

SUBMITTAL TO THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA

606B



FROM: TLMA - Planning Department

SUBMITTAL DATE:
February 1, 2011

SUBJECT: SURFACE MINING PERMIT NO. 200, REVISED PERMIT NO. 1– Intent to Adopt a Mitigated Negative Declaration – Applicant: Coachella Valley Aggregates – Engineer/Representative: Lilburn Corporation - Fourth Supervisorial District – Lower Berdoo Canyon Zoning District – Western Coachella Valley Area Plan: Open Space: Mineral Resources (OS-MR) and Rural (OS-RUR) (20 Acre Minimum) – Location: Easterly of Dillon Road and northerly of 42nd Avenue / Fargo Canyon Road – 60 Gross Acres - Zoning: Watercourse, Watershed and Conservation Areas (W-1) **REQUEST:** This revision proposes three amendments: (1) combine the Reclamation Plan (RCL00155) and this Surface Mining Permit into one surface mining plan and reclamation plan under this Revised Permit; (2) add a 25-year operational extension to September 24, 2036 as the existing Permit expires on September 24, 2011; and (3) to revise the site plan to include graded slopes in Phase 3 on the east side of the northern 20 acres per normal protocol of the Riverside County Flood Control District (RCFCD). On-site concrete recycling, previously permitted by the original permit, will remain for the proposed life of the project.

RECOMMENDED MOTION:

RECEIVE AND FILE The Notice of Decision for the above referenced case acted on by the Planning Commission on January 5, 2011.

The Planning Department recommended Approval; and,
THE PLANNING COMMISSION:

ADOPTION of a **NEGATIVE DECLARATION** for **ENVIRONMENTAL ASSESSMENT NO.**

Carolyn Syms Luna

Carolyn Syms Luna
Planning Director

Initials:
CSL:vc

(continued on attached page)

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Buster, seconded by Supervisor Ashley and duly carried, IT WAS ORDERED that the above matter of approval is received and filed as recommended.

Ayes: Buster, Tavaglione, Stone and Ashley
Nays: None
Absent: Benoit
Date: March 1, 2011
xc: Planning, Applicant

Kecia Harper-Ihem
Clerk of the Board
By: *Kecia Harper-Ihem*
Deputy

Prev. Agn. Ref.

District: Fourth

Agenda Number:

ATTACHMENTS FILED
WITH THE CLERK OF THE BOARD

1.4

REVIEWED BY EXECUTIVE OFFICE

DATE

Jennifer Sargent

Departmental Concurrence

- Dept't Recomm.: Consent Policy
- Per Exec. Ofc.: Consent Policy

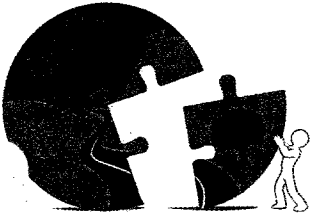
The Honorable Board of Supervisors

Re: SURFACE MINING PERMIT NO. 200, REVISED PERMIT NO. 1

Page 2 of 2

40797, based on the findings incorporated in the initial study and the conclusion that the project will not have a significant effect on the environment; and,

APPROVAL of **SURFACE MINING PERMIT NO. 200 REVISED PERMIT NO. 1**, subject to the attached conditions of approval, and based upon the findings and conclusions incorporated in the Staff Report.



Carolyn Syms Luna
Director

RIVERSIDE COUNTY PLANNING DEPARTMENT

Original Negative Declaration/Notice of
Determination was routed to County
Clerks for posting on.

3/3/11

Initial

TO: Office of Planning and Research (OPR)
P.O. Box 3044
Sacramento, CA 95812-3044
 County of Riverside County Clerk

FROM: Riverside County Planning Department
 4080 Lemon Street, 12th Floor
P. O. Box 1409
Riverside, CA 92502-1409

38686 El Cerrito Road
Palm Desert, California 92211

SUBJECT: Filing of Notice of Determination in compliance with Section 21152 of the California Public Resources Code.

Environmental Assesment No. 40797 (EA40797) and Surface Mining Permit No. 200 Revised No. 1 (SMP00200R1)

Project Title/Case Numbers

Matt Straite
County Contact Person

951-955-8631
Phone Number

N/A
State Clearinghouse Number (if submitted to the State Clearinghouse)

Commercial Street Investors
Project Applicant

PO Box. 77850 Corona CA 92887
Address

Easterly of Dillon Road and northerly of 42nd Avenue / Fargo Canyon Road
Project Location

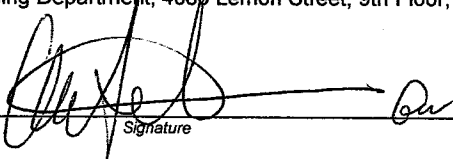
This proposed revision, is for the following: (1) combine RCL00155 and SMP200 into one SMP and reclamation plan under SMP00200R1; (2) a 25-year operational extension to September 24, 2036 as the existing SMP200 expires on September 24, 2011; and (3) include graded slopes in Phase 3 on the east side of the northern 20 acres per normal protocol of the Riverside County Flood Control District (RCFCD). On site concrete recycling will remain for the life of the project.

Project Description

This is to advise that the Riverside County Planning Commission, as the lead agency, has approved the above-referenced project on 1/5/11, and has made the following determinations regarding that project:

1. The project WILL NOT have a significant effect on the environment.
2. A Mitigated Negative Declaration was prepared for the project pursuant to the provisions of the California Environmental Quality Act (\$2,010.25 + \$64.00).
3. Mitigation measures WERE made a condition of the approval of the project.
4. A Mitigation Monitoring and Reporting Plan/Program WAS adopted.
5. A statement of Overriding Considerations WAS NOT adopted for the project.

This is to certify that the Negative Declaration, with comments, responses, and record of project approval is available to the general public at: Riverside County Planning Department, 4080 Lemon Street, 9th Floor, Riverside, CA 92501.


