
 - Access road will be paved and all plant areas will be paved except mine haul roads for off-site mine trucks.
- AQ-2b: Applicant shall comply with SCAQMD Rule 1157, which requires the following:
- No visible dust more than 100 feet from any activity, equipment, storage pile, or disturbed area anywhere onsite

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10. GENERAL CONDITIONS

10. PLANNING. 65 SMP - SCAQMD MITIGATION REQ (cont.) (cont.) RECOMMND

- No dust emission from any source exceeding 20 percent opacity (average of 12 readings)
- Prompt clean up of any spilled material and stabilization of any spilled material storage piles at a minimum at the end of each work day
- Dust suppressants or other dust control methods on conveyors, loading, unloading, or transferring activities
- Baghouse emission controls on screening and crushing activities or other dust control measures to meet the visible emission limits
- Chemical stabilization, covering, or enclosing storage piles
- Chemical stabilization of unpaved haul roads
- Sweeping of paved roads once each shift with SCAQMD-certified sweepers
- Covered or otherwise stabilized aggregate loads (i.e., loads to remain six inches from the upper edge of the container area) to avoid dust emissions from product transport trucks in compliance with California Vehicle Code No. 23114
- Wheel washers, rumble grate, and paving of internal plant roads to eliminate track out.

AQ-2c: All equipment and trucks shall be maintained and tuned according to manufacturer's specifications.

AQ-2d: Applicant shall comply with all existing and future CARB and SCAQMD regulations related to diesel-fueled trucks and equipment.

Control for diesel emissions from equipment and trucks are embedded in the compliance for all diesel-fueled engines, trucks, and equipment with the statewide CARB Diesel Reduction Plan. These measures would be implemented by CARB in phases with new rules imposed on existing and new diesel-fueled engines.

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10. GENERAL CONDITIONS

10.PLANNING. 65 SMP - SCAQMD MITIGATION REQ (cont.) (cont.) (RECOMMND

AQ-2e: Applicant shall implement the following measures to reduce construction-related NOx impacts:

-Prohibit onsite diesel trucks from idling in excess of five minutes

-Require construction equipment that meets Tier 4 or exceeds Tier 2 standards and equip construction equipment with oxidation catalysts, particulate traps and demonstrate that these verified/certified technologies are available

-Provide temporary traffic controls such as a flag person, during all phases of construction to maintain smooth traffic flow

-Schedule construction activities that affect traffic flow on the arterial system to off-peak hour to the extent practicable

-Reroute construction trucks away from congested streets or sensitive receptor areas

-Improve traffic flow by signal synchronization

AQ-2f: Applicant shall implement the following measures to reduce construction-related VOC emissions:

-Use required coatings and solvents with a VOC content lower than required under Rule 1113

-Construct/build with materials that do not require painting to the satisfaction of the Planning Director

-Use pre-painted construction materials to the satisfaction of the Planning Director

Contractors shall use high-pressure-low-volume (HPLV) paint applicators with a minimum transfer efficiency of at least 50% or other application techniques with equivalent or higher transfer efficiency

AQ-3f: Per NSR requirements, Applicant shall obtain emission offsets for nonfugitive emissions if these emissions exceed the NSR thresholds of four tons/year for NOx, ROG, SOx, and PM10, or 29 tons/year for CO. The

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10. GENERAL CONDITIONS

10.PLANNING. 65 SMP - SCAQMD MITIGATION REQ (cont.) (cont.) (RECOMMND

emission offset regulations apply only to nonfugitive or stationary emissions including the onsite aggregate processing plants and the power plant. The 5 MTPY quarry (with the onsite electric power plant) exceeds the emission offset thresholds for all of the five criteria pollutants listed in Regulation XIII. Table 3.2-22a shows the effect of the required emission offsets of 1.2 times the maximum non-fugitive emissions. Although PM2.5 emissions are not required to be offset, because PM2.5 is a subset of PM10, it would also be offset in the same ratio as PM10.

AQ-3g: Applicant shall be subject to the SCAQMD NSR Regulation XIII that requires the operator to employ Best Available Control Technology (BACT), which may include implementation of the various technological measures listed as Applicant Design Features.

AQ-3h: Applicant's stationary source NOx emissions shall be subject to the SCAQMD Regulation XX RECLAIM program that requires the operator to obtain RTCs quarterly to account for operational emissions. Applicant may meet the RECLAIM requirements for NOx through the purchase of ERCs, as shown for Mitigation Measure AQ-3f and in Table 3.2-22. Alternatively, the Applicant may meet the requirements of the RECLAIM program by purchasing RTCs.

AQ-9a: Applicant shall be subject to the SCAQMD New Source Review for Toxic Air Contaminants Rule 1401 that requires the operator to employ T-BACT, as listed in the SCAQMD BACT Guidelines.

AQ-9b: Applicant shall comply with required airborne toxic control measure that limits idling for greater than 5 minutes (Section 2485 within Chapter 10 - Mobile Source Operational Controls, Article 1 - Motor Vehicle, Division 3, CARB, Title 13, CCR).

10.PLANNING. 66 SMP - DRIVER SAFETY

RECOMMND

The applicant shall provide safe vehicle operations for all drivers that utilize the site through safety meeting instructions of its employees and regular customers and through handouts for other truck drivers. This will include that all trucks must have adequate mufflers and that the use of "jale brakes" will be limited to emergency situations.

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10. GENERAL CONDITIONS

10.PLANNING. 67 SMP - OFFISTE PLANS WMD RECOMMND

The Applicant shall provide all plans for off-site improvements in proximity to Metropolitan Water District of Southern California (MWD) facilities and/or pipelines to MWD for their technical review and written approval and all such plans must clearly identify MWD's facilities and rights-of-way.

10.PLANNING. 68 SMP - NONPOTABLE WATER RECOMMND

The Applicant shall use non-potable water for the Project's industrial processes and fire protection, which will require the project proponent to construct additional pumping plants, storage tanks, and transmission waterlines to deliver this water to the subject parcel.

10.PLANNING. 69 SMP - SAN DIEGO CSPG (1) RECOMMND

The Applicant shall comply with San Diego County's I-15 Corridor Scenic Preservation Guidelines and associated Development Standards for steep topography and natural features as applicable for portions of the access road within San Diego County. The access road site plan and engineering plans will be provided to San Diego County's Department of Planning and Land Use for review and recommendations during the review period of the access road plans. A clearance letter from San Diego County will be required to assure compliance with this condition of approval.

10.PLANNING. 70 SMP-SAN DIEGO/CALTRANS RVW (2) RECOMMND

The Applicant shall provide all draft road improvement designs at the Rainbow Valley Boulevard/I-15 interchange to be reviewed and approved by Caltrans to San Diego County's Department of Public Works, Transportation Division for review and comment prior to obtaining necessary permits from Caltrans. A clearance letter from San Diego County will be required to assure compliance with this condition of approval.

10.PLANNING. 71 SMP-CALTRANS RVW OF GRADNG (1) RECOMMND

The Applicant shall submit rough and precise grading and drainage plans to Caltrans for their review for all road improvements as well as other infrastructure improvements that may affect Caltrans facilities either directly or

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10.PLANNING. 71 SMP-CALTRANS RVW OF GRADNG (1) (cont.) RECOMMND
indirectly (e.g. offsite drainage).

10.PLANNING. 72 SMP-CALTRANS ENCROACH PRMT (1) RECOMMND
The Applicant shall obtain an encroachment permit from Caltrans for any alterations within State right-of-way.

10.PLANNING. 73 SMP - RWQCB BMP (1) RECOMMND
The Applicant shall incorporate Low Impact Development Best Management Practices as recommended by the RWQCB into their stormwater permits required under Mitigation Measures HWQ-1a, HWQ-1b, HWQ-1c, and HWQ-1d.

10.PLANNING. 74 SMP - RAINBOW PRKNG RESTRICTNS RECOMMND
The Applicant will provide truck drivers information regarding where they would not be allowed to park on roadways in the Community of Rainbow upon discussions with community leaders and/or as restricted by ordinance or resolution of the San Diego County Board of Supervisors.

10.PLANNING. 75 SMP - DUST SUPERVISOR (1) RECOMMND
The Applicant will appoint an on-site supervisor to be responsible for dust control implementation and to respond to any complaints about dust issues.

10.PLANNING. 76 SMP - TEIR 4 EMISSION REQ RECOMMND
Prior to full production of 5 million tons per year, all off-road equipment will meet Tier 4 emission limits.

10.PLANNING. 77 SMP - PAVEMENT REQ RECOMMND
Pavement is required around the entire aggregate, asphalt, concrete, and electrical generation plant sites. Only onsite haul roads may be unpaved if chemically stabilized and/or routinely watered.

10.PLANNING. 78 SMP - BLUE SMOKE PROGRAM RECOMMND
The applicant shall implement a "blue smoke" program to reduce the potential for odor from asphaltic concrete (conventional, recycled asphalt products, and rubberized) production.

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10.PLANNING. 79 SMP - WARM MIX ASPHALT RECOMMND

The applicant shall provide the capabilities to produce warm mix AC on the asphalt plants. All asphalt shall be produced with as low an asphalt mix temperature as feasible (warm mix asphalt).

10.PLANNING. 81 SMP - WILDLIFE BENCHES RECOMMND

The applicant shall have ramp between quarry benches for wildlife access after the conclusion of mining.

10.PLANNING. 82 SMP - FIRE SENSORS RECOMMND

Granite shall notify the managers of the fire sensors Ambient Control Systems (619-562-5411, Poway, CA) of the construction schedule involving outdoor welding in advance of outdoor welding activity; and Granite shall provide temporary shielding of outdoor welding activity if there is line of sight visibility from the fire monitors to the welding.

10.PLANNING. 83 SMP - ENCLOSED CRUSHERS RECOMMND

Crushers and screens at the aggregate processing, concrete batch, and recycling plants shall be enclosed.

10.PLANNING. 84 SMP - RECLAIM SHIELDING RECOMMND

Concrete truck loading operations shall be partially shielded by the reclaim tunnel structure under the concrete batch plant.

10.PLANNING. 85 SMP - ASPHALT EXHAUST FANS RECOMMND

The asphalt plant exhaust fans shall be fitted with effective silencing (anticipated to be 5 feet long).

10.PLANNING. 86 SMP - GENERATOR MUFFLERS RECOMMND

Engine generator sets and heavy mobile equipment shall be fitted with appropriate mufflers and enclosures so that modeled sound levels are realized.

10.PLANNING. 87 SMP - ONE BLAST PER DAY RECOMMND

The project shall be limited to a maximum of one blast per day for all mining activities. Blasting is limited to the

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10. GENERAL CONDITIONS

10.PLANNING. 87 SMP - ONE BLAST PER DAY (cont.) RECOMMND

hours of 10am to 6pm Monday through Saturday. No blasting is permitted after sunset.

10.PLANNING. 88 SMP - VISUAL BERM RECOMMND

Within 30 days of project approval, the Applicant shall provide detailed description of all construction details, any reinforcements, drainage and erosion controls, and revegetation that will be employed for both the Visual Enhancement Berm and the landscaped fill slope on the southeast portion of the site in the approved Final SMP and Reclamation Plan.

10.PLANNING. 89 SMP -CALTRANS RVW OF GRADE (1) RECOMMND

Prior to commencing any site grading that may affect Caltrans facilities, all rough grading plans, precise grading plans, and drainage plans shall be submitted for review and approval to Caltrans as well as Riverside County Building & Safety and/or San Diego County, as appropriate, for all road improvements as well as other infrastructure improvements that may affect Caltrans facilities either directly or indirectly (e.g. offsite drainage).

10.PLANNING. 90 SMP - REVEGETATION PERFORMANCE RECOMMND

Re-vegetation of the site shall meet the following minimum success criteria before being deemed as meeting the required reclamation standards: Percent Cover shall be a minimum of 50 % cover of native perennials per 100 meter transect; Species Richness (diversity) shall be a minimum of 9 species native perennials per 100 meter transect; Density shall be a minimum of 15 native perennials per 100 meter transect density; Presence of noxious weeds shall be less than 10% cover per 100 meter transect.

10.PLANNING. 91 SMP - REVEGETATION SAMPLING RECOMMND

The Re-vegetation monitoring plan shall be designed such that there is a resultant sample size which will provide an 80 percent confidence level at a minimum. The monitoring plan shall describe the details of the monitoring methods, including the type and number of monitoring plots to be employed. The sample plan shall be designed to match the units of measure and requisite goals of the revegetation performance standards (success criteria).

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10. GENERAL CONDITIONS

10. PLANNING. 92 SMP - JAKE BRAKES

RECOMMND

All trucks must have adequate mufflers and that the use of "jake brakes" must be limited to emergency situations.

10. PLANNING. 93 SMP- CULTURAL RESOURCES PROF

RECOMMND

As a result of archaeological investigation PD-A-4583 it has been determined that archaeological monitoring of all conventional grading (for roadway and structure development) and initial quarry excavation down to soil/rock interface over the life of the SMP.

Prior to the issuance of any grading permits, the developer/permit holder shall retain and enter into a monitoring and mitigation service contract with a qualified Archaeologist for services. The archeologist shall hold a current certification with the County of Riverside. This professional shall be known as the "Project Archaeologist." The Project Archaeologist shall be included in the pre-grade meetings to provide cultural/historical sensitivity training including the establishment of set guidelines for ground disturbance in sensitive areas with the grading contractors and tribal monitor. The Project Archaeologist shall manage and oversee monitoring for all initial ground disturbing activities and excavation of each portion of the project site including clearing, grubbing, tree removals, grading, trenching, stockpiling of materials, rock crushing, structure demolition, and similar activities. The Project Archaeologist shall have the authority to temporarily divert, redirect or halt the ground disturbance activities to allow identification, evaluation, and potential recovery of cultural resources in coordination with the tribal monitor.

The developer/permit holder shall submit a fully executed copy of the contract to the Riverside County Planning Department (County Archaeologist) to ensure compliance with this condition of approval. Upon verification, the Planning Department shall clear this condition.

NOTE: 1) The Project Archaeologist is responsible for implementing mitigation using standard professional practices for cultural resources. The Project ARchaeologist shall consult with the County, developer/permitholder and tribal monitor throughout the process.

2) The monitoring agreement shall not modify any approved

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10. GENERAL CONDITIONS

10.PLANNING. 93 SMP- CULTURAL RESOURCES PROF (cont.) RECOMMND

condition of approval or mitigation measure.

10.PLANNING. 95 SMP- CULT MONITORING REPORTS RECOMMND

Prior to final inspection for any phase of grading or mining activities where archaeological monitoring is required, the developer/permit holder shall submit two (2) copies of the Phase IV Cultural Resources Monitoring Report to the County Archaeologist for review and acceptance that complies with the Riverside County Planning Department's requirements for such reports. The reports shall include documentation of the required cultural/historical sensitivity training for the construction/mining staff held during pre-grade or pre-mining meetings. The Riverside County Planning Department (County Archaeologist) shall review the reports to determine adequacy in mitigation reporting for environmental compliance documentation. Provided reports are adequate, the County Archaeologist shall clear this condition for each phase of grading or mining under permit where archaeological monitoring is required.

10.PLANNING. 96 SMP- TRIBAL MONITORING RECOMMND

As a result of information submitted by the Pechanga Band of Luiseno Indians, tribal monitoring of conventional construction-related grading activities and initial mining excavation down to the soil/rock interface shall be accommodated for the purposes of consultation.

Prior to the issuance of grading permits, the developer/permit holder shall enter into contract to retain a monitor designated by the Pechanga Band of Luiseno Indians for the purpose of consultation with the Tribe in the event that cultural resources are exposed during earth-disturbing activities subject to archaeological monitoring under this Surface Mining Permit. The contract with the Tribe shall address, but not be limited to, the treatment and ultimate disposition of Native American cultural resources which may include repatriation and/or curation in a Riverside County approved curation facility.

The Tribal Monitor shall be allowed on-site access during all initial ground disturbing activities and initial excavation of each phase of the mine down to the soil/rock interface, including clearing, grubbing, tree removals,

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10. GENERAL CONDITIONS

10.PLANNING. 96

SMP- TRIBAL MONITORING (cont.)

RECOMMND

grading, trenching, stockpiling of materials, rock crushing, mining, structure demolition and similar activities. The Tribal Monitor shall have the limited authority to temporarily divert, redirect or halt the ground disturbance activities to allow for tribal consultation in coordination with the Project Archaeologist and construction/mining superintendant or designee.

The developer/permit holder shall submit a copy of a fully executed contract with the Tribe to the Riverside County Planning Department (County Archaeologist) to ensure compliance with this condition of approval. Upon verification, the Planning Department shall clear this condition.

NOTES:

- 1) The Project Archaeologist is responsible for implementing environmental mitigation compliance using standard professional practices for cultural resources. The Project Archaeologist shall consult with the County, developer/permit holder, and Tribal Monitor throughout the monitoring process.
- 2) Tribal monitoring does not replace required cultural resources monitoring by the Project Archeologist, but rather serves to facilitate tribal consultation for the Tribe's interests.
- 3) The tribal monitoring contract shall not modify any approved conditions of approval or mitigation measures.
- 4) The developer/permit holder shall have the option of contacting the Planning Director for consideration of this condition after forty-five (45) days, if an agreement with the Tribe has not been secured. In such an instance, the developer/permit holder shall demonstrate through documentation a good-faith effort to obtain the Tribal monitoring contract with the Tribe.
- 5) Should repatriation of recovered Native American artifacts be preferred, repatriation shall not occur until after the Phase IV monitoring report for any phase of grading or mining activity required to be monitored has been submitted to the Riverside County Planning Department (County Archaeologist). Should curation be preferred, the

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10. GENERAL CONDITIONS

10.PLANNING. 96 SMP- TRIBAL MONITORING (cont.) (cont.) RECOMMND

developer/permit holder shall be responsible for all curation costs.

10.PLANNING. 97 SMP - EXPLORATORY BORE HOLES RECOMMND

All exploratory bore holes excavated on this site for the evaluation of geologic and/or hydrological conditions, if not already properly abandoned, shall be abandoned in accordance with all applicable laws and regulations. This shall include the three borings (MW-1, -2, and -3) unless these bore holes are to be maintained for long-term monitoring.

If MW-1, -2, and -3 are to be maintained for long-term monitoring, an appropriate monitoring plan shall be prepared and submitted to the County Geologist for review and approval within 30 days of approval of this mining permit. This plan shall include, at a minimum, the monitoring purpose of the borings, what data will be acquired, the methods to be employed for the collection of data, and the reporting requirements for the data.

If the bore holes were completed as short-term exploratory borings (not to be maintained for long-term monitoring) they shall be destroyed in accordance with the applicable State and local laws if they will not be mined out within one year of approval of this mining permit.

TRANS DEPARTMENT

10.TRANS. 1 SMP - TS/CONDITIONS RECOMMND

The Transportation Department has reviewed the traffic study submitted for the referenced project. The study has been prepared in accordance with County-approved guidelines. We generally concur with the findings relative to traffic impacts.

The General Plan circulation policies require a minimum of Level of Service 'C', except that Level of Service 'D' may be allowed in community development areas at intersections of any combination of secondary highways, major highways, arterials, urban arterials, expressways or state highways and ramp intersections.

The study indicates that it is possible to achieve adequate

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10. GENERAL CONDITIONS

10.TRANS. 1

SMP - TS/CONDITIONS (cont.)

RECOMMND

levels of service for the following intersections based on the traffic study assumptions.

I-15 Southbound Off Ramp - Truck Scale (NS) at:
Rainbow Valley Boulevard (EW)

I-15 Southbound On Ramp (NS) at:
Rainbow Valley Boulevard (EW)

I-15 Northbound Ramps (NS) at:
Rainbow Valley Boulevard (EW)

I-15 Southbound Ramps (NS) at:
Mission Road/Old Highway 395 (EW)

I-15 Northbound Ramps (NS) at:
Mission Road/Old Highway 395 (EW)

I-15 Southbound Ramps (NS) at:
Pala Road/SR-76 (EW)

I-15 Northbound Ramps (NS) at:
Pala Road/SR-76 (EW)

Old Highway 395 (NS) at:
Rainbow Valley Boulevard (EW)

Project Access (NS) at:
Rainbow Valley Boulevard

As such, the proposed project is consistent with this General Plan policy.

The associated conditions of approval incorporate mitigation measures identified in the traffic study, which are necessary to achieve or maintain the required level of service.

The study indicates that feasible improvements may not be possible and adequate levels of service may not be achieved for the following intersections based on the traffic study assumptions. The Developer will be conditioned to pay fair share towards active and future improvement projects at these locations.

The City of Temecula and Caltrans are cooperating in

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10. GENERAL CONDITIONS

10.TRANS. 1 SMP - TS/CONDITIONS (cont.) (cont.)

RECOMMND

planning improvements to alleviate existing and expected congestion at the following I-15 interchanges:

I-15 at Winchester Road

I-15 at Rancho California Road

I-15 at SR-79 South

Since the project will have impacts at these interchanges, the project will pay fair share for the planned improvements. Since the improvements may not be completed until after the project starts generating traffic, there will be a period of time when the project impacts will not be mitigated. This will require Findings of Overriding Considerations for the temporary impacts.

20. PRIOR TO A CERTAIN DATE

EPD DEPARTMENT

20.EPD. 1 - RINGTAIL GROUND CLEARANC

RECOMMND

Mitigation Measure BIO-1b(2) from EIR475

A pre-construction survey for ringtails shall be conducted in advance of any ground-clearing activities, and individuals encountered should be passively relocated by a qualified biologist. Prior to passive relocation, the qualified biologist shall submit a report and work plan to the Riverside County Planning Department, Environmental Programs Division (EPD). Passive relocation shall not begin until EPD has reviewed and approved the work plan. The passive relocation program would consist of three iterative steps: (1) within 7 days prior to initial ground clearance at any given location, night lighting and moderate disturbance (e.g., human presence) of potentially occupied habitat, with unobstructed opportunity for ringtails to move to other potentially suitable habitat, (2) initial cutting of shrubs and other bulky vegetation by crews with power tools rather than mass removal with heavy equipment, being careful to maintain free access by ringtails to other potentially suitable habitat, and (3) biological monitors present during all subsequent clearing and removal of remaining vegetation and soils for initial establishment of the quarry and related facilities.

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20. PRIOR TO A CERTAIN DATE

20.EPD. 1 - RINGTAIL GROUND CLEARANC (cont.) RECOMMND

Monitors would have authorization to halt construction work immediately if a ringtail is detected. If a ringtail is detected during step 3, step 1 would be reinitiated for at least one night, followed by hand clearing of all vegetation at the location(s) where the ringtail was detected along with a 50-foot buffer. Under no circumstances, shall clearing occur within the conserved habitats surrounding the mine footprint. A final report shall be submitted to EPD within 10 days following relocation activities.

20.EPD. 2 - NESTING BIRD SURVEYS RECOMMND

Mitigation Measure BIO-1d from EIR475

This condition shall be implemented prior to the clearing of any vegetated area. Potential impacts to tree-nesting raptors and other species protected under the MBTA would be mitigated by restricted vegetation clearing and grading during the breeding season for migratory birds (approximately January 15 through September 15 annually) unless preconstruction surveys by a qualified biologist determine no nesting birds protected by the MBTA would be impacted by the proposed work.

20.EPD. 3 - LANDSCAPE AND REVEGETATI RECOMMND

Mitigation Measure BIO-2b from EIR475

The Proposed Project mining and reclamation plan requires the Applicant to develop landscape plans that avoid the use of invasive species for the portions of the Site that are adjacent to the SMER. The landscape and revegetation plans are subject to approval by Riverside County Planning Department, Environmental Programs Division and to review by the State Mining and Geology Board. With these features, the Proposed Project would avoid the use of potentially invasive species adjacent to the SMER and jurisdictional waters.

20.EPD. 4 - SAN DIEGO HLP RECOMMND

Mitigation Measure BIO-2e from EIR475

Prior to any mining activity, the applicant must provide documentation to the Riverside County Planning Department,

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20. PRIOR TO A CERTAIN DATE

20.EPD. 4 - SAN DIEGO HLP (cont.)

RECOMMND

Environmental Programs Division that the EIR mitigation measure quoted below has been met.

To mitigate impacts to coastal sage scrub, the Applicant would be required to receive discretionary approval from San Diego County subject to the HLP Ordinance. Specifically, the Proposed Project would require an HLP from San Diego County to ensure that the impacts are consistent with the NCCP Conservation Guidelines for coastal sage scrub.

20.EPD. 5 - BMMP SUBMITAL

RECOMMND

Mitigation Measure BIO-3a from EIR475

Prior to any vegetation clearing or mining activities, a Biological Mitigation Monitoring Plan (BMMP) shall be prepared by a biologist who holds an MOU with the County of Riverside. The BMMP shall be submitted to the Riverside County Planning Department, Environmental Programs Division for review and approval. The BMMP shall include but not be limited to, timelines, success criteria and financial assurances. The initial instillation must be completed within one year of the start of mining activities. The BMMP shall be consistent with the mitigation measures described in the document entitled "Final: Determination of Biologically Equivalent or Superior Preservation for the Liberty Quarry Project," dated June 26, 2009 (EIR475 Appendix D2). The BMMP shall also be consistent with EIR475 Mitigation Measure BIO-3a, as it is quoted below.

This measure assimilates the 400-foot setback along the northern boundary (refer to Mitigation Measure BIO-1c(3)). Thus, approximately 0.08 acres would be directly impacted. Significant direct impacts to approximately 0.08 acre of Waters of the United States would be mitigated to a less than significant level through the following creation and enhancement prior to or during the Proposed Project construction, operation, and reclamation phases:

1. The proposed impacts would occur within the upper reaches of the Santa Margarita River watershed, and all proposed mitigation would occur within this watershed unit. A preliminary jurisdictional determination has been completed (see Appendix D-1), and the initial results, with assimilation of Mitigation Measure BIO-1c(3), indicate

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20.EPD. 5

- BMMP SUBMITAL (cont.)

RECOMMND

approximately 0.08 acre of impacts to non-wetland Waters of the United States would require mitigation at a 2:1 ratio to satisfy USACE, CDFG, RWQCB, Western Riverside County MSHCP, and RPO requirements. This mitigation would include an approximate 0.08-acre creation of ephemeral jurisdictional channel(s) within the set-aside areas surrounding the Proposed Project impact areas, and an approximate 0.08-acre of jurisdictional area enhancement, potentially within disturbed wetlands areas of the Santa Margarita River. If mitigation cannot be achieved in kind on the Site, appropriate credits within an established mitigation bank would be purchased. The Santa Margarita-San Luis Rey Weed Management Program in an USACE in-lieu fee program that removes *Arundo donax* within the Santa Margarita River and is a feasible option for off-site mitigation.

2. All proposed onsite creation or offsite enhancement areas would be identified in a conceptual habitat mitigation plan consistent with USACE regulatory requirements, and including the following:

-Quantitative success criteria (vegetation cover and species richness)

-Recommendations for soil preparation

-A plant palette to include native species occurring on the Site, such as Engelmann oak, coast live oak, and Rainbow Manzanita

-Planting methods Irrigation and maintenance requirements

-A long-term mitigation maintenance and monitoring plan with remedial measures

3. Comply with any and all conditions of permits issued for the Proposed Project by the USACE or RWQCB under Sections 404 or 401 of the federal CWA, by CDFG under Section 1602 of the Fish and Game Code, or by Riverside County pursuant to the Western Riverside County MSHCP. Permit conditions generally include both short-term (during construction) and long-term (Proposed Project operation) requirements.

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- VPMMP SUBMITAL

RECOMMND

Mitigation Measure BIO-3b from EIR475

Prior to any vegetation clearing or mining activities, a Vernal Pool Mitigation Monitoring Plan (VPMMP) shall be prepared by a biologist who holds an MOU with the County of Riverside. The VPMMP shall be submitted to the Riverside County Planning Department, Environmental Programs Division for review and approval. The MMP shall include but not be limited to, timelines, success criteria and financial assurances. The VPMMP shall be consistent with the mitigation measures described in the document entitled "Final: Determination of Biologically Equivalent or Superior Preservation for the Liberty Quarry Project," dated June 26, 2009 (EIR475 Appendix D2). The VPMMP shall also be consistent with EIR475 Mitigation Measure BIO-3b, as it is quoted below.

Significant direct impacts to Pool 1 (the 6-foot by 8-foot or 48-square-foot "rock pool"), considered a vernal pool under the Western Riverside County MSHCP, would be mitigated at a 3:1 ratio to a less than significant level through the following creation and enhancement prior to or during the Proposed Project construction, operation, and reclamation phases:

1. Creation of a rock vernal pool at 1:1 ratio within the remaining Project site lands that would occur within the proposed conservation easement. Creation of the rock pool shall be preceded by preparation and submittal to the County of a vernal pool conceptual mitigation and monitoring plan, which will include the following basic components:

- A study of the existing vernal pool will occur for no less than one complete vernal pool season (i.e., winter-spring). A full inventory of the plants and animals will be completed that provides at a minimum a qualitative assessment of the population size of each species. This information will be used to create the success criteria for the 5-year monitoring program.

- Concurrently with the one-year study of the existing rock vernal pool, the shallow depression at the proposed creation site will be monitored to ensure that no vernal pool currently exists. Based on the reconnaissance visit performed in June 2009, this depression does not appear to

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- VPMMP SUBMITAL (cont.)

RECOMMND

have the capacity to hold water beyond during and shortly after rainfall. If this shallow depression is found to be a vernal pool, the created pool will be positioned outside the watershed of pool but on the same boulder or another location will be found within the project site.

- Direction for salvage, storage, and replanting of plant propagules from the pool to be impacted to the created pool.

- Direction for salvage and application of surface soils containing Lindahl's fairy shrimp cysts (a non-listed species) from the pool to be impacted to the created pool.

- Design guidelines outlining excavation methods for the creation of a rock pool.

- Placement of a temporary barrier around the perimeter of the created pool.

- Development of appropriate success criteria and/or performance criteria for the created pool.

- A 5-year management plan for the created pool.

- A 5-year maintenance plan including potential remedial measures.

- A 5-year mitigation monitoring and reporting plan.

- Integration of the rock pool creation area (including the pool, pool watershed, and an upland buffer area) into the currently proposed conservation easement area (refer to Mitigation Measure BIO-1b(1)) and the inclusion of provision for management provided in perpetuity.

Granite would be responsible for development and submittal of the conceptual mitigation plan and construction plans, designation of a contractor to create the mitigation pool and provide long-term management services, designation of a habitat restoration specialist to provide long-term monitoring and reporting, and a completion of the conceptual mitigation and monitoring plan including successful creation of a 48-square-foot rock pool (0.001 acre) and preservation of the mitigation area through a conservation easement. This plan would comply with all the

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- VPMP SUBMITAL (cont.) (cont.)

RECOMMND

mitigation requirements specified in the final DBESP.

2. Purchase of approximately 96-square feet (2:1 ratio) of vernal pool habitat mitigation credits from the Barry Jones/Skunk Hollow Wetlands Mitigation Bank. The purchase of these credits will offset any potential temporal loss of vernal pool habitat resulting from the project impacts and help ensure adequate replacement of impacted habitats. The preserve has been established for long-term preservation of several listed fairy shrimp species including Riverside fairy shrimp (*Streptocephalus wootoni*) and vernal pool fairy shrimp (*Branchinecta lynchi*) and several listed species of plants including San Diego ambrosia (*Ambrosia pumila*), and California orcutt-grass (*Orcuttia californica*).

20.EPD. 7

- RRVP MITIGATION

RECOMMND

With the exception of ongoing monitoring, all mitigation measures described within the Biological Mitigation Monitoring Plan (BMMP) and the Vernal Pool Mitigation Monitoring Plan (VPMP) shall be completed prior to any mining activity.

20.EPD. 8

- BIOLOGICAL STATUS REPORT

RECOMMND

A biological status report shall be submitted to the Riverside County Planning Department, Environmental Programs Division (EPD) every 6 months. The first of these biannual reports shall be submitted 6 months after the first clearing of vegetation. Biannual reporting shall continue until three years after the start of active mining, at which point reporting shall continue on an annual basis. Annual reporting shall continue throughout the life of the project, including the reclamation phase. The biological status reports shall include, but not be limited to, the following elements.

1. Table of all Biological Mitigation Measures and Conditions of Approval. The table shall include dates when each requirement was satisfied, or proposed dates for completion. The table shall also include references to associated reports and sections of the document.

2. Unforeseen biological issues and measures taken to address such issues.

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20.EPD. 8 - BIOLOGICAL STATUS REPORT (cont.)

RECOMMND

3. Projections for the coming year

4. Payment documentation for endowments or other fees associated with biological management of the conserved lands.

EPD staff shall review the biological status report and conduct an annual site visit to verify compliance. This condition represents the minimum reporting requirement for any given year. EPD may require additional reporting and/or site inspection at any time.

20.EPD. 9 - CONSERVATION LANDS

RECOMMND

Mitigation Measure BIO-1b(1) from EIR475

Prior to any mining activity, the Applicant shall provide permanent protection of the non-impacted portions of the Site through dedication or the conveyance of conservation easements or similar legal arrangements to the RCA or another qualified entity approved by the Riverside County Planning Department, Environmental Programs Division. The dedication, conservation easements or similar legal arrangements shall include the non-impacted portions of the site consisting of approximately 250 acres (approximately 60 percent of the Site). The dedication, conservation easement or other similar legal arrangement shall forever deed and transfer all present and future development rights associated with the conservation easement area lands. The dedication or conservation easements shall provide that the covered area would remain undeveloped in perpetuity for the benefit of onsite species and would reduce the edge effects of the Proposed Project on adjacent habitat. The conservation easements would allow, but not require, active management of the covered area during the active mining phases of the Liberty Quarry. The developer shall be responsible for all endowments or other management related fees.

20.EPD. 10 - OAK TREE MMP

RECOMMND

Prior to any mining activity, an Oak Tree Mitigation Monitoring Plan (OTMMP) shall be submitted to the Riverside County Planning Department, Environmental Programs Division, for review and approval.