Signature

Project Planner assisting the County Geologist
Title

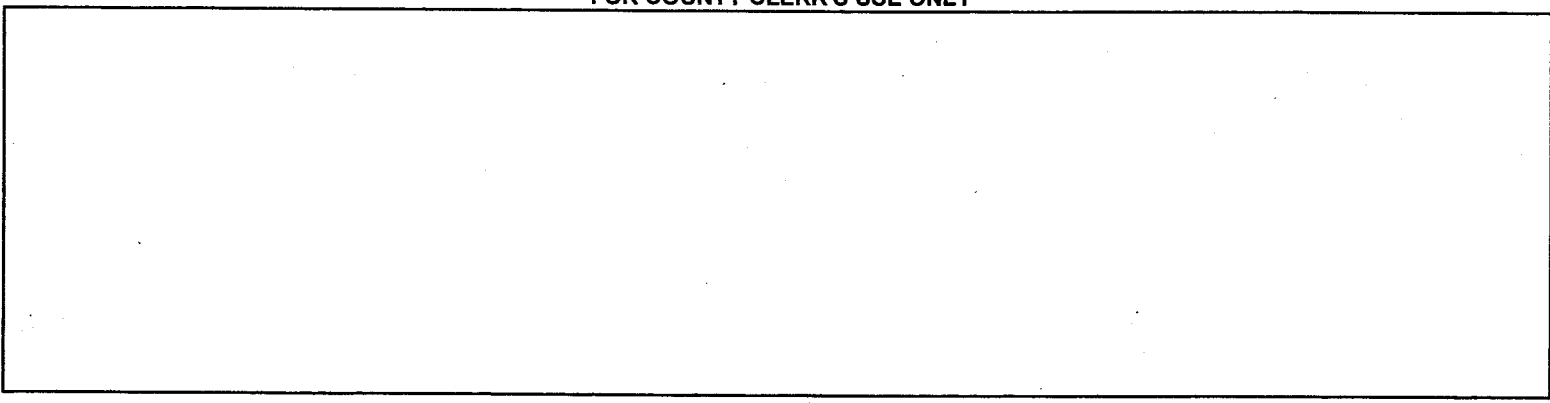
October 25, 2010
Date

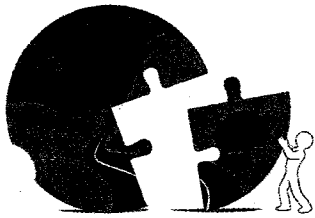
Date Received for Filing and Posting at OPR: _____

Please charge deposit fee case#: ZEA40797 ZCFG4225 .

FOR COUNTY CLERK'S USE ONLY

MAR 01 2011 1.4





RIVERSIDE COUNTY PLANNING DEPARTMENT

Carolyn Syms Luna
Director

MITIGATED NEGATIVE DECLARATION

Project/Case Number: Environmental Assesment No. 40797 (EA40797) and Surface Mining Permit No. 200 Revised No. 1 (SMP00200R1)

Based on the Initial Study, it has been determined that the proposed project, subject to the proposed mitigation measures, will not have a significant effect upon the environment.

PROJECT DESCRIPTION, LOCATION, AND MITIGATION MEASURES REQUIRED TO AVOID POTENTIALLY SIGNIFICANT EFFECTS. (see Environmental Assessment and Conditions of Approval)

COMPLETED/REVIEWED BY:

By: Matt Straite Title: Project Planner Date: October 25, 2010

Applicant/Project Sponsor: Commercial Street Investors Date Submitted: April 7, 2006

ADOPTED BY: Planning Commission

Person Verifying Adoption: Matt Straite Date: January 5, 2011

The Mitigated Negative Declaration may be examined, along with documents referenced in the initial study, if any, at:

Riverside County Planning Department 4080 Lemon Street, 9th Floor, Riverside, CA 92501

For additional information, please contact Matt Straite at mstraite@rctlma.org.

Revised: 10/16/07
Y:\Planning Master Forms\CEQA Forms\Mitigated Negative Declaration.doc

Please charge deposit fee case#: ZEA40797 ZCFG4225

FOR COUNTY CLERK'S USE ONLY

MAR 01 2011 1.4

COUNTY OF RIVERSIDE
SPECIALIZED DEPARTMENT RECEIPT
Permit Assistance Center

* REPRINTED * R1010437

4080 Lemon Street
Second Floor
Riverside, CA 92502
(951) 955-3200

39493 Los Alamos Road
Suite A
Murrieta, CA 92563
(951) 600-6100

38686 El Cerrito Road
Palm Desert, CA 92211
(760) 863-8277

Received from: COACHELLA VALLEY AGGREGATES \$2,010.25
paid by: CK 2078
paid towards: CFG04225 CALIF FISH & GAME: DOC FEE
CA FISH AND GAME FOR EA40797
at parcel #:
appl type: CFG3

By _____ Sep 20, 2010 09:47
MGARDNER posting date Sep 20, 2010

| Account Code | Description | Amount |
|--------------------|-------------|------------|
| 658353120100208100 | CF&G TRUST | \$2,010.25 |

Overpayments of less than \$5.00 will not be refunded!

Additional info at www.rctlma.org

COUNTY OF RIVERSIDE
SPECIALIZED DEPARTMENT RECEIPT
Permit Assistance Center

* REPRINTED * R1012977

4080 Lemon Street
Second Floor
Riverside, CA 92502
(951) 955-3200

39493 Los Alamos Road
Suite A
Murrieta, CA 92563
(951) 600-6100

38686 El Cerrito Road
Palm Desert, CA 92211
(760) 863-8277

Received from: COACHELLA VALLEY AGGREGATES \$34.00
paid by: CK 2095
paid towards: CFG04225 CALIF FISH & GAME: DOC FEE
CA FISH AND GAME FOR EA40797
at parcel #:
appl type: CFG3

By _____ Dec 02, 2010 16:30
MGARDNER posting date Dec 02, 2010

Account Code Description Amount
658353120100208100 CF&G TRUST \$34.00

Overpayments of less than \$5.00 will not be refunded!

Additional info at www.rctlma.org

COUNTY OF RIVERSIDE
SPECIALIZED DEPARTMENT RECEIPT
Permit Assistance Center

* REPRINTED * R0606199

4080 Lemon Street
Second Floor
Riverside, CA 92502
(951) 955-3200

39493 Los Alamos Road
Suite A
Murrieta, CA 92563
(951) 600-6100

38686 El Cerrito Road
Palm Desert, CA 92211
(760) 863-8277

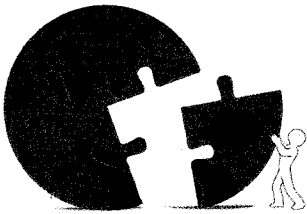
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paid by: CK 1740
paid towards: CFG04225 CALIF FISH & GAME: DOC FEE
CA FISH AND GAME FOR EA40797
at parcel #:
appl type: CFG3

By _____ Apr 07, 2006 09:43
MGARDNER posting date Apr 07, 2006

Account Code Description Amount
658353120100208100 CF&G TRUST: RECORD FEES \$64.00

Overpayments of less than \$5.00 will not be refunded!

Additional info at www.rctlma.org



RIVERSIDE COUNTY PLANNING DEPARTMENT

Carolyn Syms Luna
Director

606 B

DATE: January 18, 2011

TO: Clerk of the Board of Supervisors

FROM: Planning Department - Riverside Office

SUBJECT: SURFACE MINING PERMIT NO. 200, REVISED PERMIT NO. 1- Intent to Adopt a Mitigated Negative Declaration

(Charge your time to these case numbers)

The attached item(s) require the following action(s) by the Board of Supervisors:

- | | |
|---|---|
| <input checked="" type="checkbox"/> Place on Administrative Action (Receive & File; EOT) | <input type="checkbox"/> Set for Hearing (Legislative Action Required; CZ, GPA, SP, SPA) |
| <input type="checkbox"/> Labels provided If Set For Hearing | <input type="checkbox"/> Publish in Newspaper: |
| <input type="checkbox"/> 10 Day <input type="checkbox"/> 20 Day <input type="checkbox"/> 30 day | **SELECT Advertisement** |
| <input type="checkbox"/> Place on Consent Calendar | <input type="checkbox"/> **SELECT CEQA Determination** |
| <input type="checkbox"/> Place on Policy Calendar (Resolutions; Ordinances; PNC) | <input type="checkbox"/> 10 Day <input type="checkbox"/> 20 Day <input type="checkbox"/> 30 day |
| <input type="checkbox"/> Place on Section Initiation Proceeding (GPIP) | <input type="checkbox"/> Notify Property Owners (app/agencies/property owner labels provided) |
| | Controversial: <input type="checkbox"/> YES <input type="checkbox"/> NO |

Designate Newspaper used by Planning Department for Notice of Hearing:
(4th Dist) Desert Sun and Press Enterprise

Need Director's signature by 1/20/11
Please schedule on the March 1, 2011 BOS Agenda

Documents to be sent to County Clerk's Office for Posting within five days:
Notice of Determination and Neg Dec Forms
Fish & Game Receipt (CFG4225)

Riverside Office · 4080 Lemon Street, 12th Floor
P.O. Box 1409, Riverside, California 92502-1409
(951) 955-3200 · Fax (951) 955-1811

Desert Office · 38686 El Cerrito Road
Palm Desert, California 92211
(760) 863-8277 · Fax (760) 863-7555

"Planning Our Future... Preserving Our Past"

MAR 01 2011 1.4

**PLANNING COMMISSION
MINUTE ORDER JANUARY 5, 2011
RIVERSIDE COUNTY ADMINISTRATION CENTER**

- I. **AGENDA ITEM 3.4: SURFACE MINING PERMIT NO. 200 REVISED PERMIT NO. 1** – Intent to Adopt a Mitigated Negative Declaration –Applicant: Coachella Valley Aggregates – Engineer/Representative: Lilburn Corporation - Fourth Supervisorial District – Lower Berdoo Canyon Zoning District – Western Coachella Valley Area Plan: Open Space: Open Space: Mineral Resources (OS-MR) and Rural (OS-RUR) (20 Acre Minimum) – Location: Easterly of Dillon Road and northerly of 42nd Avenue / Fargo Canyon Road – 60 Gross Acres - Zoning: Watercourse, Watershed and Conservation Areas (W-1). (Quasi-judicial)

PROJECT DESCRIPTION

- III. This revision proposes three amendments. (1) combine RCL00155 and SMP200 into one surface mining plan and reclamation plan under SMP00200R1; (2) add a 25-year operational extension to September 24, 2036 as the existing SMP200 expires on September 24, 2011; and (3) to revise the site plan to include graded slopes in Phase 3 on the east side of the northern 20 acres per normal protocol of the Riverside County Flood Control District (RCFCD). On site concrete recycling, previously permitted by SMP00200, will remain for the proposed life of the project. – APN(s): 601-180-016, 601-210-005.

IV.

MEETING SUMMARY

The following staff presented the subject proposal:

Project Planner: David Jones, at 951-955-6863 or email djones@rctlma.org

The following person(s) spoke in favor of the subject proposal:

Mark Miller, the Applicant P.O. Box 77850 Corona, CA 92877, Corona, CA 92877 951-277-3900

There were no speakers in a neutral position of the subject proposal.

There were no speaklers in opposition of the subject proposal.

CONTROVERSIAL ISSUES

NONE

VIII. **PLANNING COMMISSION ACTION**

The Planning Commission, by a vote of 5-0 recommended to the Board of Supervisors;

ADOPTION of a **NEGATIVE DECLARATION** for **ENVIRONMENTAL ASSESSMENT NO. 40797**, based on the findings incorporated in the initial study and the conclusion that the project will not have a significant effect on the environment; and,

APPROVAL of **SURFACE MINING PERMIT NO. 200 REVISED NO. 1**, subject to the attached conditions of approval, and based upon the findings and conclusions incorporated in the staff report.

IX. **CD**

The entire discussion of this agenda item can be found on CD. For a copy of the CD, please contact Desiree Bowie, Interim Planning Commission Secretary, at (951) 955-0222 or E-mail at dbowie@rctlma.org

Agenda Item No.: 3.4
Area Plan: Western Coachella Valley
Zoning District: Lower Berdoo District
Supervisorial District: Fourth
Project Planner: Dave Jones
Planning Commission: January 5, 2011

Surface Mining Permit No. 200 Revised No. 1
E.A. Number: 40797
Applicant: Commercial Resources LLC
Engineer/Representative: Lilburn Corp

COUNTY OF RIVERSIDE PLANNING DEPARTMENT STAFF REPORT

PROJECT DESCRIPTION AND LOCATION:

Surface mining Permit No. 200 Revised No. 1 proposes three amendments. (1) combine RCL00155 and SMP200 into one surface mining plan and reclamation plan under SMP00200R1; (2) add a 25-year operational extension to September 24, 2036 as the existing SMP200 expires on September 24, 2011; and (3) to revise the site plan to include graded slopes in Phase 3 on the east side of the northern 20 acres per normal protocol of the Riverside County Flood Control District (RCFCD). On site concrete recycling, previously permitted by SMP00200, will remain for the proposed life of the project.

There are no changes in operating hours or intensity of use for proposed in SMP200R1.

ISSUES OF POTENTIAL CONCERN:

Background: In 1957, the County of Riverside approved an M-3 permit for the site, which constituted a mining permit granted to Mr. Jack Hicks for the operation of a borrow pit, rock crusher, and asphalt plant on 40 acres. In 1999, the M-3 Amendment assigned a reclamation plan (RCL155) to be in compliance with Surface Mining And Reclamation Act (SMARA). In 2001, 20 acres were added immediately north of the existing site, and SMP200 was issued to govern mining and reclamation for that site. This application will combine the 2 existing permits and reclamation plans into a single reclamation plan as required by SMARA.

SMP200, issued in June 2001, required that approval from Riverside County Flood Control be obtained prior to mining in the Phase 3 area. This revised application (SMP200R1) addresses those concerns and proposes slopes consistent with current requirements.

Operations: Mining and processing at the site will remain unchanged from current operations. There are no changes to the amount of production, hours of operation, or truck traffic from the currently permitted use. The site has been in compliance with SCAQMD, NPDES, and MSHA/OSHA requirements during current operations, and will continue to operate in compliance for the duration of this extension.

Reclamation: SMP200R1 will combine elements of the existing reclamation plans (RCL155 and SMP200) and will provide the framework for reclamation of the site at the conclusion of mining. The maximum depth of the pit will be 30 feet, and no slopes will be steeper than 2:1. The reclamation plan is described in more detail in the application submitted June 2010 by Lilburn Corporation.

City of Indio and California Fish and Game Letter (CFG): In October of 2006 a letter was received by the City of Indio and the CFG regarding several aspects of the proposed project. In 2006, the proposed revision was requesting to expand the site and increase the intensity of the operations. Since 2006, the project description has changed, and now proposes no alterations to the intensity, except to extend the life of the permit. No increase in total mined material is proposed. In July of 2010, Planner Matt Straite contacted the City Planning Manager and the CFG to discuss the current project

W

description. A revised set of project materials was transmitted to the City and the CFG. The County has received no response.