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20.EPD. 10 - OAK TREE MMP (cont.)

RECOMMND

The proposed project will impact approximately 146 oak trees out of 510 found onsite. Of the 108 Engelmann Oaks found onsite, approximately 32 (30%) would be impacted by the proposed project. Of the 402 Coast Live Oaks found onsite, approximately 114 (28%) would be impacted by the proposed project.

Where feasible, the OTMMP shall propose the transplanting of impacted trees outside the quarry footprint. For trees which cannot be transplanted, the OTMMP shall propose replacement of impacted trees at a ratio relative to the size of each individual tree. The replacement ratio shall start at 3:1 and increase according to the size of the individual tree. Replacement trees shall be grown from acorns collected on site. Trees will not be imported from outside the project site.

20.EPD. 11 - OAK TREE MITIGATION

RECOMMND

Prior to the removal of any oak tree, the applicant shall notify the Riverside County Planning Department, Environmental Programs Division (EPD). The tree shall be transplanted or mitigated according to the approved Oak Tree Mitigation Monitoring Plan (OTMMP). A report shall be submitted to EPD within 30 days following tree removal. The report shall document that the proper mitigation was applied and or that the tree was transplanted successfully.

20.EPD. 12 - REVEGETATION

RECOMMND

Riverside County Planning Department, Environmental Programs Division (EPD) shall review and approve all Landscaping Plans associated with the Reclamation Phase of the project.

PLANNING DEPARTMENT

20.PLANNING. 2 SMP - EXPIRATION DATE

RECOMMND

This approval shall be used within five (5) years of the permit's approval date; otherwise, it shall become null and void and of no effect whatsoever. By "use" it is meant the beginning of substantial surface mining operations contemplated by this approval within the five (5) years period which is thereafter diligently pursued to

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20.PLANNING. 8 SMP-CALTRANS ENCROACH PRMT (2) RECOMMND

Prior to the startup of operations the Applicant shall obtain an encroachment permit from Caltrans for any alterations within State right-of-way.

20.PLANNING. 9 SMP - RWQCB BMP (2) RECOMMND

Prior to the startup of operations the Applicant shall incorporate Low Impact Development Best Management Practices as recommended by the RWQCB into their stormwater permits required under Mitigation Measures HWQ-1a, HWQ-1b, HWQ-1c, and HWQ-1d.

20.PLANNING. 10 SMP - DUST SUPERVISOR (2) RECOMMND

Prior to the startup of operations the Applicant will appoint an on-site supervisor to be responsible for dust control implementation and to respond to any complaints about dust issues.

20.PLANNING. 11 SMP -CALTRANS RVW OF GRADE (2) RECOMMND

Prior to the startup of operations any site grading that may affect Caltrans facilities, all rough grading plans, precise grading plans, and drainage plans shall be submitted for review and approval to Caltrans as well as Riverside County Building & Safety and/or San Diego County, as appropriate, for all road improvements as well as other infrastructure improvements that may affect Caltrans facilities either directly or indirectly (e.g. offsite drainage).

20.PLANNING. 12 SMP -GROUNDWATER CONTAMINATION RECOMMND

The Applicant shall implement appropriate health and safety procedures and notify the appropriate authorities as required by Federal, State and local regulations should soil and/or groundwater contamination be suspected during construction of the project. Note that the Department of Toxic Substances Control (DTSC) has the ability to provide guidance for cleanup oversight through an Environmental Oversight Agreement (EOA).

20.PLANNING. 13 SMP -CITY/CALTRANS CONSLTATION RECOMMND

Within one year from project approval, the applicant shall coordinate between the City of Temecula and Caltrans, to

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20.PLANNING. 13 SMP -CITY/CALTRANS CONSULTATION (cont.) RECOMMND

investigate if a portion of the estimated \$1.756 million in fair share fees as required by Mitigation Measure T-1a and shown in Table 3.11-14a to be paid by the Applicant, could be provided to the City of Temecula for the retiming and coordination of existing traffic signals at the I-15 interchanges at Winchester, Rancho California Road, and SR-79 South to limit potential intersection impacts. The final determination shall be made by the Riverside County Transportation Department.

20.PLANNING. 14 SMP - SUBMIT FINAL DOCUMENTS RECOMMND

Within

20.PLANNING. 15 SMP - PRIOR TO STRTP MM CKLIST RECOMMND

An inspection is required prior to the startup of mining operations. The following Mitigation Measures are from EIR475 and shall be implemented/inspected prior to the startup of operations, before any inspection clearance is issued. This condition of approval may be set to met once the inspection is approved. This checklist is not intended to serve as replacement to the Mitigation Monitoring Plan, rather it is intended to assist in implementing the plan.

"AL-2a: Concurrent with access road construction, all cut slopes along the access road shall be terraced, stained, and hydroseeded with native plant seeds to be consistent with natural colors and vegetation to the satisfaction of the County.

"AL-2b: In accordance with Mitigation Measure BIO-1c(4), the settlement pond and the cut slope associated with it shall be eliminated.

"AL-2e: The Applicant will construct a guard rail and/or screen to a minimum of four feet in height along the outside of the road where the natural cut is less than 4 feet in height. The screen will be colored to blend into the hillside. The design and location of the guard rail and screen will be revised and approved by the Riverside County Transportation Department prior to construction. (Also required in the annual checklist condition of approval 60.Planning.26)

"AL-3 (AL-4, AL-5): The Applicant shall comply with the

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20.PLANNING. 15

SMP - PRIOR TO STRTP MM CKLIST (cont.)

RECOMMND

Lighting Plan, which is in full conformance with the provisions of the Riverside County Ordinance No. 655 and San Diego County Ordinance 7155. These ordinances establish lighting standards designed to protect the night skies as seen from Palomar Observatory. In addition, the Lighting Plan provides for the following:

"No project-related lighting for mining, plant operations, or loadout shall be used within 100 feet of the property boundary.

"All lighting shall be established to point downward and be shielded.

"All lighting surrounding the sediment/water pond will be turned on only at times required for maintenance or emergencies.

All lighting shall be provided with switches to be turned off when not required for project operations. (Also required in the annual checklist condition of approval 60.Planning.26)

"AQ-8a: Applicant shall provide two conveniently located reserved parking spaces for van pools to encourage ride sharing activity thus reducing the amount of passenger cars coming to the site.

"AQ-8b: Applicant shall use drought resistant native vegetation for landscaping and revegetation, trees with low emissions potential. (Also required in the annual checklist condition of approval 60.Planning.26)

"CR-6b: Riverside County shall require cultural resources-sensitivity training for all project personnel prior to construction or operations at the Site. All personnel shall be informed regarding the potential for discoveries of cultural resources during initial implementation of the Project, and an archaeologist selected from the County's list of approved archaeological consultants and a Pechanga Tribe representative shall provide sensitivity training to all workers regarding the appropriate responses to such discoveries. The orientation would include a brief history of the Site, the regulatory context of archaeological work, the reasons for monitoring, a description of the kinds of cultural resources that might be encountered during construction, and the procedure if there is a discovery. (Also required in the annual checklist condition of approval 60.Planning.26)

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20.PLANNING. 15

SMP - PRIOR TO STRTP MM CKLIST (cont.) (cont.RECOMMND

"CR-6c: The County and the Applicant will coordinate with the Pechanga Tribe through the Tribe's Chairperson and the Pechanga Cultural Resources Department to retain a professional ethnographic consultant to perform a detailed recordation of Wexθwxi Pu'eska and Rainbow Canyon Camp. The recordation will commence prior to construction and will include photographic documentation of pre- and post-construction conditions. Periodic inspections, as agreed to with the Pechanga Tribe, will be conducted during ongoing operations. Because portions of the sites are located on land managed by Bureau of Land Management, an archaeologist holding the appropriate BLM cultural resources use permit and fieldwork authorization as well as listed on the Riverside County-approved list will conduct these inspections. If inspections identify adverse physical impacts to this site from mining activity, appropriate protection measures such as perimeter fencing will be required to be installed and cultural resources-sensitivity training will be repeated for all project personnel. Additional research and interviews with tribal members might also be required to complete the pre- and post construction recordation, at the discretion of the Pechanga Tribe.

The information gathered as a result of field, interview, and research tasks shall be compiled into a report. The Pechanga Tribe will have the right to determine the dissemination of the report. Detailed recordation of Wexθwxi Pu'eska and Rainbow Canyon Camp in this manner will create a photographic and documentary record of each traditional cultural property prior to construction of the Project. (Also required in the annual checklist condition of approval 60.Planning.26)

"CR-6d: To eliminate the potential for any indirect "edge effects" associated with quarry operations, Applicant shall establish a 400-foot-wide buffer zone along the northern boundary of the Site, adjacent to Wexθwxi Pu'eska and Rainbow Canyon Camp. Applicant shall not conduct ground disturbance activities within 400 feet of the northern boundary of the Site adjacent to Wexθwxi Pu'eska and Rainbow Canyon Camp. Consistent with the Urban Wildlife Interface Guidelines (UWIG) measures identified in Section 3.3, this buffer zone will protect these traditional cultural properties by reducing edge effects caused by

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20.PLANNING. 15 SMP - PRIOR TO STRTP.MM CKLIST (cont.) (cont.RECOMMND

project-related impacts (e.g., noise, lighting, and air impacts). This buffer zone shall be protected and managed through the establishment of conservation easements described in Mitigation Measure BIO 1b(1).

"GEO-3a: The Applicant shall implement the Project Design, which requires a minimum 50-foot perimeter buffer and Mitigation Measure BIO-1c(3) a 400-foot setback from the north boundary. This measure complies with the Riverside County Urban Wildlife Interface Guidelines (UWIG) measures and reclamation plan requirements and would be consistent with the provisions of Ordinance No. 555. The buffers and setbacks would minimize the potential for offsite effects from landslides or rockfall hazards.

"GEO-3c: To reduce the potential for unstable quarry slopes and rockfalls and their effect, should they occur, one or more of the following measures will be implemented by the Applicant during construction of the access road at locations designated by a qualified geotechnical engineer and throughout the life of the Project during the excavation of quarry slopes as monitored and determined by the qualified geotechnical engineer under Mitigation Measure GEO-3b.

- oInstall rock bolts or dowels
- oReinforce shotcrete and drainage
- oInstall wire mesh or cable net
- oInstall Tecco Mesh or equivalent
- oScale slope face of loose rock
- oReduce cut slope face ratio

"GEO-14: Onsite haul roads shall be compacted, and the Applicant shall manage stockpiles and haul roads by the use of dust suppressants (e.g., lignum sulfonate or magnesium chloride as approved by the SCAQMD), thereby reducing the impact of wind erosion at the Site.

"HWQ-1a: Prior to initiation of ground disturbance activities, the Applicant shall submit a Notice of Intent with the SWRCB to comply with NPDES General Permit for Discharges of Storm Water Associated with Construction Activity. The Applicant (or its designee) shall prepare a stormwater pollution prevention plan (SWPPP) to identify potential pollutant sources that affect the quality of discharges associated with construction activity, to identify non-stormwater discharges, and to design best

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20.PLANNING. 15 SMP - PRIOR TO STRTP MM CKLIST (cont.) (cont.RECOMMND

management practices (BMP) to effectively prohibit the discharge of pollutants from the Site into Waters of the United States during construction. BMPs shall address erosion and sediment control, wind erosion control, source controls, and waste management. The contractor shall ensure that the SWPPP requirements are implemented at the Site and that water quality standards are maintained. Best management practices shall be modified, as necessary, so that an adequate combination of erosion controls is implemented for active and inactive (previously disturbed) construction areas. Examples of best management practices include: use of silt fence or fiber rolls to prevent the migration of sediment offsite, application of water to disturbed areas during working or windy conditions to prevent dust and erosion, and use of drip pans for mobile fueling. In addition, the SWPPP shall outline a regular BMP maintenance and monitoring schedule. The SWPPP will likely require modification as the project progresses and as conditions warrant to remain consistent with changes in other site plans that effect soil disturbing activities, site drainage patterns or any other activity that may impact storm water runoff quality. (Also required as a standalone condition of approval 10.Planning.26)

"HWQ-1b: The Applicant shall comply with the NPDES General Permit for Storm Water Discharges Associated with Industrial Activities and submit a Notice of Intent to the SWRCB prior to startup of project operations. The Applicant shall develop and implement an SWPPP that identifies and evaluates sources of pollutants associated with operations that affect the quality of industrial stormwater discharges and authorized nonstormwater discharges, and describes and ensures the implementation of BMPs to reduce or prevent pollutants in industrial stormwater discharges and authorized nonstormwater discharges. BMP methods of pollutant control will include both nonstructural and structural measures. Nonstructural BMPs may include good housekeeping practices, preventative maintenance, and other nonstructural control techniques. Structural BMPs may include onsite surface containment, control berms, and other structural control techniques to minimize polluted stormwater runoff. In addition, the SWPPP shall outline a regular BMP maintenance and facility monitoring schedule in compliance with the Industrial General Permit. (Also required as a standalone condition of approval 10.Planning.26)

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20.PLANNING. 15 SMP - PRIOR TO STRTP MM CKLIST (cont.) (cont.RECOMMND

"HWQ-4: Engineered drainage and a detention basin shall be constructed by the Applicant at the lower end of the access road to capture stormwater runoff and limit its discharge to I-15 to pre-development conditions. The engineered drainage and detention basin shall be planned in consultation with Caltrans, Riverside County Transportation Department, the San Diego RWQCB and shall include an appropriate clarifier system or other equivalent technology to filter hydrocarbons and remove sediments. Stormwater collected in the detention basin should be used for quarry operations (where possible) and not discharged to Rainbow Creek.

"T-2: The Applicant shall be required to provide a minimum of 150 onsite parking spaces for use by Project employees and visitors.

"T-8: Prior to initiation of Project construction, the Applicant shall develop and implement a construction traffic management plan in coordination with Riverside County, San Diego County and Caltrans. (Also required as a standalone condition of approval 10.Planning.26)

"T-9a: The Applicant would coordinate with the Riverside County Fire Department and the Riverside County Sheriff's Department on the design of the final Site plan, to ensure that adequate emergency access to the Site is provided. (Also required as a standalone condition of approval 10.Planning.26)

"T-9b: The Applicant shall construct a second CHP weigh scale with an additional lane, as identified in Figure 3.11-4, adjacent to the existing CHP weigh station to reduce queuing lengths and truck stacking prior to start-up of mining operations. In addition, the Applicant shall construct the following improvements to the I-15/Rainbow Valley Boulevard southbound off-ramp prior to start-up of mining operations pending approval by Caltrans:

- oTraffic Signal
- oSouthbound Right Turn Lane
- oSouthbound Through Lane and Receiving Lane
- oInstall video monitoring equipment for use by the CHP to ensure available queuing capacity is not exceeded on the off-ramp. In the event queuing capacity is exceeded, the CHP would close the scales to trucks to prevent stacking on

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20.PLANNING. 15 SMP - PRIOR TO ST RTP MM CKLIST (cont.) (cont.RECOMMND

the off-ramp.

(Also required as a standalone condition of approval
10.Planning.26)

"USS-3c: The onsite wastewater treatment systems (OWTS) or advanced treatment units (ATU) must obtain San Diego RWQCB clearance in addition to the County of Riverside, Department of Environmental Health (DEH) approval if the daily estimated average wastewater flow discharged onsite is greater than 1,200 gallons per day and/or if the aforementioned San Diego RWQCB general waiver conditions cannot be met. (Also required as a standalone condition of approval 10.Planning.26)

"VB-1c: A blast monitoring plan consistent with to the draft Plan in Appendix J, Sub-Appendix D in the DEIR, will be submitted to the Riverside County Planning Department, the Fire Department, and the Sheriff's Department for approval prior to any construction or operational blasting activities and shall be implemented by the Applicant during all blasting activities. Said Blast Monitoring Plan shall set forth the types and placement of instrumentation at a minimum of three nearby receptors. If the blasting operations at the Liberty Quarry exceed the referenced control limits for any single axis of any blast, Granite Construction and their blasting contractor shall cease all blasting activities and submit a report to the County. The report shall give the blast design parameters and seismographic data and include any necessary corrective action, which in their opinion will reduce vibration intensity to below control limits. Corrective action is subject to County approval. (Also required as a standalone condition of approval 10.Planning.26)

20.PLANNING. 16 SMP - AMD PER CONDITIONS EXHIB

RECOMMND

Within 30 days of approval by the Planning Commission, or the Board of Supervisors if an approval is appealed, thirty (30) copies of an Amended Per Final Conditions EXHIBITS A, B, and C shall be submitted to and approved by the County Planning Department. A lock shall take effect at the end of the 30 days and on any implementing permits and shall not be removed unless and until the Amended Per Final Conditions EXHIBITS have been approved by the County Planning Department. The Amended Per Final Conditions EXHIBITS shall incorporate the following changes:

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20.PLANNING. 16

SMP - AMD PER CONDITIONS EXHIB (cont.)

RECOMMND

EXHIBITS A, B, and C shall be revised to reflect the reduced quarry footprint recommended by the EIR. The EIR describes an alternative to the project entitled the "reduced footprint alternative" which proposes a 20 acre reduction of the quarry footprint (11 acres from the south of the proposed disturbance area and 9 acres from the northern section of the proposed disturbance area, reducing the footprint from 155 acres to 135 acres). This would reduce the permitted reserves by approximately 33 mega tons (MT) (approximately 12 percent). This reduction will not impact the site access, area proposed for the access road, or the size of the plant operations (30 acres) within the quarry footprint.

IN ADDITION, the amended exhibits shall contain additional cross-sections and slope details as required in OMR's April 11, 2011 "PROPOSED RESPONSE TO COMMENTS" letter.

60. PRIOR TO GRADING PRMT ISSUANCE

FLOOD RI DEPARTMENT

60.FLOOD RI. 1

USE SUBMIT PLANS MINOR REVIEW

RECOMMND

The scope of the District review will be limited to verification that this proposal has met its obligation under the County's municipal stormwater permit. A copy of the BMP improvement plans along with any necessary documentation shall be submitted to the Districts Plan Check Section for review. A copy of the improvement and grading plans shall be included for reference. The plans must receive the District's approval prior to issuance of permits. All submittals shall be date stamped by the engineer and include a completed Flood Control Deposit Based Fee Worksheet and the appropriate plan check fee deposit.

60.FLOOD RI. 2

USE SUBMIT FINAL WQMP

RECOMMND

A copy of the project specific WQMP shall be submitted to the District for review and approval.

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60. PRIOR TO GRADING PRMT ISSUANCE

PLANNING DEPARTMENT

60.PLANNING. 4

SMP - LOW PALEO

RECOMMND

According to the County's General Plan, this site has been mapped as having a "Low Potential" for paleontological resources. This category encompasses lands for which previous field surveys and documentation demonstrates a low potential for containing significant paleontological resources subject to adverse impacts. As such, this project is not anticipated to require any direct mitigation for paleontological resources. However, should fossil remains be encountered during site development:

1.All site earthmoving shall be ceased in the area of where the fossil remains are encountered. Earthmoving activities may be diverted to other areas of the site.

2.The applicant shall retain a qualified paleontologist approved by the County of Riverside.

3.The paleontologist shall determine the significance of the encountered fossil remains.

4.Paleontological monitoring of earthmoving activities will continue thereafter on an as-needed basis by the paleontologist during all earthmoving activities that may expose sensitive strata. Earthmoving activities in areas of the project area where previously undisturbed strata will be buried but not otherwise disturbed will not be monitored. The supervising paleontologist will have the authority to reduce monitoring once he/she determines the probability of encountering any additional fossils has dropped below an acceptable level.

5.If fossil remains are encountered by earthmoving activities when the paleontologist is not onsite, these activities will be diverted around the fossil site and the paleontologist called to the site immediately to recover the remains.

6.Any recovered fossil remains will be prepared to the point of identification and identified to the lowest taxonomic level possible by knowledgeable paleontologists. The remains then will be curated (assigned and labeled with museum* repository fossil specimen numbers and corresponding fossil site numbers, as appropriate; places in specimen trays and, if necessary, vials with completed

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60.PLANNING. 4 SMP - LOW PALEO (cont.)

RECOMMND

specimen data cards) and catalogued, an associated specimen data and corresponding geologic and geographic site data will be archived (specimen and site numbers and corresponding data entered into appropriate museum repository catalogs and computerized data bases) at the museum repository by a laboratory technician. The remains will then be accessioned into the museum* repository fossil collection, where they will be permanently stored, maintained, and, along with associated specimen and site data, made available for future study by qualified scientific investigators. * The County of Riverside must be consulted on the repository/museum to receive the fossil material prior to being curated.

60.PLANNING. 7 SMP - YR BLASTING NOTICES

RECOMMND

A letter, containing a general description of the blasting operations and precautions, including the blast warning whistle signals that are required by the State of California Construction Safety orders, shall be sent to all residents within a one-half mile radius of the surface mining operations. The notification will occur a minimum of once a year. Evidence that notification has been provided shall be included in the annual report submitted prior to the issuance of the annual SMARA Inspections Permit.

60.PLANNING. 8 SMP - 1ST LANDSCAPE PLAN

RECOMMND

Prior to issuance of the first Special Inspection Permit, six (6) copies of a Landscaping Plan shall be submitted to the Planning Department for approval. The landscaping shall provide the necessary details for interim revegetation and final revegetation of mined slopes, access road, office/batch plant/processing areas, and all visual berms. The plan shall include, but not be limited to the following:

- a. minimum amount of soil required for revegetation,
- b. amount and type of fertilizers and amendments to be used,
- c. design standards for irrigation system,
- d. optimum time of year to hydroseed,
- e. size of species to be attained over a specific monitoring period,
- f. amount of vegetation cover or density,

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60.PLANNING. 8 SMP - 1ST LANDSCAPE PLAN (cont.) RECOMMND

- g. diversity of species to be attained over a specific monitoring period,
- h. length of monitoring periods,
- i. issues to be addressed in annual report.

60.PLANNING. 9 SMP - 1ST BERM/LANDSCAPE PLAN RECOMMND

Prior to issuance of the first Special Inspection Permit, ten (10 copies of a Berm and Landscaping Plan shall be submitted to the Planning Department for approval. This landscaping shall provide a visual barrier between the project and nearby residences as delineated on the Mining Plan, Exhibit A. The location, number, genus, species and container size of the plants shall be shown. Plans shall meet all requirements of Ordinance 348, Section 18.12. The Landscaping Plan shall include usage of a variety of type and size of plant species native to the site and surrounding area. At least 25 percent of the plant materials shall be mature specimens and in 15 gallon or larger containers.

60.PLANNING. 11 SMP - RCL RECLAMATION PLAN RECOMMND

The permittee shall comply with the Reclamation Plan, Exhibit B, and the Surface Mining and Reclamation Project Description, Exhibit C, all on file with the Riverside County Planning Department. Approval of the Reclamation Plan does not grant approval of any planned future use of the site.

60.PLANNING. 12 SMP - YR RECLAMATION REPORT RECOMMND

The permittee shall submit a final reclamation completion report prior to the completion of mined area reclamation and prior to the mining permit (SMP00213) expiration date to the Building and Safety Director and Planning Director for review and approval. This report shall indicate the completion of reclamation in accordance with the approved plan, including final contours, slope configuration of 2:1 (horizontal:vertical) unless previously approved for a steeper ratio, resoiled areas, erosion control structures, and successful revegetation. This report shall be submitted at least 30 days prior to completion of each phase and expiration of this permit. This report shall be accompanied by a stamped and wet-signed substantial conformance letter from an independent licensed engineer, landscape architect, geologist or other appropriate

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60.PLANNING. 12 SMP - YR RECLAMATION REPORT (cont.) RECOMMND

professional stating that the project was reclaimed pursuant to the approved Reclamation Plan.

60.PLANNING. 14 SMP - 1ST FINANCIAL ASSURANCE RECOMMND

Prior to commencement of any surface disturbance, construction of any processing plant, surface mining operation, or issuance of the first Special Inspection Permit, the permittee shall establish financial assurances to ensure reclamation of the surface mining operation with the Riverside County Department of Building and Safety.

a. The financial assurance shall take the form of a surety bond, irrevocable letter of credit, trust fund or other form of financial assurance as approved by the Director of Building and Safety.

b. The amount of the financial assurance required for this permit shall be established through County review of the required financial assurance cost estimate prepared by the applicant pursuant to the requirements of SMARA and County Ordinance No. 555. This amount shall be either established as a lump sum prior to surface mining; established in phased amounts in accordance with the approved phasing planned; or established for initial lands disturbed by mining operations for the first year of operation. The specific amount of financial assurance for each phase or initial disturbance shall be based upon actual calculations of reclamation costs and shall be subject to review and approval of the Riverside County Department of Building and Safety and County Counsel and review by the California Department of Conservation.

c. The financial assurance shall include, but not necessarily be limited to, costs for the removal of equipment, structures and derelict machinery, removal of waste materials, landscaping stabilization of slopes, and land restoration compatible with the topography and general environment of surrounding property in accordance with the approved Reclamation and Mining Plans.

d. The financial assurance shall remain in effect for a seventy five (75) year period and/or shall be released by the Building and Safety Director on approval of the final Reclamation Plan inspection by the Department of Building and Safety.

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60.PLANNING. 14 SMP - 1ST FINANCIAL ASSURANCE (cont.) RECOMMND

e. The financial assurance shall be made payable to Riverside County and the State of California, Department of Conservation.

60.PLANNING. 16 SMP - 1ST AGENCY CLEARANCES RECOMMND

Prior to the commencement of surface disturbance, surface mining operations, or first Special Inspection Permit, the permittee shall obtain permits and/or clearance from the following public agencies:

South Coast Air Quality Management District
California Regional Water Quality Control Board
California Department of Fish and Game
The Corp of Engineers
Caltrans
Riverside County Transportation Commission
San Diego County Planning Department

60.PLANNING. 18 SMP - 1ST NEW MINING REPORT RECOMMND

Prior to the commencement of surface disturbance, surface mining operations, or issuance of the first Special Inspection Permit, the permittee shall file a New Mining Operation Report and appropriate fees with the Department of Conservation, Office of Mine Reclamation as required by the California Surface Mining and Reclamation Act and the California Code of Regulations, Section 3697.

60.PLANNING. 19 SMP - YR REPORT REQUIREMENTS RECOMMND

The permittee shall provide the following information, at a minimum, as part of the required SMARA annual inspection report (This report shall be prepared by and signed by a qualified, licensed professional):

a. Indicate the mined area's proximity to the permit boundaries by topography and details on a a copy of the approved Exhibit A, mining plan.

b. Show the annual and total change in topography generated by the mining excavation by cross sections and topographic maps. Compare original/previous contours and cross sections with current cross sections and contours.

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60.PLANNING. 19 SMP - YR REPORT REQUIREMENTS (cont.) RECOMMND

c. Maximum depth of excavation.

d. Provide the quantity in cubic yards and tons mined during the previous year.

e. Certify that the excavations are within the limits of the permit.

f. Provide data indicating the total area disturbed, new area disturbed that year, area reclaimed for that year and for the total acreage amount reclaimed to date. Certify that reclamation is complete in these areas, as appropriate.

g. A Certified Engineering Geologist or Geotechnical Engineer shall inspect all constructed within the project area as described elsewhere in this conditions set and within the slope inspection plan. The results of this inspection and any recommendations for slope remediation shall be included with the annual report.

h. The permittee shall report the discovery of any cultural resources.

i. The permittee shall report the discovery of any fossil vertebrate animal remains.

j. The permittee shall report the number of blasts performed and the amount of material displaced by these blasts.

k. The permittee shall report the air monitoring data collected for the prior operating year.

60.PLANNING. 20 SMP - YR TEST DUST EMISSIONS RECOMMND

The permittee shall have an independent air quality professional, approved by the Planning Department, perform testing for project-generated fugitive dust emissions within 90 days after commencement of surface mining operations. The intent of this testing is to confirm that project-generated fugitive dust emissions are in compliance with South Coast Air Quality Management District (SCAQMD) Rules and Regulations regarding fugitive dust and PM-10.

a. The permittee shall perform particulate matter

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60.PLANNING. 20

SMP - YR TEST DUST EMISSIONS (cont.)

RECOMMND

monitoring when the surface mine is in operations on four days per quarter during the first year of operations; and, shall prepare a fugitive dust emissions control plan. The SCAQMD Rule 403 Implementation Handbook (PM10) shall be utilized as the guidance for particulate matter monitoring as well as plan preparation. The particulate matter monitoring program shall include upwind and downwind sampling stations adjacent to the surface mining operations (monitoring station locations to be approved in conjunction with SCAQMD and Riverside County). Annual air quality monitoring after the first year of operations shall be based upon the previous year's compliance with SCAQMD rules and regulations, as determined by the Planning Director.

b. The results of the air quality testing shall meet or not exceed SCAQMD standards for PM10 (upwind/downwind PM10 differences shall not exceed 50 micrograms per cubic meter). If the air quality testing results indicate non-compliance with the SCAQMD standards, State and Federal rules and regulations, including, but not limited to SCAQMD Rule 403 for fugitive dust, and State and Federal regulations pertaining to crystalline silica dust emissions, the permittee shall cease surface mining operations until further fugitive dust emission mitigation measures are included and implemented with the fugitive dust emissions control plan. Further testing shall then be performed to confirm compliance with the SCAQMD standards and State and Federal rules and regulations described above. The mitigation measures and further testing shall be submitted to the Planning Director for review and approval prior to commencement of further surface mining operations.

c. The results of air quality testing, monitoring, and/or new mitigation measures shall be included with the annual report.

60.PLANNING. 21

SMP - YR ADJUST ASSURANCES

RECOMMND

The amount of reclamation financial assurance shall be adjusted annually for new lands disturbed by surface mining operations, completed reclamation in conformance with the approved Reclamation Plan, Exhibit B, and/or by adjustments to the U.S. Department of Labor Consumer Price Index for the Los Angeles-Long Beach Metropolitan Area.

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60.PLANNING. 24 SMP - FEE BALANCE

RECOMMND

Prior to issuance of any grading permits, building permits or inspection permits, the Planning Department shall determine if the deposit based fees for SMP00213 are in a negative balance. If so, any outstanding fees shall be paid by the applicant/developer prior to issuance of any permit.

60.PLANNING. 25 SMP - SWPPP/WDID# BMP REQD

RECOMMND

The permit holder shall provide written proof of compliance (WDID #) with the State Water Resources Control Board General Industrial Activities Stormwater Permit (GIASP) and employ all appropriate BMP's as described in the California Stormwater Quality Association (CASQA) Industrial and Commercial Handbook in addition to the BMP's described below:

The management and maintenance of the 'common area' shall be in accordance with the projects approved Storm Water Pollution Prevention Plans (SWPPPs), Monitoring Programs, and Post Construction Management Plans to include the following best management practices (BMPs) to reduce storm water pollution:

Initial residents, occupants, or tenants of this site shall receive educational materials on good house keeping practices which contribute to the protection of storm water quality. These Educational materials shall be provided by the Riverside County Flood Control and Water Conservation District and shall be distributed by the permittee. These materials shall address good housekeeping practices associated with the sites's land use and or uses (e.g., good housekeeping practices for office, commercial, retail commercial; vehicle-related commercial, or industrial land use). Employers at this site shall adapt these materials for training their employees in good housekeeping practices ;

Only pesticide applicators who are certified by the State of California as Qualified Applicators or who are directly supervised by a Qualified Applicator shall apply pesticides to common area landscaping. The applicator shall apply all pesticides in strict accordance with pesticide application laws as stated in the California Food and Agricultural Code. Fertilizer shall be applied to common area landscaping in accordance with the manufacturer's recommendations. Application to hardscape surfaces shall

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60.PLANNING. 25

SMP - SWPPP/WDID# BMP REQD (cont.)

RECOMMND

be avoided;

The 'catch basin(s)' shall be inspected and, if necessary, cleaned by the permittee no later than October 15th of each year. "ONLY RAIN IN THE DRAIN" and "NO DUMPING" stencils shall be repainted as necessary to maintain legibility;

The permittee shall keep the common area(s) free of litter. Litter shall be removed from the common area, and litter receptacles shall be emptied at least once a month. Where improper disposal of trash has occurred, the permittee shall take corrective action within forty-eight hours of discovery;

The 'water quality inlet(s), oil/water separator(s) and trash rack(s)' shall be inspected and, if necessary, cleaned by the permittee no later than October 15th of each year;

The permittee shall keep the common area(s) free of litter. Litter shall be removed from the common area, and litter receptacles shall be emptied at least once a month. Where improper disposal of trash has occurred, the permittee shall take corrective action within forty-eight hours of discovery;

The Street(s) and parking lot(s) shall be swept by the permittee at least once a year and shall be swept no later than October 15th of each year;

The permittee shall keep loading docks in a clean and orderly condition through a regular program of sweeping, litter control, and the immediate cleanup of spills and broken containers. In accordance with the Riverside County Ordinance No. 754, Establishing Storm Water/Urban Runoff Management and Discharge Controls, illicit discharges and non-storm water discharges (e.g., wash water) from loading docks to storm water drains shall not be allowed;

The permittee shall maintain an up-to-date list identifying the party or parties responsible for the implementation and maintenance of each of the BMPs described herein. The list shall include the party's name, organization, address, a phone number at which the party may be reached 24 hours a day, and a description of the party's responsibility for implementation and maintenance of a particular BMP.

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60.PLANNING. 26

SMP - ORD 810 OS FEE SMP (2)

RECOMMND

Prior to the issuance of a grading permit (FIRST SPECIAL INSPECTION) for Surface Mining Permit No. 213, the permit holder shall comply with the provisions of Riverside County Ordinance No. 810, which requires the payment of the appropriate fee set forth in the Ordinance. The amount of the fee shall be based on the "Project Area" as defined in the Ordinance and afore- mentioned Condition of Approval. The Project Area for the subject surface mining permit is calculated to be 164.0 acres. In the event Riverside County Ordinance No. 810 is rescinded and or superceded by a subsequent mitigation fee ordinance, payment of the appropriate fee set forth in that ordinance shall be required.