SUMMARY OF FINDINGS:

- | | |
|--|---|
| 1. Existing General Plan Land Use (Ex. #5): | Open Space- Mineral Resources (OS-MIN) |
| 2. Surrounding General Plan Land Use (Ex. #5): | Open Space- Rural (OS-RUR) to the north, south and west, Open Space- Conservation (OS-C) to the east. |
| 3. Existing Zoning (Ex. #2): | Watercourse, Watershed & Conservation Areas (W-1) |
| 4. Surrounding Zoning (Ex. #2): | Watercourse, Watershed & Conservation Areas (W-1) to the north, south, east, and west. |
| 5. Existing Land Use (Ex. #1): | Mining Operations |
| 6. Surrounding Land Use (Ex. #1): | Vacant |
| 7. Project Data: | Total Acreage: 60 |
| 8. Environmental Concerns: | See attached environmental assessment |

RECOMMENDATIONS:

ADOPTION of a **NEGATIVE DECLARATION** for **ENVIRONMENTAL ASSESSMENT NO. 40797**, based on the findings incorporated in the initial study and the conclusion that the project will not have a significant effect on the environment; and,

APPROVAL of **SURFACE MINING PERMIT NO. 200 REVISED NO. 1**, subject to the attached conditions of approval, and based upon the findings and conclusions incorporated in the staff report.

CONCLUSIONS:

1. The proposed project is in conformance with the Open Space- Mineral Resources (OS-MIN) Land Use Designation, and with all other elements of the Riverside County General Plan.
2. The proposed project is consistent with the Watercourse, Watershed & Conservation Areas (W-1) zoning classification of Ordinance No. 348, and with all other applicable provisions of Ordinance No. 348.
3. The public's health, safety, and general welfare are protected through project design.
4. The proposed project is clearly compatible with the present and future logical development of the area.
5. The proposed project will not have a significant effect on the environment.
6. The proposed project will not preclude reserve design for the Coachella Valley Multi-Species Habitat Conservation Plan (CVMSHCP).

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

1. The project site is designated Open Space- Mineral Resources (OS-MIN) on the Western Coachella Valley Area Plan.
2. The proposed use, mineral extraction, is permitted use in the Open Space- Mineral Resources (OS-MIN) designation.
3. The project site is surrounded by properties which are designated Open Space- Rural (OS-RUR) to the north, south and west, Open Space- Conservation (OS-C) to the east.
4. The zoning for the subject site is Watercourse, Watershed & Conservation Areas (W-1).
5. The proposed use, mineral extraction, is a permitted [use, subject to approval of a Surface Mining permit in the Watercourse, Watershed & Conservation Areas (W-1).
6. The project site is surrounded by properties which are zoned Watercourse, Watershed & Conservation Areas (W-1) to the north, south, east, and west.
7. Similar uses have been constructed and are operating in the general vicinity of the project.
8. This project is not located within Criteria Area of the Coachella Valley Multi-Species Habitat Conservation Plan.
9. The proposed project, including the reclamation plan and proposed draft financial assurances, was transmitted to the Director of the Department of Conservation for review and comment per the requirements of Ordinance No. 555.
10. Inspections and financial securities for reclamation have been conditioned on the project.
11. Environmental Assessment No. 40797 identified no potentially significant impacts.

INFORMATIONAL ITEMS:

1. As of this writing, no letters, in support or opposition have been received.
2. The project site is not located within:
 - a. A 100-year flood plain, an area drainage plan, or dam inundation area.
 - b. The Stephens Kangaroo Rat Fee Area or Core Reserve Area.
 - c. California Gnatcatcher, Quino Checkerspot Butterfly habitat.
 - d. A CVMSHCP criterion area.
3. The project site is located within:
 - a. The boundaries of the Western Coachella Valley Area Plan.
 - b. The City of Indio sphere of influence.
4. The subject site is currently designated as Assessor's Parcel Numbers 601-180-016 and 601-210-005.
5. This project was filed with the Planning Department on 4/7/2006.

6. This project was reviewed by the Land Development Committee three times on the following dates June 8, 2006, July 8, 2010 and March 11, 2010.
7. Deposit Based Fees charged for this project, as of the time of staff report preparation, total \$36,595.62.

DJ:MS

Y:\Planning Case Files-Riverside office\SMP00200R1\PC Hearing\SMP00200R1 Staff Report.doc