60.PLANNING. 27

SMP - ANNUAL INSP MM CKLIST

RECOMMND

At least once a year a mine inspection is required. Said inspection shall include a building inspector, the Chief Geologist or designee, and a representative from the Planning Department. Inspection shall include assurance that the following Mitigation Measures from the EIR are being complied with in full. This condition of approval shall NOT be set to MET once inspection is completed. This is intended to serve as a running checklist. This checklist is not intended to serve as replacement to the Mitigation Monitoring Plan, rather it is intended to assist in implementing the plan.

AL-2c: At the time quarrying on the upper slopes is completed, rock sculpting shall be conducted as a reclamation treatment for visible quarry slopes on the upper north quarry walls, and existing natural fracture features in the rock shall be incorporated to shape the cut and to reduce long horizontal cuts (lines). Recommended methods to reduce visual impacts may include, but are not limited to, the following:

- Varying the widths, lengths, and heights of benches
- Creating benches that are not necessarily horizontal
- Creating planting pockets for revegetation efforts
- Rounding the top of cuts

AL-2e: The Applicant will construct a guard rail and/or screen to a minimum of four feet in height along the outside of the road where the natural cut is less than 4 feet in height. The screen will be colored to blend into

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60.PLANNING. 27

SMP - ANNUAL INSP MM CKLIST (cont.)

RECOMMND

the hillside. The design and location of the guard rail and screen will be revised and approved by the Riverside County Transportation Department prior to construction.

AL-3: The Applicant shall comply with the Lighting Plan, which is in full conformance with the provisions of the Riverside County Ordinance No. 655 and San Diego County Ordinance 7155. These ordinances establish lighting standards designed to protect the night skies as seen from Palomar Observatory. In addition, the Lighting Plan provides for the following:

-No project-related lighting for mining, plant operations, or loadout shall be used within 100 feet of the property boundary.

-All lighting shall be established to point downward and be shielded.

-All lighting surrounding the sediment/water pond will be turned on only at times required for maintenance or emergencies.

-All lighting shall be provided with switches to be turned off when not required for project operations.

AQ-3c: Applicant commits to purchasing all new off road equipment which is alternative fueled and/or compliant with the ARB and US EPA Off-Road Compression-Ignition Engine Standard for the year in which it is purchased.

AQ-3j: Applicant shall implement a Liberty Quarry Clean Air Truck Program, whereby Applicant would either retrofit or replace 130 heavy-duty, diesel-fueled truck engines when the quarry first opens for permanent plant operation. The Applicant would work with trucking firms and concrete companies to identify and retrofit these trucks prior to initiating permanent plant operations.

Liberty Quarry would only need about 13 trucks the first year; 130 trucks would not be needed until the quarry reaches full production approximately 10 years later. The engine retrofits (diesel particulate filters and NOx catalysts) will reduce individual truck emissions of PM10 by about 85 percent and NOx emissions by up to 40 percent, depending on the technology used for the retrofit.

Applicant plans to replace some of the engines with model year 2007 or newer engines rather than retrofitting existing engines. Engine replacement results in emission reductions of PM10 by 90 to 96 percent (depending on the

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age of the replaced engine) and NOx by 95 percent or more from older engines.

AQ-3k: The project Applicant shall establish an air quality monitoring program. The air monitoring program and locations of monitoring stations shall be subject to review by the County of Riverside and shall be consistent with existing monitoring protocols established by the South Coast Air Quality Management District. The air monitoring program shall be established and operational at least 12 months prior to initiation of permanent plant operations on the project site. The monitoring program shall monitor ambient air quality conditions and all monitoring results shall be provided to the County of Riverside and made available to the public on a quarterly basis. (Also required as a standalone condition of approval 10.Planning.39)

AQ-8b: Applicant shall use drought resistant native vegetation for landscaping and revegetation, trees with low emissions potential. (Also required in the prior to startup checklist condition of approval 20.Planning.04)

AQ-8c: Applicant shall implement onsite recycle and water conservation programs by connecting to raw water sources as required by WMWD and by using belt presses.

AQ-8d: Applicant shall conserve approximately 250 acres of natural habitat open space.

AQ-8i: Applicant shall use ARB-certified diesel construction equipment and trucks.

AQ-8j: Applicant shall incorporate BACT measures for power generators.

AQ-8l: Applicant shall use high efficiency motors in processing equipment.

AQ-8m: Applicant shall ensure asphaltic concrete plant is capable of producing warm-mix asphalt

AQ-8n: Applicant shall recycle used asphalt pavement and concrete.

AQ-8o: When the mine is producing more than 1.0 MTPY the

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Applicant shall provide automatic load out bins for rock products for at least 50 percent of all rock loading activities in an effort to reduce the use of onsite fuel burning equipment (e.g. loaders).

AQ-8p: Applicant shall prohibit on-site diesel trucks from idling in excess of five minutes. Signs shall be exhibited throughout the site where trucks may idle.

CR-6b: Riverside County shall require cultural resources-sensitivity training for all project personnel prior to construction or operations at the Site. All personnel shall be informed regarding the potential for discoveries of cultural resources during initial implementation of the Project, and an archaeologist selected from the County's list of approved archaeological consultants and a Pechanga Tribe representative shall provide sensitivity training to all workers regarding the appropriate responses to such discoveries. The orientation would include a brief history of the Site, the regulatory context of archaeological work, the reasons for monitoring, a description of the kinds of cultural resources that might be encountered during construction, and the procedure if there is a discovery.

CR-6c: The County and the Applicant will coordinate with the Pechanga Tribe through the Tribe's Chairperson and the Pechanga Cultural Resources Department to retain a professional ethnographic consultant to perform a detailed recordation of Wexθwxi Pu'eska and Rainbow Canyon Camp. The recordation will commence prior to construction and will include photographic documentation of pre- and post-construction conditions. Periodic inspections, as agreed to with the Pechanga Tribe, will be conducted during ongoing operations. Because portions of the sites are located on land managed by Bureau of Land Management, an archaeologist holding the appropriate BLM cultural resources use permit and fieldwork authorization as well as listed on the Riverside County-approved list will conduct these inspections. If inspections identify adverse physical impacts to this site from mining activity, appropriate protection measures such as perimeter fencing will be required to be installed and cultural resources-sensitivity training will be repeated for all project personnel. Additional research and interviews with tribal members might also be required to complete the pre- and post

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60.PLANNING. 27 SMP - ANNUAL INSP MM CKLIST (cont.) (cont.) (RECOMMND

construction recordation, at the discretion of the Pechanga Tribe.

The information gathered as a result of field, interview, and research tasks shall be compiled into a report. The Pechanga Tribe will have the right to determine the dissemination of the report. Detailed recordation of Wexθwxi Pu'eska and Rainbow Canyon Camp in this manner will create a photographic and documentary record of each traditional cultural property prior to construction of the Project.

GEO-7: The Applicant shall comply with the requirements of SMARA and Riverside County Ordinance No. 555 related to Site reclamation as outlined in the Project Description contained in Exhibit C of the SMP application. Compliance with these regulations shall generally include, but not be limited to, long-term monitoring and maintenance of quarry slopes and comprehensive revegetation of the Site.

GEO-8: Slopes shall not be excavated steeper than the slope inclination of 60 degrees with 60-foot-high vertical walls and 35-foot-wide benches. Fill slopes should be designed with a maximum inclination of 2H:1V. Additionally, the following recommendations should be implemented as appropriate:

Prior to grading of the Site, existing vegetation, organic matter, debris, and deleterious material should be stripped and disposed outside the construction limits. This material should not be incorporated into any engineered structural fill.

After stripping and grubbing operations are complete, areas to receive fill should be stripped of all existing artificial fill soils, colluvium, alluvium, and any loose or soft earth materials until uniform, firm, and unyielding native bedrock is exposed, as evaluated by the geotechnical engineer or geologist. The removal and stripping operations must expose a firm and unyielding subgrade that is free of significant voids. The soils or rock exposed at the bottom of the pad and road excavations should be observed by a geotechnical engineer or a geologist prior to the placement of any fill.

Prior to the placement of engineered fill, and after Site

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preparation, processing of the approved pad bottom should be performed by scarifying to a minimum depth of 6 inches, moisture conditioning as necessary to near-optimum moisture content, and compacting to a minimum of 90 percent of the maximum dry unit weight, as determined by American Society for Testing and Materials (ASTM) D1557-00.

All fill soils (native and imported) required to bring the roadway or utility pad to final grade should be compacted as engineered fill. Native or import soils intended for engineered fill should be uniformly moisture-conditioned to near-optimum moisture content, placed in horizontal lifts less than 8 inches in loose thickness, and compacted to at least 90 percent relative compaction as determined by ASTM D1557-00. The upper 12 inches of fill within pavement areas should be compacted to a minimum of 95 percent relative compaction (ASTM D1557-00).

In fill soils where blasted rock would be placed, the rock should be mixed with native soils or decomposed granite such that a soil-rock fill is created. Because of the location and configuration of the fill slopes, rock fills should be avoided. Rock should be buried within compacted soil such that all areas surrounding the rock are compacted fill and contacts between rocks are minimized.

HAZ-11: The Applicant shall be required to comply with Riverside County Ordinance 787, including its special construction provisions, and the Riverside County Fire Department Information Bulletin 06-06:

-The quarry will have an access road with up to 4 lanes to accommodate emergency access. The road will have a length of less than 1 mile and an average grade of 9 percent, not to exceed 15 percent.

-Water for fire protection will be provided by an onsite tank having sufficient volume to contain 2 gallons per square foot of the largest structure, with a minimum size of at least 2,500 gallons. Onsite water plans will be reviewed and approved by the fire department for size, construction, and location.

-A minimum 100-foot clearance of all flammable or combustible vegetation and materials will be provided around all buildings.

-Building will comply with special construction provisions contained in Riverside County Ordinance No. 787.

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60.PLANNING. 27 SMP - ANNUAL INSP MM CKLIST (cont.) (cont.) (RECOMMND

-A fire protection/vegetation management (fuel modification) plan will be submitted to the Riverside County Fire Department, and the Fire Marshal, for review and approval.

-All buildings will be constructed with fire retardant roofing material as described in Section 1503 of the Uniform Building Code.

N-5b: The Applicant shall enclose the concrete truck filling operations associated with the concrete plant by placing those operations in a tunnel-like structure so that the sides of the truck and its engine are shielded by the walls of the tunnel.

N-5c: The Applicant shall not simultaneously operate the asphalt plant and concrete batch plant between the Riverside County-defined noise nighttime hours of 10 p.m. and 7 a.m.

N-5b: The Applicant shall enclose the concrete truck filling operations associated with the concrete plant by placing those operations in a tunnel-like structure so that the sides of the truck and its engine are shielded by the walls of the tunnel.

N-5d: The Applicant shall require that audio backup alarms on mobile equipment be turned off at night and equipped with a flashing strobe.

N-5f: During all construction, excavation, hauling activities, and while processing aggregate materials, the Applicant, its contractors and operators shall equip all fixed and mobile equipment with properly operating and maintained mufflers, engine enclosures, or other noise-suppression devices consistent with manufacturers' standard including lined crushers and screens, and minimum 5 foot-long silencers on the asphalt plant exhaust fans.

N-5g: The Applicant shall set back all mining operations at least 400 feet from the north Site boundary.

60.PLANNING. 28 SMP - ACCESS SIGNAGE

RECOMMND

The Applicant shall provide design plans for the access road to include safety signage to direct vehicle operators in the safe operation of their vehicles on the access road

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60. PRIOR TO GRADING PRMT ISSUANCE

60.PLANNING. 28 SMP - ACCESS SIGNAGE (cont.)

RECOMMND

downgrade; runaway safety barriers or similar safety measures; and additional safety lighting as directed by the Riverside County Transportation Department, San Diego County's Department of Public Works, Transportation Division, Caltrans, and the CHP. All design plans will be reviewed and approved by the applicable agency prior to the construction of any access road improvements to the satisfaction of said agencies.

60.PLANNING. 29 SMP - SPRINGS/WELLS MONITORING

RECOMMND

Prior to the commencement of mining and prior to issuance of the permit for this mine's first special inspection, the operator shall prepare, submit and have approved a monitoring plan indicating the scope of work and reporting requirements to be employed for the monitoring of groundwater, existing groundwater wells in the vicinity of the site, and the ephemeral springs within and immediately adjacent to the site.

This plan shall also include recommendations for mitigation of any discovered (as of yet unanticipated) adverse impacts to groundwater, wells or ephemeral springs.

This plan shall be submitted to the County Geologist for review and approval.

60.PLANNING. 30 SMP - SLOPE MONITORING PLAN

RECOMMND

Prior to the issuance of the permit for this mine's first special inspection, the operator shall prepare, submit and have approved by the County Geologist, a slope monitoring plan. This plan shall include the scope of work and reporting requirements for inspecting, mapping and documenting slope stability as mining progresses. In addition, this plan shall include the details necessary to guide the consultant of record (CEG/GE) and the County through the steps required to approve slopes steeper than a 2:1 ratio if appropriate (ultimate design slope is 0.5:1). This plan shall be reviewed and approved by the County Geologist prior to issuance of the permit for the first special inspection.

Note: slope stability inspections shall be performed on a continual basis during active mining operations and reports of these inspection shall be prepared weekly, at a minimum.

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60. PRIOR TO GRADING PRMT ISSUANCE

60.PLANNING. 30

SMP - SLOPE MONITORING PLAN (cont.)

RECOMMND

Inspection reports shall be submitted to the County Department of Building and Safety and County Geologist, minimally, as a part of the required SMARA annual inspection*.

* Slope stability inspection reports shall be submitted to the County Geologist on a quarterly basis for the first year of mine start-up operations including the work done for construction of the mine access road. These reports may be required to be submitted to the County, at the County's discretion, on a more frequent basis as mining operation and site conditions dictate.

60.PLANNING. 31

SMP - BLASTING REPORT FORM

RECOMMND

Prior to issuance of permit for this mine's first special inspection, the operator shall prepare, submit and have approved an appropriate blasting report form. This form shall contain the necessary information to document the blasting operations undertaken for mining as well as the initial construction blasting for roads, etc.. At a minimum, the form shall include the date and time each blast occurred, the number of blast holes per blast, the volume/weight of explosives used per blast, the amount of rock displaced per blast, a report of any adverse or unanticipated results from the blast (blow-outs, fly rock, missfire, etc.), a report of any complaints from neighboring properties, and the amount of blasting anticipated for the upcoming week's production.

This report form shall be submitted to the County Geologist and County mine inspector for review and approval of the format and content prior to issuance of the first special inspection permit.

Completed blasting reports, during active mining operations, shall be submitted to the County's mine inspector on a quarterly basis (more frequently if necessary, upon request by the County) for review and consideration.

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70. PRIOR TO GRADING FINAL INSPECT

PLANNING DEPARTMENT

70.PLANNING. 1 SMP - 1ST CHECK CLEARANCES RECOMMND

The Riverside County Planning Department - Land Use Section shall verify that the Development Standards of this approval and all other conditions have been complied with prior to any use allowed by this Surface Mining Permit, and clearances have been obtained from all required agencies, departments, and/or districts.

70.PLANNING. 2 SMP - 1ST & YR ROAD SIGNS RECOMMND

All roads within the project limits shall be posted with speed limit signs of 15 miles per hour or less, as appropriate.

70.PLANNING. 3 SMP - 1ST & YR COLOR BLENDING RECOMMND

The processing plant, asphalt plant, concrete batch plant, recycling plant, and all buildings shall be painted with colors that blend and camouflage with the surrounding areas.

70.PLANNING. 4 SMP - 1ST & YR NO TRESPASSING RECOMMND

The outer boundary of the mining, processing, maintenance and access road areas shall be posted with "No Trespassing" signs. Said "No Trespassing" signs shall be maintained to the completion of the project.

70.PLANNING. 5 SMP - 1ST & YR BOUNDARY FENCE RECOMMND

There shall be a fence and locked gates erected along the outer boundary of the active surface mining areas and processing plant indicated on Mining Plan, Exhibit "A". The fence shall be maintained at all times during the operation, and shall consist of a chain link or barbed wire fencing in areas of steep topography, as approved by the Planning Director.

70.PLANNING. 6 SMP - 1ST & YR SITE STAKING RECOMMND

The outer boundary of the surface mining areas approved as part of this permit shall be surveyed and staked with visible markers such as white PVC pipe. These stakes shall be placed at 300 foot intervals along the boundary of these areas. This staking shall be maintained

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70. PRIOR TO GRADING FINAL INSPECT

70.PLANNING. 6 SMP - 1ST & YR SITE STAKING (cont.) RECOMMND
throughout the life of this permit.

80. PRIOR TO BLDG PRMT ISSUANCE

BS GRADE DEPARTMENT

80.BS GRADE. 1 SMP - NO B/PMT W/O G/PMT RECOMMND
Prior to the issuance of any building permit, the property owner shall obtain a grading permit and/or approval to construct from the Building and Safety Department.

80.BS GRADE. 2 SMP - ROUGH GRADE APPROVAL RECOMMND

Prior to the issuance of any building permit, the applicant shall obtain rough grade approval and/or approval to construct from the Building and Safety Department. The Building and Safety Department must approve the completed grading of your project before a building permit can be issued. Rough Grade approval can be accomplished by complying with the following:

1.Submitting a "Wet Signed" copy of the Soils Compaction Report containing substantiating data from the Soils Engineer (registered geologist or certified geologist, civil engineer or geotechnical engineer as appropriate) for his/her certification of the project.

2.Submitting a "Wet Signed" copy of the Rough Grade certification from a Registered Civil Engineer certifying that the grading was completed in conformance with the approved grading plan.

3.Submitting a Contractors Statement of Conformance form (284-259).

4.Requesting a Rough Grade Inspection and obtaining rough grade approval from a Riverside County inspector.

5.Rough Grade Only Permits: In addition to obtaining all required inspections and approval of all final reports, all sites permitted for rough grade only shall provide 100 percent vegetative coverage to stabilize the site prior to receiving a rough grade permit final.

Prior to release for building permit, the applicant shall

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80. PRIOR TO BLDG PRMT ISSUANCE

80.BS GRADE. 2 SMP - ROUGH GRADE APPROVAL (cont.) RECOMMND

have met all rough grade requirements to obtain Building and Safety Department clearance.

E HEALTH DEPARTMENT

80.E HEALTH. 2 USE - PERCOLATION TEST REQD RECOMMND

Buildings that incorporate plumbing and generate domestic wastewater will require an onsite wastewater treatment system (OWTS). For the design of the OWTS, provide a soils percolation report that is in accordance with the procedures outlined in the Department of Environmental Health's Technical Guidance Manual.

80.E HEALTH. 3 USE - SEPTIC SYSTEM DESIGN RECOMMND

For buildings that require plumbing and generate domestic wastewater, an onsite wastewater treatment system will be required. Provide one copy of the floor plan showing all plumbing fixtures. Provide three copies of the site or grading plan with contours and grade elevations, properly scaled no smaller than 1" to 40', showing the design of the onsite wastewater treatment system.

80.E HEALTH. 4 USE - LEA CLEARANCE RECOMMND

Clearance from the Environmental Protection and Oversight Division, Local Enforcement Agency (LEA) program is required. Please call (951) 955-8982 for further information.

80.E HEALTH. 5 USE - WATER WILL SERVE RECOMMND

For buildings that require a source of potable water, provide a current water will serve letter from the water purveyor.

FLOOD RI DEPARTMENT

80.FLOOD RI. 1 USE SUBMIT PLANS MINOR REVIEW RECOMMND

The scope of the District review will be limited to verification that this proposal has met its obligation under the County's municipal stormwater permit. A copy of the BMP improvement plans along with any necessary documentation shall be submitted to the Districts Plan

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80. PRIOR TO BLDG PRMT ISSUANCE

80.FLOOD RI. 1 USE SUBMIT PLANS MINOR REVIEW (cont.) RECOMMND

Check Section for review. A copy of the improvement and grading plans shall be included for reference. The plans must receive the District's approval prior to issuance of permits. All submittals shall be date stamped by the engineer and include a completed Flood Control Deposit Based Fee Worksheet and the appropriate plan check fee deposit.

80.FLOOD RI. 2 USE SUBMIT FINAL WQMP RECOMMND

A copy of the project specific WQMP shall be submitted to the District for review and approval.

TRANS DEPARTMENT

80.TRANS. 1 SMP - TS/DESIGN RECOMMND

The project proponent shall be responsible for the design of traffic signals at the intersections of:

I-15 Northbound Ramps (NS) at:
Rainbow Valley Boulevard (EW)

I-15 Southbound On/Off Ramps/Truck Scale (NS) at:
Rainbow Valley Boulevard (EW)

Old Highway 395 (NS) at:
Rainbow Valley Boulevard (EW)

I-15 Southbound Ramps (NS) at:
Mission Road/Old Highway 395 (EW)

with no credit given for Traffic Signal Mitigation Fees

or as approved by the Transportation Department

Installation of the signals shall be per 90.TRANS.1.

80.TRANS. 2 SMP - TS/FAIRSHARE PAYMENTS RECOMMND

Developer shall enter into an agreement with the Riverside County Transportation Department to pay a fair-share cost of \$924,000 towards the construction of improvements at the I-15/Winchester Road interchange as part of the City of Temecula's French Valley project to

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80. PRIOR TO BLDG PRMT ISSUANCE

80.TRANS. 2

SMP - TS/FAIRSHARE PAYMENTS (cont.)

RECOMMND

mitigate project impacts. The fair-share is based on an estimate of the percentage of traffic that the project will contribute to this interchange compared to long-term growth in traffic volumes for the interchange.

Developer shall enter into an agreement with the Riverside County Transportation Department to pay a fair-share cost of \$493,000 towards the construction of improvements at the I-15/SR-79 South interchange as part of the City of Temecula's project to mitigate project impacts. The fair-share shall based on an estimate of the percentage of traffic that the project will contribute to this interchange compared to long-term growth in traffic volumes for the interchange.

Developer shall enter into an agreement with the Riverside County Transportation Department to pay a fair-share cost of \$338,000 towards the construction of improvements at the I-15/Rancho California Road interchange to mitigate project impacts. The fair-share is based on an estimate of the percentage of traffic that the project will contribute to this interchange compared to long-term growth in traffic volumes for the interchange.

NOTE: The three interchanges referenced above are TUMF facilities. The project proponent is eligible for TUMF fee credits against the fairshare payments.

The project proponent is not eligible for DIF fee credit against the fairshare payments.

The provisions of this condition, SMP- TS/FAIRSHARE PAYMENTS, shall be subject to the approval of the Transportation Department.

80.TRANS. 3

SMP - TS/GEOMETRICS

RECOMMND

The intersection of I-15 Northbound Ramps (NS) and Rainbow Valley Boulevard (EW) shall provide the following geometrics:

Northbound: One shared left-turn/through lane, one shared through/right-turn lane

Southbound: N/A

Eastbound: One left-turn lane, one through lane

Westbound: One through lane, one right-turn lane

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80. PRIOR TO BLDG PRMT ISSUANCE

80.TRANS. 3

SMP - TS/GEOMETRICS (cont.)

RECOMMND

NOTE: The project proponent shall provide an additional on-ramp auxillary lane upon the project exceeding 3.5 million tons per year. The design and construction of the auxillary lane shall be subject to the approval of Caltrans.

The intersection of I-15 Southbound Off-Ramp - Truck Scale (NS) and Rainbow Valley Boulevard (EW) shall provide the following geometrics:

Northbound: NA

Southbound: One left turn lane, one through lane, one right turn lane

Eastbound: One shared through/right turn lane

Westbound: One shared left turn/through lane

The intersection of Project Access (NS) and Rainbow Valley Boulevard (EW) shall provide the following geometrics:

Northbound: NA

Southbound: One left turn lane/one shared through/right turn lane

Eastbound: One shared left turn/through lane

Westbound: One shared through/right turn lane

or as approved by the Transportation Department.

All improvements listed are requirements for interim conditions only. Full right-of-way and roadway half sections adjacent to the property for the ultimate roadway cross-section per the County's Road Improvement Standards and Specifications must be provided.

Any off-site widening required to provide these geometrics shall be the responsibility of the landowner/developer.

All turn pocket lengths shall conform to the minimum County turn pocket length standards, or as approved by the Transportation Department.

If any of the proposed improvements are found to be infeasible, the applicant will be required to provide alternative feasible improvements to achieve levels of service satisfactory to the County.

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80. PRIOR TO BLDG PRMT ISSUANCE

80.TRANS. 4 SMP - TS/TRUCK SCALES

RECOMMND

Prior to the issuance of any building permit the project proponent shall construct a second truck scale facility adjacent to the existing truck scale facility (Southwest quadrant of the I-15/Rainbow Valley Boulevard interchange). An additional lane shall be constructed by the project proponent to facilitate circulation of trucks due to the addition of the second truck scale facility.

80.TRANS. 5 SMP - TS/TIF FEES

RECOMMND

Prior to the issuance of any building permit the project proponent shall pay \$1.3 million in TIF fees to San Diego County for intersection and roadway segment improvements.

80.TRANS. 6 SMP - TS/MONITORING CAMERA

RECOMMND

Prior to the issuance of any building permit the project proponent shall install a camera to monitor traffic queuing on the southbound off-ramp at the I-15/Rainbow Valley Boulevard interchange.

90. PRIOR TO BLDG FINAL INSPECTION

BS GRADE DEPARTMENT

90.BS GRADE. 1 SMP - WQMP BMP INSPECTION

RECOMMND

Prior to final building inspection, the applicant shall obtain inspection of all treatment controlled BMPs and/or clearance from the Building and Safety Department. All structural BMPs described in the project - specific WQMP and indicated on the approved grading plan shall be constructed and installed in conformance with the approved plans and specifications. The Building and Safety Department must inspect and approve the completed WQMP treatment controlled BMPs for your project before a building final can be obtained.

90.BS GRADE. 2 SMP - WQMP BMP CERT REQ'D

RECOMMND

Prior to final building inspection, the applicant/owner shall submit a "Wet Signed" copy of the Water Quality Management Plan (WQMP) Certification from a Registered Civil Engineer certifying that the project - specific WQMP treatment controlled BMPs have been installed in accordance with the approved WQMP.

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90. PRIOR TO BLDG FINAL INSPECTION

90.BS GRADE. 3 SMP - BMP GPS COORDINATES RECOMMND

Prior to final building inspection, the applicant/owner shall provide the Department of Building Safety with GPS coordinates for the location of the project - specific WQMP treatment controlled BMPs.

90.BS GRADE. 4 SMP - BMP REGISTRATION RECOMMND

Prior to final building inspection, the applicant/owner shall register the project - specific WQMP treatment controlled BMPs with the Department of Building Safety Business Registration Division. Any person or entity that owns or operates a commercial and/or industrial facility shall register such facility for annual inspections.

90.BS GRADE. 5 SMP - REQ'D GRADING INSP'S RECOMMND

The developer / applicant shall be responsible for obtaining the following inspections required by Ordinance 457.

- 1.Sub-grade inspection prior to base placement.
- 2.Base inspection prior to paving.
- 3.Precise grade inspection of entire permit area.
 - a.Inspection of Final Paving
 - b.Precise Grade Inspection
 - c.Inspection of onsite storm drain facilities
 - d.Inspection of the WQMP treatment controlled BMPs

90.BS GRADE. 6 SMP - PRECISE GRDG APPROVAL RECOMMND

Prior to final building inspection, the applicant shall obtain precise grade approval and/or clearance from the Building and Safety Department. The Building and Safety Department must approve the precise grading of your project before a building final can be obtained. Precise Grade approval can be accomplished by complying with the following:

- 1.Requesting and obtaining approval of all required grading inspections.
- 2.Submitting a "Wet Signed" copy of the Soils Compaction Report from the Soils Engineer (registered geologist or

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90. PRIOR TO BLDG FINAL INSPECTION

90.BS GRADE. 6

SMP - PRECISE GRDG APPROVAL (cont.)

RECOMMND

certified geologist, civil engineer or geotechnical engineer as appropriate) for the sub-grade and base of all paved areas.

3.Submitting a "Wet Signed" copy of the Sub-grade (rough) Certification from a Registered Civil Engineer certifying that the sub-grade was completed in conformance with the approved grading plan.

4.Submitting a "Wet Signed" copy of the Precise (Final) Grade Certification for the entire site from a Registered Civil Engineer certifying that the precise grading was completed in conformance with the approved grading plan.

5.Submitting a "Wet Signed" copy of the Certification certifying the installation of any onsite storm drain systems not inspected by Riverside County Flood Control District or the Riverside County Transportation Department.

6.Submitting a "Wet Signed" copy of the Water Quality Management Plan (WQMP) Certification from a Registered Civil Engineer certifying that the Water Quality Management Plan treatment controlled BMPs have been installed in accordance with the approved WQMP.

Prior to release for building final, the applicant shall have met all precise grade requirements to obtain Building and Safety Department clearance.

E HEALTH DEPARTMENT

90.E HEALTH. 1

USE - HAZMAT BUS PLAN

RECOMMND

The facility will require a business emergency plan for the storage of hazardous materials greater than 55 gallons, 200 cubic feet or 500 pounds, or any acutely hazardous materials or extremely hazardous substances.

90.E HEALTH. 2

USE - HAZMAT REVIEW

RECOMMND

If further review of the site indicates additional environmental health issues, the Hazardous Materials Management Division reserves the right to regulate the business in accordance with applicable County Ordinances.

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90. PRIOR TO BLDG FINAL INSPECTION

90.E HEALTH. 3 USE - HAZMAT CONTACT RECOMMND

Contact a Hazardous Materials Specialist, Hazardous Materials Management Division, at (951) 358-5055 for any additional requirements.

90.E HEALTH. 4 USE - HAZMAT WASTE RECOMMND

The facility requires a hazardous waste permit if a hazardous waste is generated as defined in Title 22 of the California Code of Regulations, Section 66260.10 and 66261.3. The report and fee is due.

90.E HEALTH. 5 USE - HAZMAT TANKS RECOMMND

Construction plans must be reviewed and approved by the Hazardous Materials Division prior to the installation of the underground storage tank (UST) system. There is a construction fee based on the number of UST's installed. Permits from the Hazardous Materials Division must be obtained for the operation of the UST's prior to occupancy.

FLOOD RI DEPARTMENT

90.FLOOD RI. 1 USE BMP - EDUCATION RECOMMND

The developer shall distribute environmental awareness education materials on general good housekeeping practices that contribute to protection of stormwater quality to all initial users. The developer may obtain NPDES Public Educational Program materials from the District's NPDES Section by either the District's website www.floodcontrol.co.riverside.ca.us, e-mail fcnpdes@co.riverside.ca.us, or the toll free number 1-800-506-2555. Please provide Project number, number of units and location of development. Note that there is a five-day minimum processing period requested for all orders.

The developer must provide to the District's PLAN CHECK Department a notarized affidavit stating that the distribution of educational materials to the tenants is assured prior to the issuance of occupancy permits.

90.FLOOD RI. 2 USE IMPLEMENT WQMP RECOMMND

All structural BMPs described in the project-specific WQMP shall be constructed and installed in conformance with

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90. PRIOR TO BLDG FINAL INSPECTION

90.FLOOD RI. 2 USE IMPLEMENT WQMP (cont.) RECOMMND

approved plans and specifications. It shall be demonstrated that the applicant is prepared to implement all non-structural BMPs described in the approved project specific WQMP and that copies of the approved project-specific WQMP are available for the future owners/occupants. The District will not release occupancy permits for any portion of the project exceeding 80% of the project area prior to the completion of these tasks.

PLANNING DEPARTMENT

90.PLANNING. 4 USE - ORD 810 OPN SP PHSE 2 RECOMMND

For Phase 2, prior to the issuance of a certificate of occupancy, or upon building permit final inspection [prior to use or occupancy for cases without final inspection or certificate of occupancy (such as an SMP)], whichever comes first, the applicant shall comply with the provisions of Riverside County Ordinance No. 810, which requires the payment of the appropriate fee set forth in the Ordinance. The amount of the fee will be based on the "Project Area" as defined in the Ordinance and the aforementioned Surface Mining Permit No. 213. In the event Riverside County Ordinance No. 810 is rescinded, this condition will no longer be applicable. However, should Riverside County Ordinance No. 810 be rescinded and superseded by a subsequent mitigation fee ordinance, payment of the appropriate fee set forth in that ordinance shall be required.

90.PLANNING. 5 SMP - MITIG MEASURE AQ-8e RECOMMND

Mitigation Measure AQ-8e from EIR475 requires:

Applicant shall optimize all onsite buildings' thermal distribution by separating ventilation and thermal conditioning systems.

90.PLANNING. 6 SMP - MITIG MEASURE AQ-8f RECOMMND

Mitigation Measure AQ-8f from EIR475 requires:

Applicant shall utilize cool roofs, highly reflective, highly emissive roofing materials pursuant to the California's Cool Savings Program, which is administered by the CEC.

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90. PRIOR TO BLDG FINAL INSPECTION

90.PLANNING. 7 SMP - MITIG MEASURE AQ-8g RECOMMND

Mitigation Measure AQ-8g from EIR475 requires:

At least 30 percent of all materials used in construction shall be that are resource efficient, recycled, with long life cycles and manufactured in an environmentally friendly way to the extent feasible to the satisfaction of the Planning Director.

90.PLANNING. 8 SMP - MITIG MEASURE AQ-8h RECOMMND

Mitigation Measure AQ-8h from EIR475 requires:

Applicant shall install energy-reducing day lighting systems (e.g., skylights, light shelves and interior transom windows).

90.PLANNING. 9 SMP - MITIG MEASURE AQ-8i RECOMMND

Mitigation Measure AQ-8i from EIR475 requires:

Applicant shall use ARB-certified diesel construction equipment and trucks.