Date Prepared: 8/24/10

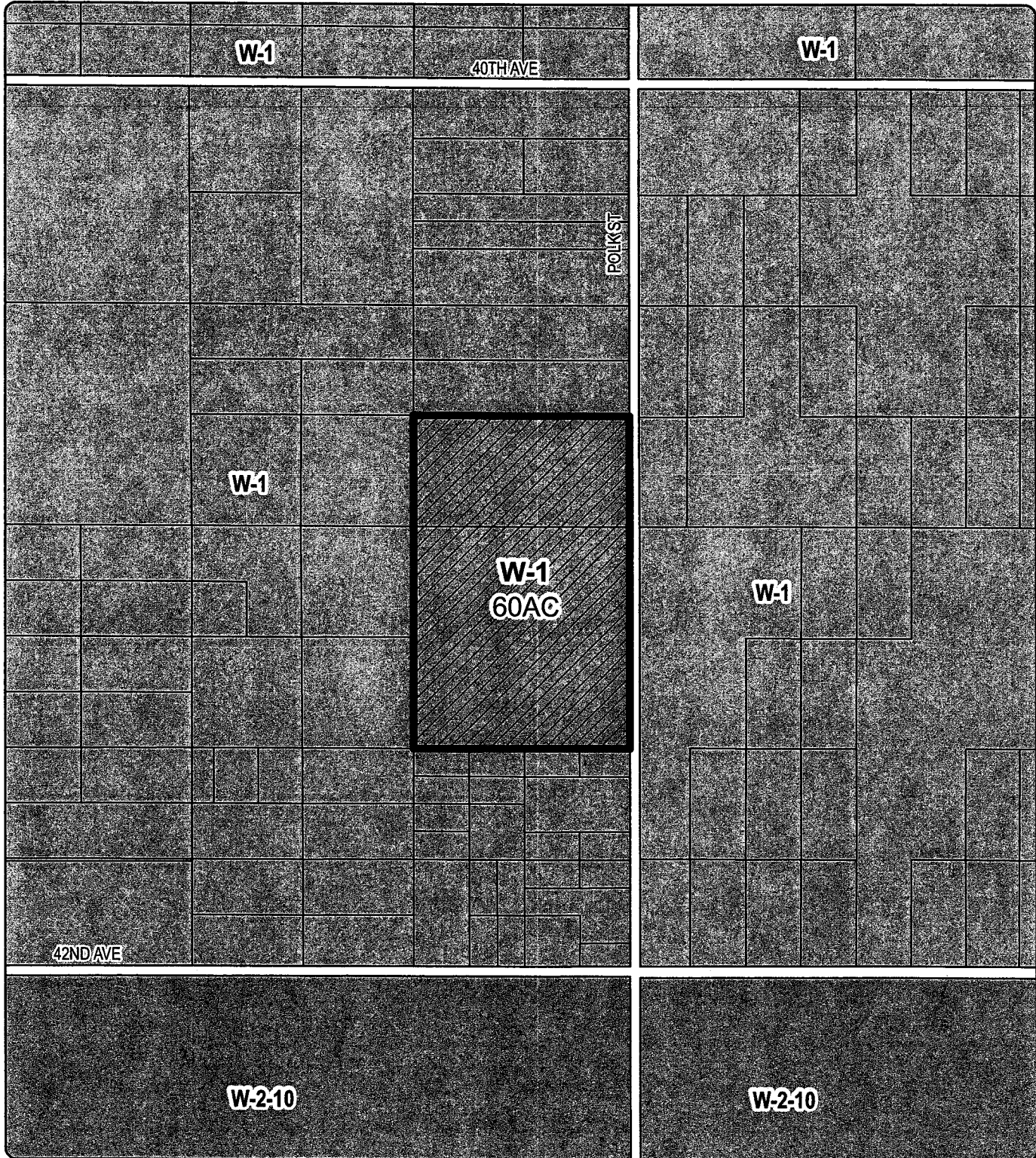
Date Revised: 6/08/09 by RJuarez

RIVERSIDE COUNTY PLANNING DEPARTMENT

SMP00200R1
EXISTING ZONING

Supervisor Benoit
District 4

Date Drawn: 8/24/10
Exhibit 2



Zoning District: Lower Berdoo Canyon
Township/Range: T.5S.R.8E.
Section: 9

Assessors Bk. Pg. 601-18,21
Thomas Bros. Pg. 5411 F 5
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>

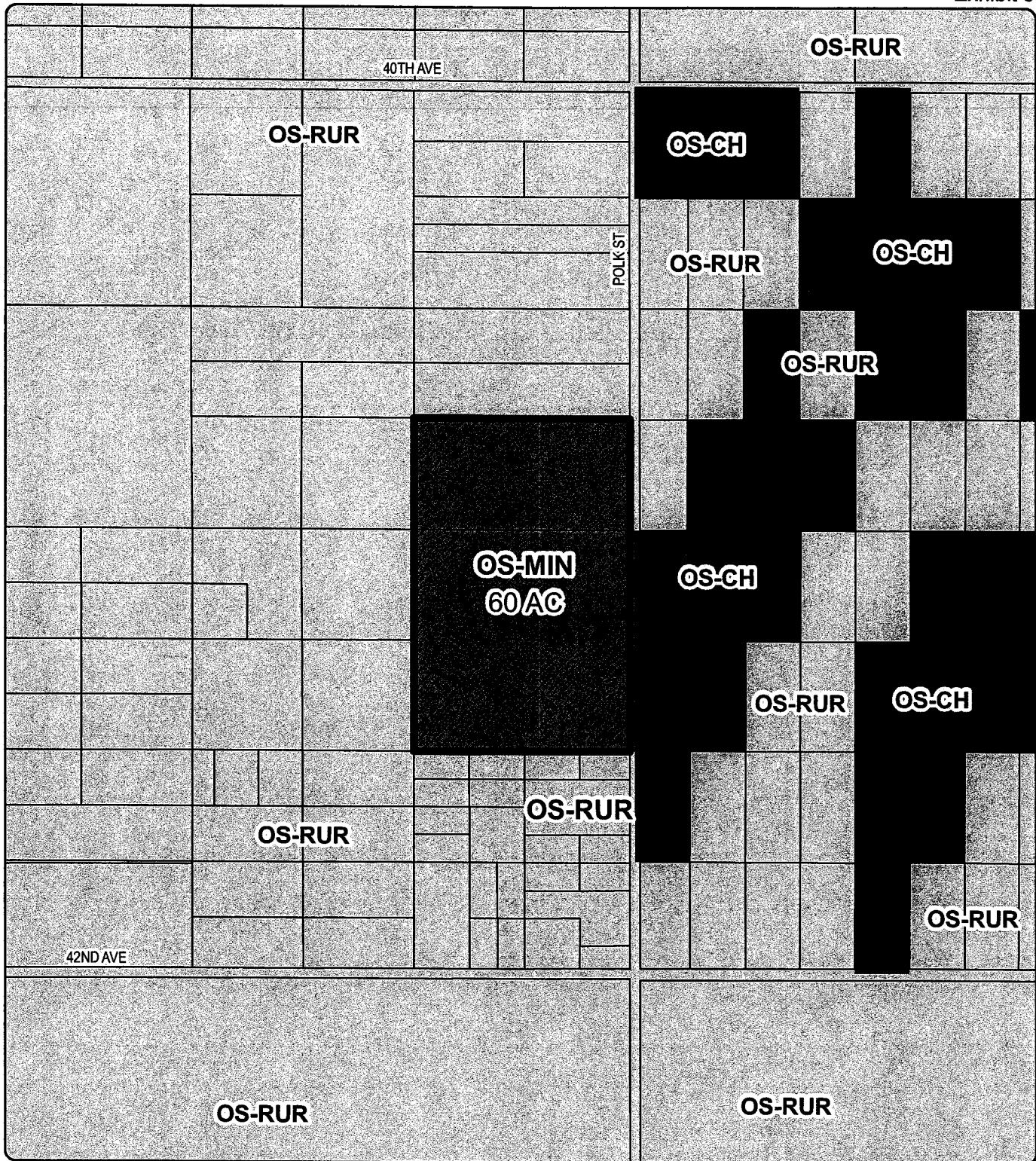
RIVERSIDE COUNTY PLANNING DEPARTMENT

SMP00200R1

EXISTING GENERAL PLAN

Supervisor Benoit
District 4

Date Drawn: 8/24/10
Exhibit 5



Zoning District: Lower Berdoo Canyon
Township/Range: T.5S.R.8E.
Section: 9

Assessors Bk. Pg. 601-18,21
Thomas Bros. Pg. 5411 F 5
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>