90.PLANNING. 10 SMP - MITIG MEASURE AQ-8j RECOMMND

Mitigation Measure AQ-8j from EIR475 requires:

Applicant shall incorporate BACT measures for power generators.

(Also required in the Annual checklist condition of approval 60.Planning.27)

90.PLANNING. 11 SMP - MITIG MEASURE AQ-8k RECOMMND

Mitigation Measure AQ-8k from EIR475 requires:

At least 30 percent of building materials for construction shall be provided by a local supplier to the satisfaction of the Planning Director.

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90. PRIOR TO BLDG FINAL INSPECTION

TRANS DEPARTMENT

90.TRANS. 1

SMP - TS/INSTALLATION

RECOMMND

The project proponent shall be responsible for the construction and installation of traffic signals at the following locations:

I-15 Northbound Ramps (NS) at:
Rainbow Valley Boulevard (EW)

I-15 Southbound On/Off Ramps/Truck Scale (NS) at:
Rainbow Valley Boulevard (EW)

Old Highway 395 (NS) at:
Rainbow Valley Boulevard (EW)

I-15 Southbound Ramps (NS) at:
Mission Road/Old Highway 395 (EW)

with no credit given for Traffic Signal Mitigation Fees
or as approved by the Transportation Department

**COMPREHENSIVE PROJECT REVIEW
INITIAL CASE TRANSMITTAL
RIVERSIDE COUNTY PLANNING DEPARTMENT - RIVERSIDE
P.O. Box 1409
Riverside, CA 92502-1409**

DATE: August 10, 2007

TO:

Transportation Dept.
Environmental Health Dept.
Flood Control Dist.
Fire Department
Dept. of Bldg. & Safety (Grading)
Dept. of Bldg. & Safety-Dan Gregorio
Regional Parks & Open Space Dist.
Co. Geologist
Environmental Programs Dept.
P.D. Trails Coordinator-J. Jolliffe
Riv. Transit Agency

Riv. Sheriffs Dept.
Riv. Waste Management Dept.
CSA 126 c/o EDA
ALUC-John Guerin
City of Temecula
Temecula Valley Unified School Dist.
Murrieta Valley Unified School Dist.
WMWD
SCE
Southern California Gas
Caltrans Dist. #8

Office of Mine Reclamation
California Dept. of Fish & Game
U.S. Fish & Wildlife Service
Bureau of Land Management
National Forest Service
Army Corp. of Engineers
Pechanga Indian Tribe
Regional WQCB-Santa Ana
South Coast Air Quality Management
Dist.
EIC

SURFACE MINING PERMIT NO. 213, AMENDED NO. 1 AND CHANGE OF ZONE NO. 7508 – EA40147 – Applicant: Granite Construction Co. – Engineer/Representative: Lilburn Corporation - First Supervisorial District – Rancho California Zoning Area – Southwest Area Plan: Open Space: Conservation Habitat (OS: CH) and Rural: Rural Mountainous (R: RM) – Location: North of the San Diego County line, east of Rainbow Glen Road and west of Interstate 15 – 414 Gross Acres - Zoning: Rural Residential (R-R) - **REQUEST:** The quarry footprint will cover 155 acres with an additional 9 acres for roadways. Aggregate, asphalt, concrete batch and recycle plants will be constructed within the quarry area. Approximately 70 acres will remain undisturbed on the West side of the site and approximately 180 acres will remain undisturbed on the Northeast and Southeast boundaries to maintain the existing ridges to block views of the project. The estimated total volume of the proposed quarry is over 270 million tons, at a maximum extraction rate of 5 million tons per year, for a maximum of 75 years. Change of Zone No. 7508 requests a zone change from Rural Residential (R-R) to Mineral Resources and Related Manufacturing (M-R-A) on 14 parcels consisting of 110 acres in the center of the site where the processing plant shall be located – APNs: 918-090-007 through 042, 918-100-001 through 008, 918-110-001, 918-100-012, 918-110-028, 918-120-044, 918-130-043, 918-130-031 (County of San Diego APN 102-230-066) –RCL00166

Please review the attached exhibit(s) for the above-described project. This case is scheduled for a **CPR Meeting on August 30, 2007**. All County Agencies and Departments, please have draft conditions in the Land Management System by the above date. If you cannot clear the exhibit, please have corrections in the system and DENY the routing. Once the route is complete, and the approval screen is approved with or without corrections, the case can be scheduled for a public hearing. All other agencies, please have your comments/conditions to the Planning Department as soon as possible. Your comments/recommendations/ conditions are requested so that they may be incorporated in the staff report for this particular case.

Should you have any questions regarding this item, please do not hesitate to contact **Ebony McGee**, Project Planner, at (951) 955-5719 or email at emcgee@RCTLMA.org / MAILSTOP# 1070.

COMMENTS:

DATE: _____ SIGNATURE: _____

PLEASE PRINT NAME AND TITLE: _____

TELEPHONE: _____

If you do not include this transmittal in your response, please include a reference to the case number and project planner's name. Thank you.



DEPARTMENT OF CONSERVATION

Managing California's Working Lands

OFFICE OF MINE RECLAMATION

801 K STREET • MS 09-06 • SACRAMENTO, CALIFORNIA 95814

PHONE 916 / 323-9198 • FAX 916 / 445-6066 • TDD 916 / 324-2555 • WEBSITE conservation.ca.gov

April 11, 2011

VIA EMAIL: djones@rctlma.org
ORIGINAL SENT BY MAIL

David Jones
Riverside County Planning Department
PO Box 1409
Riverside, CA 92502-1409

Dear Mr. Jones:

**PROPOSED RESPONSES TO COMMENTS
RECLAMATION PLAN FOR LIBERTY QUARRY
SURFACE MINING PERMIT #213**

The Department of Conservation's Office of Mine Reclamation (OMR) has reviewed Riverside County's (County) Proposed Responses to Comments on the Reclamation Plan for the proposed Liberty Quarry dated March 16, 2011. These responses are intended to address OMR's official review comments on the December 2010 version of the reclamation plan that were provided to the County in a letter dated January 13, 2011.

The Surface Mining and Reclamation Act of 1975 (SMARA) (Public Resources Code section 2710 et seq.) and the State Mining and Geology Board Regulations (California Code of Regulations (CCR) Title 14, Division 2, Chapter 8, Subchapter 1) require that specific items be addressed or included in reclamation plans. The proposed responses to comments adequately address most of OMR's comments; however, several comments require further clarification. We recommend that the reclamation plan be supplemented and/or revised to fully address these items.

Response to OMR Comment #1

Bullet #1 – Response indicates that OMR's comment will be adequately addressed. If changes are made to the quarry configuration, the reclamation plan must be revised and resubmitted for OMR's review prior to approval.

Bullet #2 – See "Response to OMR's Comment #3" below.

Bullet #3 – Response indicates that OMR's comment will be adequately addressed.

Bullet #4 – OMR's comment indicates that additional cross sections are needed, because the maps do not appear to clearly portray the proposed site development. As an example, OMR referred to what appears to be a cut slope on the south side of Pad 1670' that has symbols indicating it is a fill slope. The response does not refer to the slope on the south side of "Pad 1670' that OMR used as an example; however, the response indicates that another cross section of that Pad will be included if the project is approved. The maps should be revised to clearly depict slope types and the elevations of proposed contours.

Bullet #5 – Response indicates that OMR's comment will be adequately addressed.

Response to OMR Comment #2

Response indicates OMR's comment will be adequately addressed.

Response to OMR Comment #3

Additional clarification is needed to ensure that response adequately addresses OMR's comment. In the original comment, OMR paraphrased the reclamation standard, which states "Except those used solely for blasting or those that will be mined through within one year, all drill holes, water wells, and monitoring wells shall be completed or abandoned in accordance with each of the following: (1) Water Code sections 13700, et seq. and 13800, et seq.; (2) the applicable local ordinance adopted pursuant to Water Code section 13803; (3) the applicable Department of Water Resources report issued pursuant to Water Code section 13800; and (4) Subdivisions (1) and (2) of section 2511(g) of Chapter 15 of Title 23 regarding discharge of waste to land."

The response indicates that several exploratory drill holes already have been closed in accordance with applicable laws; however, three borings (MW-1, -2, and -3) remain open, and each are protected by a locking monument. The response states that these holes were drilled as "...exploratory holes" for the purpose of immediately evaluating the existing geological and/or hydrological conditions." This implies that the drill holes were completed for short-term exploratory purposes. However, the response also states that "...they were not backfilled so that subsequent data acquisition could be undertaken if required." Thus, the response also seems to indicate that their purpose is long-term monitoring. The plan should clarify whether these drill holes were completed as short-term exploratory drill holes or as long-term monitoring wells. If the boreholes have been retained for long-term monitoring, the plan should specify the monitoring purpose of the borings, what data will be acquired, and the reporting requirements for the data. If the drill holes were completed as short-term exploratory borings, the SMARA performance standard is clear that they should be destroyed in accordance with applicable State and local laws, if they will not be mined through in one year.

The response also indicates that the drill holes are exempt from the well destruction standards of Part III, Bulletin 74-90; however, OMR notes that Bulletin 74-90 specifically includes the destruction of exploratory borings, including those drilled in hard, competent rock. Page 52 of Bulletin 74-90 describes that exploratory borings outside of areas of known or suspected contamination shall, at a minimum, be backfilled with sealing materials to the minimum depths

David Jones
April 11, 2011
Page 3

specified in Section 23 of the Water Well Standards, which describes the requirements for sealing boreholes/wells in fractured and unfractured bedrock.

Response to OMR Comment #4

Response adequately addresses Comment #4.

Response to OMR Comment #5

Response adequately addresses Comment #5.

Response to OMR Comment #6

Response adequately addresses Comment #6.

Response to OMR Comment #7

Response adequately addresses Comment #7.

Response to OMR Comment #8

Response adequately addresses Comment #8.

Response to OMR Comment #9

Response adequately addresses Comment #9.

Response to OMR Comment #10

Response adequately addresses Comment #10.

If you have any questions on these comments or require any assistance with other mine reclamation issues, please contact me at (916) 445-6175.

Sincerely,



Beth Hendrickson
Acting Manager, Reclamation Unit

TERRA TRUCKING COMPANY, INC

CONSTRUCTION TRUCKING

1350 E. Barbour Street
Banning, CA 92220
Phone: (951) 849-1002
Fax: (951) 849-4404
Email: Fred@TerraTrucking.com

April 19, 2010

Riverside County Planning Department

4080 Lemon Street

Riverside, Calif. 92502-1409

ATTN: Mr. David Jones

RE: Liberty Quarry-Environmental Impact Report

Dear Mr. Jones,

My name is Fred ReCupido, and I am the President of Terra Trucking Company, Inc; located in Banning, Ca. Our company has been in business over 39 years, servicing San Diego, Riverside, San Bernardino and Imperial Counties. Over the span of this time, we have hauled over 100 million tons of Asphalt, rock, sand and gravel for all types of construction related projects and plant to plant operations. We have extensive knowledge of the quarry, aggregate and asphalt markets in these counties, and the economies that affect them.

In the past 8-10 years we observed a larger and larger increase in traffic for these commodities going from The Coachella Valley, San Bernardino County and even Los Angeles County (Irwindale), to either Western Riverside or San Diego County. From these quarries, especially the 5 major quarries in the Coachella Valley and the Banning Pass area, along with several major quarries in Corona, millions of tons of aggregate and asphalt have moved through the communities of Temecula and Rancho California. We estimate in the past 10 years, at least 10 million tons have been shipped south from as far away as 100 miles.

We are of the opinion that Liberty Quarry would be a more logical, less expensive, and more environmentally sound project, compared to the thousands of truck loads passing through

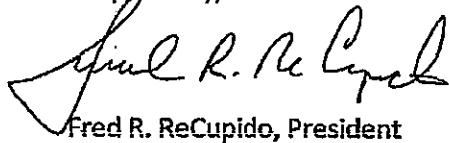
TERRA TRUCKING COMPANY, INC

CONSTRUCTION TRUCKING

1350 E. Barbour Street
Banning, CA 92220
Phone: (951) 849-1002
Fax: (951) 849-4404
Email: Fred@TerraTrucking.com

these communities. We implore the County of Riverside to have the foresight and long range thinking needed to preserve and promote high quality aggregate supply for our County in the future. In my years of experience, we do not want to end up in the same lurch as other Counties have found themselves because of a lack of vision and planning. Thank you for the opportunity to address this crucial decision.

Respectfully,



Fred R. ReCupido, President

Lehigh Hanson
HEIDELBERGCEMENT Group

Lehigh Hanson Region West

12667 Alcosta Blvd., Ste 400
San Ramon, CA 94583
Phone 925 244 6500
Fax 925 244 6565

April 11, 2011

www.heidelbergcement.com

The Honorable Bob Buster
Chair of the Riverside county Board of Supervisors
4080 Lemon Street, 4th Floor
Riverside, CA 92502

Subject: Aggregate Demand and Supply and the Proposed Liberty Quarry

Dear Chairman Buster:

Lehigh Hanson operates 192 quarries and 111 readymix concrete plants in the United States. (http://www.heidelbergcement.com/global/en/company/group_areas/na/m/usa.htm) We have a large presence in California including a hard rock quarry and readymix concrete plant in the City of Corona as well as 37 additional plants in Southern California.

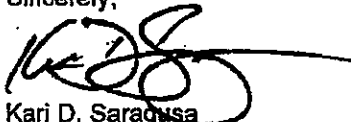
The State of California Department of Conservation and Caltrans have made it known to local government jurisdictions including Riverside County of the severe shortage of permitted aggregate reserves in certain markets in California including Western Riverside County, San Diego County and Orange County.

Shortages of permitted reserves in local markets necessitates the need to import aggregate from other markets creating unnecessary traffic and air emissions; road and highway maintenance costs; and higher construction costs. Presently, aggregate is imported through Western Riverside County from distances as great as 60 miles, to southwest Riverside and San Diego Counties creating adverse impacts to residents in Temecula, Murrieta, Corona, Lake Elsinore, Eastvale, Hemet, Banning, Beaumont, Perris, Moreno Valley and Riverside. This is not a sustainable practice in the long-term.

We are aware of a proposal by Granite Construction Co. to develop the Liberty Quarry project on land that is already zoned for mining and classified by the State Mining and Geology Board as an important mineral resource in Southwest Riverside County. If this project was approved and developed it would help reduce the reliance on shipping aggregate long distances into this market.

We encourage the County and the cities in the County to weigh this benefit as they consider this project.

Sincerely,



Kari D. Saragusa
President
Lehigh Hanson – Region West

CAL PORTLAND

May 28, 2010

David L. Jones, County Geologist
Riverside County
4080 Lemon Street
9th Floor
Riverside, California 92592-1409

Subject: Liberty Quarry, Draft Environmental Impact Report

Dear Mr. Jones,

CalPortland Inc. provides construction materials - aggregate, cement, concrete and asphalt - throughout the Western United States and Canada. Our first concrete plant was established in Colton in 1891. We now have 15 concrete plants in Southern California. The aggregate for these plants comes from a number of different quarries in the Southern California, including some in the Coachella Valley area of Riverside County.

Over the last 10 years we have seen a trend of aggregate being moved longer distances to concrete plants and asphalt plants throughout Southern California. This is particularly true for the Southwest Riverside County and San Diego County markets. Aggregate is now imported from Los Angeles and San Bernardino Counties into San Diego and Southwest Riverside County due to the lack of enough locally permitted aggregate sources in these markets. In the last 10 years as much as 5 million tons per year were shipped by truck through Western Riverside County to San Diego County and Southwest Riverside County.

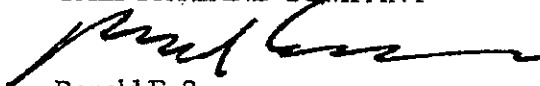
The State of California (Department of Conservation) has provided public information that shows conclusively that Western Riverside and San Diego County have critical shortages of permitted aggregate supplies to meet the 50-year demand.

Caltrans has stated that it does not make sense economically or environmentally to continue to ship aggregate long distances, especially when there are viable alternatives like Liberty Quarry. Based on our knowledge of the industry over a period of 100 years, if Liberty Quarry is developed it will reduce the need to move aggregate long distances through Riverside County.

That just makes sense for everyone.

Sincerely,

CALPORTLAND COMPANY


Ronald E. Summers
Vice-President, Materials Division

DEPARTMENT OF TRANSPORTATION

DISTRICT 8

OFFICE OF THE DISTRICT DIRECTOR
464 WEST 4TH STREET, 6TH FLOOR, MS 1201
SAN BERNARDINO, CA 92401-1400
PHONE (909) 383-4055
FAX (909) 383-6239
TTY 711



*Flex your power!
Be energy efficient!*

May 13, 2009

Mr. Russell Kitahara
Chair, Riverside Local Agency Formation Commission
3850 Vine Street, Suite 110
Riverside, CA 92507-4277

Dear Mr. Kitahara,

I am writing to you on behalf of the California Department of Transportation (Department) in support of the proposed Liberty Quarry south of the Temecula city limits, pending environmental review by the County of Riverside. It is my understanding that the Riverside Local Agency Formation Commission (LAFCO) will consider a resolution supporting the City of Temecula's efforts to annex the property encompassing the proposed Liberty Quarry. I would like to provide some critical information relative to the importance of this quarry, as well as other proposed quarries across the State. The Department has been vocal in support of local aggregate sources in recent years. This is due to the dwindling supply of aggregate in our great State. Aggregate, rock, crushed rock, and sand, are a major element of all public works construction projects; including roads, highways, housing, and schools.

There are currently approximately 5.3 billion tons of aggregate available for mining under permits issued by cities and counties. This translates to approximately 7.2% of the estimated supply according to the California Geological Survey. At the current rate of production of 177 million tons per year, the permitted reserves will be exhausted in 30 years or less. This will force escalation of the price of concrete and asphalt to cover the expense of shipping aggregates to the project site from out of state. The State and other public works entities will bear the direct costs of transportation in project item increases. Additionally, our infrastructure will suffer from excessive, unplanned use by trucks, which are the primary mode of transporting aggregates to jobsites. Providing local aggregate sources will have the positive impact of reducing truck traffic on our congested highways, reduce diesel fuel consumption and subsequently reduce emissions, significantly. Finally, project costs will not escalate for asphalt and concrete, allowing public entities such as your city the ability to leverage public monies to address more needs.

Over the past three years, the Department has delivered 754 major projects with a construction value exceeding \$8.3 billion. Without additional reliable and accessible aggregate sites, we will be unable to maintain this delivery pace. Importing aggregate from outside the region greatly increases costs and reduces the number of projects. Please support the State's position on the need of local aggregate sources; it will benefit Riverside County in the long run.

Sincerely,

A handwritten signature in black ink, appearing to read "Ray W. Wolfe".

RAYMOND W. WOLFE, PhD
District Director

c: Gary Johnson

Construction Aggregate Supply Limitations Estimates of Economic Impact

- Since transportation is a major element in the cost of delivered aggregate, and the cost depends on the distance of the delivery, permitting new aggregate sites would lead to shorter haul distance to minimize transport/shipping cost. According to the industry, shipping costs for aggregates can outweigh production costs if the material is trucked more than 20 miles.¹
- A recent UC Berkeley study² confirms that the most likely, and dominant, effect of the opening of new sites for the production of construction aggregates would be a *reduction in truck miles of travel for hauling aggregates* (i.e., new quarry will be located closer to the users to minimize transportation costs), *thus a reduction in emissions from trucks*.
- According to the California Geological Survey (CGS), California has an estimated 74 billion tons of aggregate resources underlying mineral lands classified by the State Geologist. However, only about 5.3 billion tons of aggregate (7.2 percent) have actually been permitted by cities and counties for mining activities. Permitting of mining sites takes between five and ten years. At the current rate of production of 177 million tons per year, the permitted reserves will be exhausted in about 30 years.
- According to the CGS, the state produced 176.4 million tons of construction sand and gravel in 2005, valued at \$1,269 million. The production of crushed stone in 2005 was estimated at 58.87 million tons, valued at \$361.5 million. According to the same source, California imported about 2.4 million tons of sand and gravel during 2005 from Canada and Mexico, a fairly small portion of the total use.
- The total aggregate production (or demand) in 2005, therefore, exceeded **235.3 million tons** (176.4 + 58.87). This production level would *generate about 9.4 million truckloads (@ 25 tons per truck), or a total of 18.8 million truck trips a year (including empty trucks returning to the aggregate sites)* related to the transportation of construction aggregate in the state.
- According to the Teichert Construction and West Coast Aggregates, Inc. the average hauling distance for aggregates in California may be as high as 50 miles. Truck transportation accounts for about 99 percent of shipping aggregates for 40 miles or less.³ At an average 50-mile distance, the total aggregate-truck VMT would be **940 million miles** per year (18.8 million trucks x 50 miles). This would account for 4% of total truck trips, or 6% of all truck miles of travel on the state highways.
- Let us assume that additional aggregate production resulting from permitting additional mining facilities would reduce the average hauling distance from 50 to 35 miles statewide. Using an average hauling distance of 35 miles, the total annual aggregate-truck miles of travel would be **658 million miles** (18.8 million trucks X 35 miles). The 15-mile shorter hauling distance would reduce aggregate-truck miles of travel by **282 million miles per year** (940 - 658), and annual diesel fuel consumption by **44 million gallons** (using CARB diesel fuel consumption rate of 0.153 gallons per vehicle-mile at 55-60 mph speed).

¹ Therese Dunphy, "Evening the Playing Field," *Aggregates Manager*, August 2006.

² Peter Berck, "A Note on the Environmental Costs of Aggregates," *Working Paper No. 994*, Dept. of Agricultural and Resource Economics and Policy, University of California, Berkeley, January 2005.

³ Tina Grady Barbaccia, "Off-highway Transportation," *Aggregates Manager*, July 2006.

- Based on the California Air Resources Board emission factors estimates, and assuming an average 55-60 miles per hour speed, a reduction of 282 million miles of truck travel (or 44 million gallons of diesel fuel consumption) would reduce truck emissions (CO, NOx, PM10, SOx, VOC) by about **835.4 tons a year**.
- The total transportation cost of aggregates (at \$.10 per ton per mile) shipped 35-miles average distance throughout California would be \$1.6 billion (18.8 mil trucks x 25 tons x 35 miles x \$.10), and over \$2.3 billion if shipped an average 50 miles. The statewide transportation cost savings of reduced hauling distance would amount to **\$705 million a year** (or a 43% cost savings).
- The California Department of Transportation estimates that on average, about \$2.55 billion is spent on state and local capital outlay projects each year, and on average, aggregates account for **8-10%** of total project costs, or **\$250 million** annually. A 43% increase/decrease in shipping cost of aggregates would increase/decrease the total annual project costs by **\$108 million per year**.
- The reduction in aggregate-related truck miles of travel would also reduce traffic congestion and traffic accidents on roads, but these impacts would be difficult to estimate. An additional benefit from truck trip reduction would be reduced pavement deterioration. The Department of Transportation on average spends about \$500 million annually on pavement rehabilitation projects. Assuming trucks account for 60% of the pavement damage on the state highways, and aggregate-trucks account for 4%-6% of all truck travel on the state highways (depending on the average distance of 35 or 50 miles), the trucks shipping aggregates would account for about **\$12-18 million** of potential savings in the cost of pavement rehabilitation each year.
- Project delays due to lack of aggregate supply in the area, would also result in project cost escalation and reduced user benefits (reduced travel time and accidents) that would have otherwise been generated. A delay of 10% of the projects (or \$255 million in capital outlay expenditures) for one year would increase the cost of the state and local capital outlay program by **\$9 million a year** (at 3.5% average cost escalation factor). It should be noted that the highway construction cost index in recent years has grown at much higher rates than the historical average of 3.5%. Therefore, the project cost escalation due to lack of aggregate supply and project delays could potentially be much higher than the figure above.
- Generalizing, and pro rating, the user benefits estimated for the 2006 Interregional Transportation Improvement Program (ITIP) projects, a delay of 10% of the capital outlay program for one year would also cost California about **\$97 million** in increased roadway congestion and traffic accidents.

In conclusion, permitting and expansion of additional construction aggregate supply sources in California suggests potentially significant benefits and cost savings that would provide a high payoff and worthwhile effort for the state to undertake. Again, those benefits include:

- A reduction in emissions from trucks with the reduction in truck miles of travel for hauling aggregates
- Shorter hauling distance reducing aggregate-truck miles of travel and the cost of the materials
- Reduction of pavement deterioration from fewer truck miles traveled
- Reduction in project delays due to lack of aggregate supply in the area, which leads to increased project costs
- Reduction in aggregate-related truck miles of travel would also reduce traffic congestion and potentially reduce traffic accidents on roads

DEPARTMENT OF TRANSPORTATION
OFFICE OF THE DIRECTOR
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TTY 711

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OF GOVERNMENTS



*Flex your power!
Be energy efficient!*

September 30, 2008

Dear Transportation Partners:

In February 2006, I sent a letter to you stressing the need for permitting new aggregate resources within California. As you are aware, these materials are one of the critical resources required to meet current and expected infrastructure improvement needs for transportation improvements, flood protection, and public and private facilities in the State of California. Toward this effort, I want to again highlight the tremendous need to increase the supply of aggregate resource materials in the State.

Over the past three years, the California Department of Transportation (Caltrans) delivered 754 major projects with a construction value of more than \$8.3 billion. I want to continue this success rate with reasonably expected cost effectiveness. This is why it is critical to increase California's permitted aggregate resource reserves.

In the last two years, Caltrans has taken a number of steps to promote aggregate resource needs throughout the State. Caltrans and the Business, Transportation and Housing Agency have provided decision makers with information on the need to increase California's aggregate resource supply and will continue to do so in the future.

To date, Caltrans personnel have made presentations to several local decision makers in the State, including Nevada, Butte, and Fresno counties, the San Joaquin Valley, and communities in the Bay Area. Caltrans has also coordinated with the construction industry, public decision-makers, and government officials in discussing potential opportunities to increase California's aggregate resource supply. Caltrans' work and partnerships in the *GoCalifornia* Construction Industry Capacity Expansion (ICE) action Action Plan has also played a significant role. This work included several workshops and meetings with stakeholders, including the ICE Workshop and Materials Summit held in April. The summit provided a means to communicate with those that are involved with the permit process in order to identify the key issues that arise when attempting to permit a mining facility. Caltrans will continue that collaborative effort. Other collaborative efforts have included developing cooperative partnerships with the California Department of Conservation and the U.S. Department of the Interior, Bureau of Land Management, on mining, reclamation, and permitting issues.

"Caltrans improves mobility across California"

Transportation Partners
September 30, 2008
Page 2

Caltrans also is providing grant funds for the Regional Blueprint Planning Program to promote regional collaboration and integrated planning strategies. This program has enabled regions to plan to accommodate all their future growth while identifying and preserving:

- Mining and material resources.
- Farm and agriculture lands.
- Natural resources.
- Greenbelts and buffer zones.

While all of these efforts have helped to gain approval of new aggregate resources at selected locations in California, we are still well below the amount of reserve required to address expected infrastructure needs over the next 50 years. As we deliver infrastructure improvements with the voter-approved Proposition 1B Bond funds, I want to urge you to continue to examine methods to increase the aggregate resources within each of your cities, counties, and regions. Enclosed for your use is an economic assessment of aggregate supply prepared by our Division of Transportation Planning's Office of Transportation Economics.

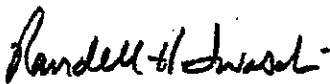
This provides information on the potential economic, social, air quality, and environmental impacts when transporting aggregate materials for infrastructure projects farther than 350 miles each way. I believe this is a good source of information for you and your local decision-makers to utilize.

Lastly, I want to encourage you to contact representatives from your local Caltrans district office. They are available, upon request, to appear at public meetings and hearings in your areas to speak on the importance of increasing California's aggregate supply. We encourage the development of new sources for aggregate reserves within California, but we also recognize that the permitting of new mining locations must be done in accordance with environmental sensitivity and in accordance with federal, State, and local laws.

Please share this information with your planning commissions, city councils, and county board of supervisors.

Thank you in advance for your assistance in helping to improve mobility across California.

Sincerely,



WILL KEMPTON
Director

Enclosure

Transportation Partners
September 30, 2008
Page 3

- c: Gary Hambly, California Construction and Industrial Materials Association
- Charlie Rea, California Construction and Industrial Materials Association
- Sam Hassoun, Associated General Contractors of California
- Tara McGovern, Engineering and Utilities Contractors Association
- Patrick D. Leathers, The Gualco Group, Inc.
- RTPAs
- MPOs
- County Transportation Commissions

**COURTNEY ANN COYLE
ATTORNEY AT LAW**

HELD-PALMER HOUSE
1609 SOLEDAD AVENUE
LA JOLLA, CA USA 92037-3817

TELEPHONE: 858-454-8687

E-MAIL: COURTCOYLE@AOL.COM

FACSIMILE: 858-454-8493

Matt Straite
Project Planner
Riverside County Planning Department
P.O. Box 1409
Riverside, CA 92501
MSTRAITE@RCTLMA.ORG

By Mail and Email

March 25, 2011

Re: DEIR/FEIR No. 475 Liberty Quarry Surface Mining Permit #213

Dear Mr. Straite,

On December 22, 2010, my office sent to you, on behalf of the Pechanga Band of Luiseño Indians, an email (attached here for your convenience) requesting that the County take certain actions prior to finalizing its environmental review in the Liberty Quarry matter. Since that time, the County has not responded to our requests.

The Tribe has learned from media accounts that the County will not be recirculating a DEIR for the project and intends to take up the FEIR at two public hearing dates before the County's Planning Commission in April and May of this year. Pechanga remains concerned that the County may be poised to take action on the proposed Project without having adequate and correct information before it, particularly regarding tribal cultural resources.

More specifically, in its December communication, the Tribe had requested the County make available to it a draft of the revised cultural resources (and any other relevant sections) of the DEIR and the draft responses to the Tribe's comments, to ensure that the County understood the Tribe's concerns, concerns that had been inadequately addressed in the DEIR. Pechanga also requested that consultation between it and the County occur, without the applicant present. Will the County be providing this information and having a consultative meeting solely with the Tribe prior to completing and releasing the FEIR? The Tribe is concerned that if these above steps are not made, and necessary corrective actions taken, that the County will be considering a seriously inadequate and flawed FEIR.

Matt Straite
March 25, 2011
Page 2

Moreover, since publication of the DEIR, this culturally-sensitive area has been listed with the California Native American Heritage Commission's Sacred Lands File. As the area where Liberty Quarry wants to be sited is within the Luiseño Ancestral Origin Landscape, an area of great religious and cultural importance, it is imperative that the Tribe be consulted by the County and the California SHPO on the Project's direct, indirect and cumulative impacts and effects to this area and to the Tribe prior to any significance or impact determinations being made. The Tribe is concerned that such consultation has not occurred to date.

Finally, due to the extremely sensitive nature of the area and the Tribe's internal needs for review, Pechanga respectfully requests that a hard copy of the FEIR and the Responses to Comments pertaining to the Tribe's comment letter be provided to our office and that of Pechanga's Office of the General Counsel at least 30 days prior to the initial public hearing in this matter. We also respectfully request that any and all Project staff reports, findings and notices be provided to our office and that of Pechanga's Office of the General Counsel at least ten business days prior to any action.

Thank you for your courtesy and cooperation. Please contact me with any questions or concerns.

Sincerely yours,


Courtney Ann Coyle
Attorney at Law

Attachment

Copies to:

Larry Myers, California NAHC
Wayne Donaldson, California SHPO
John Macarro, General Counsel Pechanga
Gary DuBois, Pechanga Cultural Department
Interested Parties



March 7, 2011

Riverside County Board of Supervisors
4080 Lemon Street
Riverside, CA 92501

Dear Supervisors,

As Mayor of Cottonwood Heights, Utah, it has been my privilege to work with Granite Construction for the past six years. We have found them to be a first class operation that exhibits strong sensitivities to the communities in which they operate.

Granite's Cottonwood Aggregate and Hot and Warm Mix Asphalt Facility has been a great local asset. The aggregate that is mined at this site is of the highest quality. Having this facility nearby has been convenient and cost-saving for our city.

In these tough economic times, quarries can help reduce road and highway maintenance costs and improve local air quality by providing a local source of aggregate and eliminating the need to truck-in materials from more distant quarries.

Granite has operated in Utah for over sixty years. There are thousands of homes within one mile of the quarry. As you might imagine, a quarry operation is not always compatible with residential subdivisions. Despite the fact that this quarry existed long before any homes were built nearby, Granite has gone the extra mile to reduce impacts to local residents and ensure that the quarry has no negative effect on our local air quality.

Shortly after incorporating as a city some six years ago, we organized a citizen's committee to consider how to resolve incompatibilities that might arise between the quarry and residential living. Granite has not only been responsive to the smallest citizen concern, but has been so responsive (without being legally compelled to do so) that they have won the respect and cooperation of their residential neighbors and businesses.

This quarry has won more than a dozen environmental and community relations awards from the National Stone, Sand and Gravel Association (NSSGA) and the National Asphalt Pavement Association (NAPA).

In addition to the benefits of having a local source of aggregate, Granite Construction continues to be a great corporate citizen of Cottonwood Heights. They have proven to be committed to maintaining the quality of life for our local residents. They take an active role in welcoming the public annually for familiarity tours as well as participating in and

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sponsoring key city events. I am certain that you will have the same experience in your region. I remain very impressed with the community-minded nature of this company. I wish all business operators within our boundaries shared a similar outlook.

If you have any questions, you may certainly feel free to contact me. The best way to do so is by e-mail at KCullimore@cottonwoodheights.utah.gov or on my cell phone at (801) 580-4523.

Sincerely,

A handwritten signature in black ink, appearing to read "Kelvyn H. Cullimore, Jr.", written in a cursive style.

Kelvyn H. Cullimore, Jr.
Mayor
Cottonwood Heights, Utah