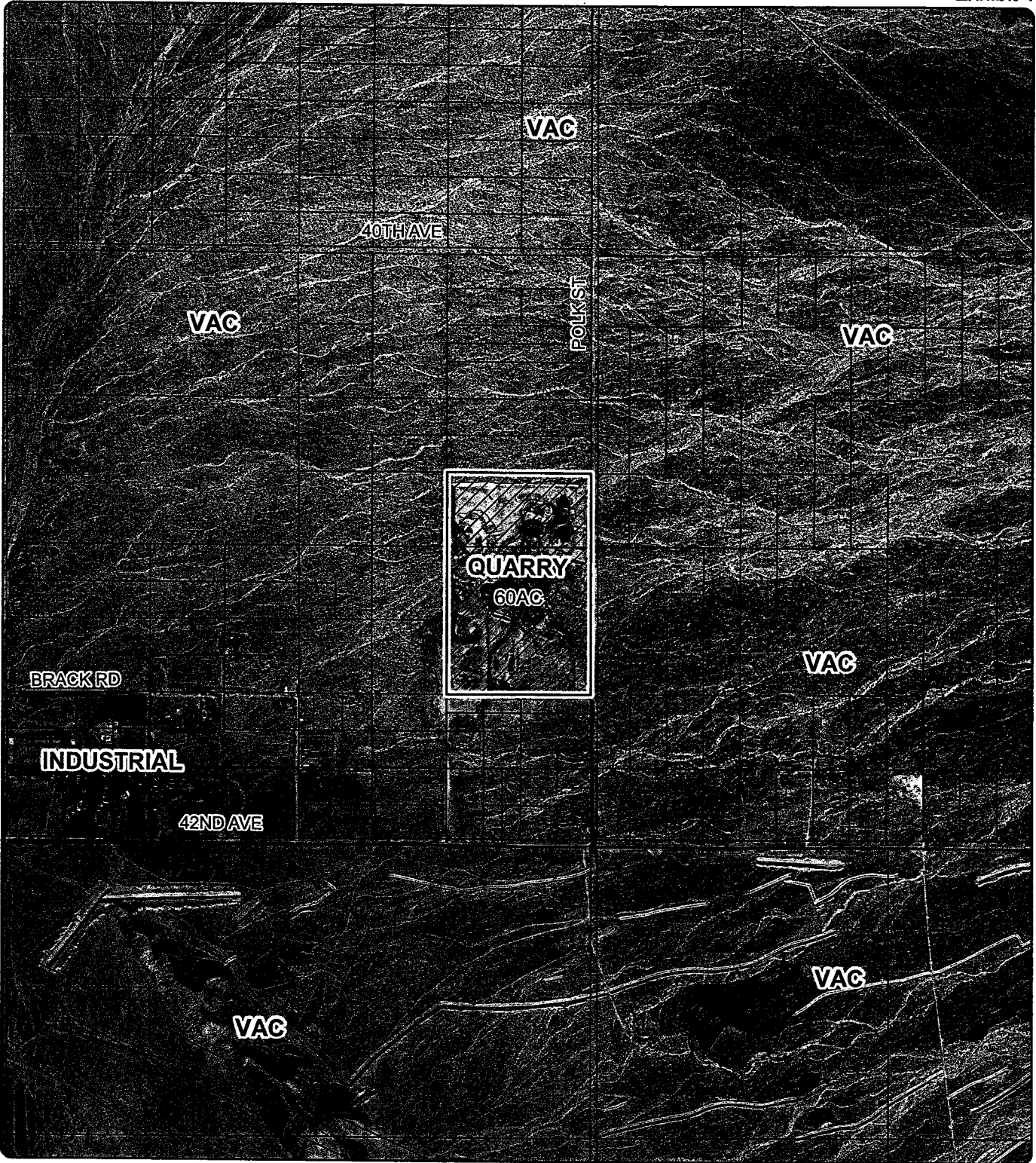
RIVERSIDE COUNTY PLANNING DEPARTMENT

SMP00200R1

LAND USE

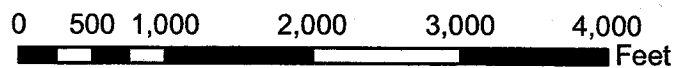
Supervisor Benoit
District 4

Date Drawn: 8/24/10
Exhibit 1



Zoning District: Lower Berdoo Canyon
Township/Range: T.5S.R.8E.
Section: 9

Assessors Bk. Pg. 601-18,21
Thomas Bros. Pg. 5411 F 5
Edition 2009

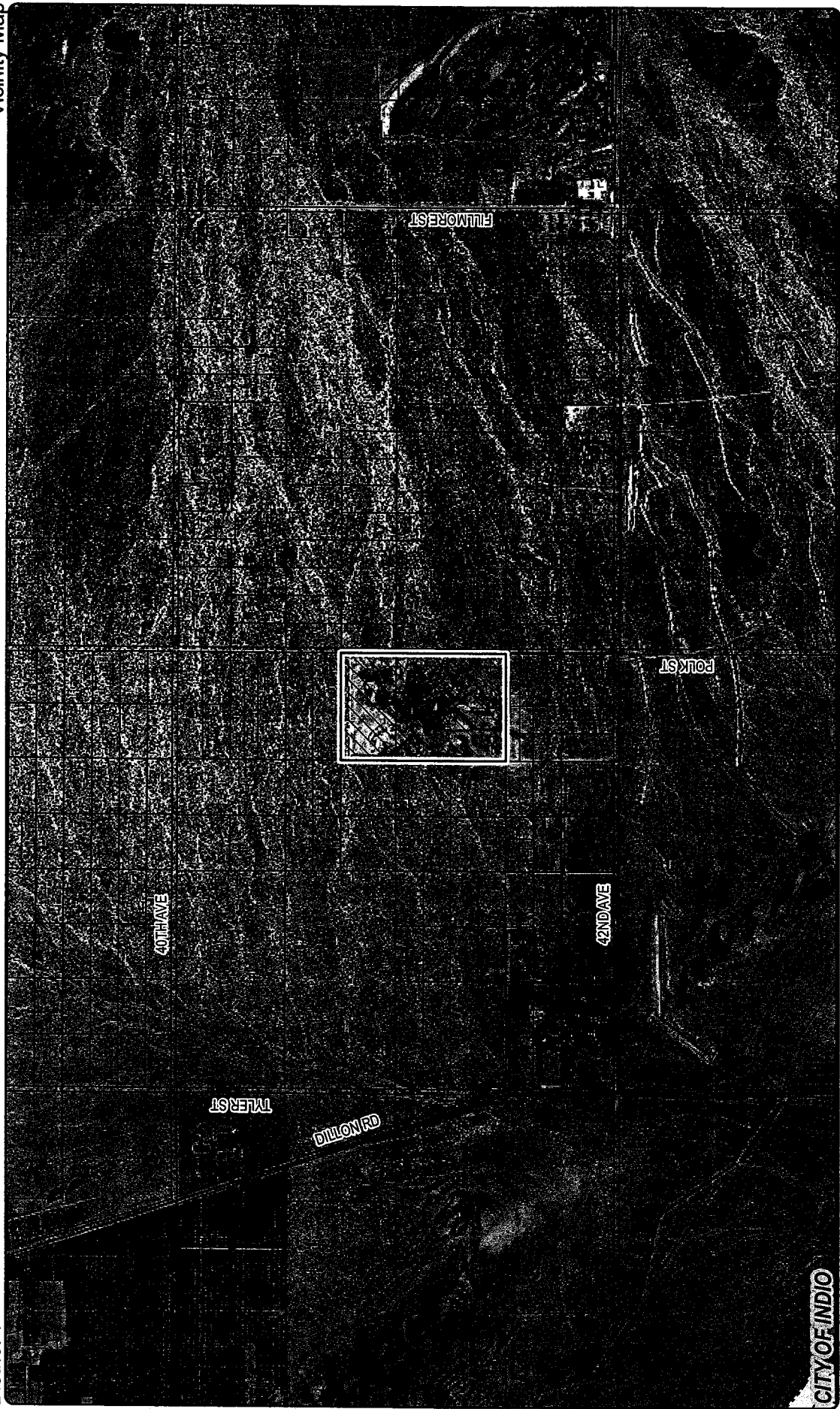


DISCLAIMER: On October 7, 2003, the County of Riverside adopted a new General Plan providing new land use designations for unincorporated Riverside County parcels. The new General Plan may contain different types of land use than is provided for under existing zoning. For further information, please 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.co.riverside.ca.us/index.html>

RIVERSIDE COUNTY PLANNING DEPARTMENT
SMP00200R1
VICINITY/POLICY AREAS

Supervisor Benoit
District 4

Date Drawn: 8/24/10
Vicinity Map



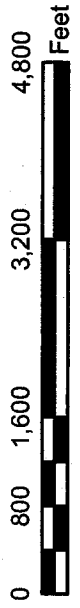
CITY OF INDIO

Zoning District: Lower Berdoo Canyon
Township/Range: T.5S.R.8E.

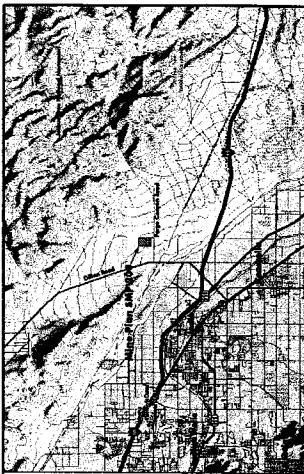
Section: 9

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.co.riverside.ca.us/index.html>.

Assessors Bk. Pg. 601-18,21
Thomas Bros. Pg. 5411 F 5
Edition 2009

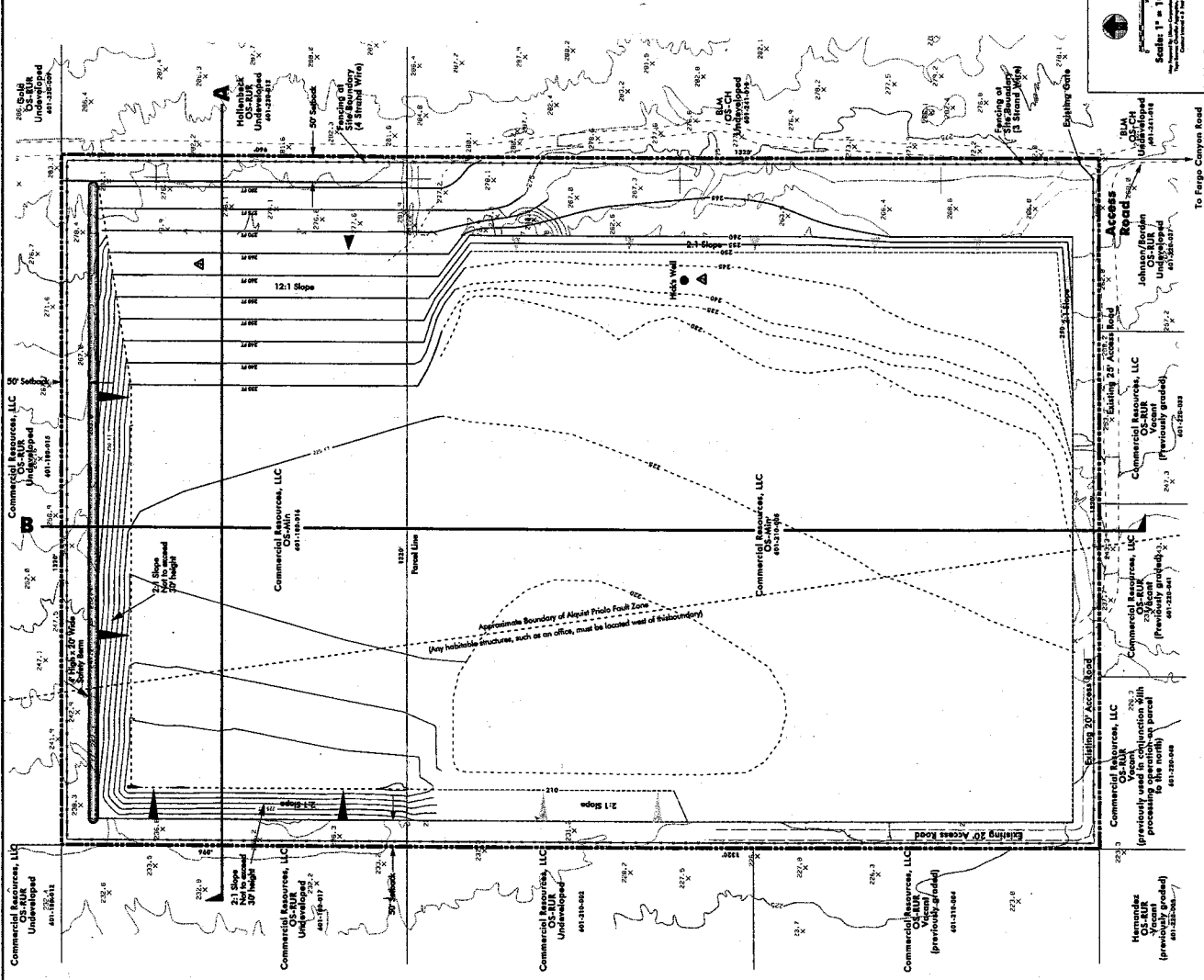
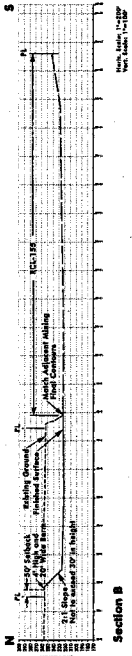
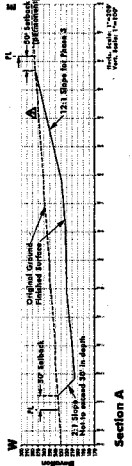


Feet



Project Location
N.T.S.

1. State of California, Department of Public Works, Division of Highways, 1515 Capitol Mall, Sacramento, CA 95833
2. State of California, Department of Transportation, 1515 Capitol Mall, Sacramento, CA 95833
3. State of California, Department of Transportation, 1515 Capitol Mall, Sacramento, CA 95833
4. State of California, Department of Transportation, 1515 Capitol Mall, Sacramento, CA 95833
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| NO. | DATE | BY | DESCRIPTION |
|-----|----------|----|------------------------|
| 1 | 01/15/20 | DM | Initial Design |
| 2 | 02/10/20 | DM | Final Design |
| 3 | 03/05/20 | DM | Construction Documents |

Reclamation Plan
 Project Canyon Mine
 Commercial Resources, LLC
 County of Riverside, California

Scale: 1" = 100'
 Prepared by: [Firm Name]
 Date: [Date]

COUNTY OF RIVERSIDE

ENVIRONMENTAL ASSESSMENT FORM: INITIAL STUDY

Environmental Assessment (E.A.) Number: 40797
Project Case Type (s) and Number(s): Surface Mining Permit No. 200 Revised No.1
Lead Agency Name: County of Riverside Planning Department
Address: P.O. Box 1409, Riverside, CA 92502-1409
Contact Person: Dave Jones
Telephone Number: (951) 955-6863
Applicant's Name: Commercial Resources, LLC
Applicant's Address: P.O. Box 77850
Corona, CA 92877
Engineer's Name: Lilburn Corp.
Engineer's Address: 1905 Business Center Dr
San Bernardino, CA 92408

I. PROJECT INFORMATION

A. Project Description: Surface mining Permit No. 200 Revised No. 1 proposes three amendments. (1) combine RCL00155 and SMP200 into one surface mining plan and reclamation plan under SMP00200R1; (2) add a 25-year operational extension to September 24, 2036 as the existing SMP200 expires on September 24, 2011; and (3) to revise the site plan to include graded slopes in Phase 3 on the east side of the northern 20 acres per normal protocol of the Riverside County Flood Control District (RCFCD). On site concrete recycling, previously permitted by SMP00200, will remain for the proposed life of the project.

There are no changes in operating hours or intensity of use proposed in SMP00200R1.

Background: In 1957, the County of Riverside approved an M-3 permit for the site, which constituted a mining permit granted to Mr. Jack Hicks for the operation of a borrow pit, rock crusher, and asphalt plant on 40 acres. In 1999, the M-3 Amendment assigned a reclamation plan (RCL155) to be in compliance with SMARA. In 2001, 20 acres were added immediately north of the existing site, and SMP200 was issued to govern mining and reclamation for that site. This application will combine the 2 existing permits and reclamation plans into a single reclamation plan as required by SMARA.

SMP200, issued in June 2001, required that approval from Riverside County Flood Control be obtained prior to mining in the Phase 3 area. This revised application (SMP200R1) addresses those concerns and proposes slopes consistent with current requirements.

Operations: Mining and processing at the site will remain unchanged from current operations. There are no changes to the amount of production, hours of operation, or truck traffic from the currently permitted use. The site has been in compliance with SCAQMD, NPDES, and MSHA/OSHA requirements during current operations, and will continue to operate in compliance for the duration of this extension.

Reclamation: SMP200R1 will combine elements of the existing reclamation plans (RCL155 and SMP200) and will provide the framework for reclamation of the site at the conclusion of mining. The maximum depth of the pit will be 30 feet, and no slopes will be steeper than 2:1 (H:V). The reclamation plan is described in more detail in the application submitted June 2010 by Lilburn Corporation.

B. Type of Project: Site Specific ; Countywide ; Community ; Policy .

C. Total Project Area: 60 Acres

| | | | |
|-----------------------------|-----------|----------------------------|---------------------------------|
| Residential Acres: N/A | Lots: N/A | Units: N/A | Projected No. of Residents: N/A |
| Commercial Acres: N/A | Lots: N/A | Sq. Ft. of Bldg. Area: N/A | Est. No. of Employees: N/A |
| Industrial Acres: N/A | Lots: N/A | Sq. Ft. of Bldg. Area: N/A | Est. No. of Employees: N/A |
| Other: Surface Mining 60 AC | Lots: 2 | Sq. Ft. of Bldg. Area: N/A | Est. No. of Employees: 10 |

D. Assessor's Parcel No(s): 601-180-016 and 601-210-005

E. Street References: The site is approximately 1 mile east of Dillon Rd. north of Fargo Canyon Rd.

F. Section, Township & Range Description or reference/attach a Legal Description: South ½ of the southeast ¼ of the northeast ¼ and the ¼ of Section 9, Township 5 south, Range 8 east.

G. Brief description of the existing environmental setting of the project site and its surroundings: The project site is an existing surface mining operation that has been permitted and in-use beginning in the late 1950's. The surrounding area is rural desert, with another surface mine to the east, and sporadic industrial uses to the west. Fargo Canyon Rd. is to the south of the site, and the north is vacant desert. The site is surrounded by Desert Sage Scrub, chaparral and sand.

II. APPLICABLE GENERAL PLAN AND ZONING REGULATIONS

A. General Plan Elements/Policies:

- 1. Land Use:** The proposed project meets the requirements of the Open Space- Mineral Resources General Plan Land Use Designation. The proposal meets all other applicable land use policies.
- 2. Circulation:** The proposed project has been reviewed for conformance with County Ordinance 461 by the Riverside County Transportation Department. Adequate circulation facilities exist and are proposed to serve the proposed project. The proposed project meets with all applicable circulation policies of the General Plan.
- 3. Multipurpose Open Space:** No natural open space land was required to be preserved within the boundaries of this project. The proposed project meets with all other applicable Multipurpose Open Space Element policies.
- 4. Safety:** The proposed project has allowed for sufficient provision of emergency response services to the future users of this project through the project design and payment of development impact fees. The proposed project meets with all other applicable Safety Element policies.
- 5. Noise:** The proposed project meets with all applicable Noise Element policies.
- 6. Housing:** No housing is proposed by the project, nor will the project displace any existing housing. There are no impacts to housing as a direct result of this project at this time.

7. **Air Quality:** The proposed project has been conditioned to control any fugitive dust during grading and construction activities. The proposed project meets all other applicable Air Quality Element policies.

B. **General Plan Area Plan(s):** Western Coachella Valley Area Plan

C. **Foundation Component(s):** Open Space

D. **Land Use Designation(s):** Open Space – Mineral Resources

E. **Overlay(s), if any:** N/A

F. **Policy Area(s), if any:** N/A

G. **Adjacent and Surrounding Area Plan(s), Foundation Component(s), Land Use Designation(s), and Overlay(s) and Policy Area(s), if any:** Open Space- Rural (OS-RUR) to the north, south and west, Open Space- Conservation (OS-C) to the east.

H. **Adopted Specific Plan Information**

1. **Name and Number of Specific Plan, if any:** None

2. **Specific Plan Planning Area, and Policies, if any:** None

I. **Existing Zoning:** Watercourse, Watershed & Conservation Areas (W-1)

J. **Proposed Zoning, if any:** No Proposed Change

K. **Adjacent and Surrounding Zoning:** Watercourse, Watershed & Conservation Areas (W-1) to the north, south, east, and west.

III. **ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED**

The environmental factors checked below (x) would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" or "Less than Significant with Mitigation Incorporated" as indicated by the checklist on the following pages.

- | | | |
|---|--|---|
| <input type="checkbox"/> Aesthetics | <input type="checkbox"/> Hazards & Hazardous Materials | <input type="checkbox"/> Recreation |
| <input type="checkbox"/> Agriculture & Forest Resources | <input type="checkbox"/> Hydrology / Water Quality | <input type="checkbox"/> Transportation / Traffic |
| <input type="checkbox"/> Air Quality | <input type="checkbox"/> Land Use / Planning | <input type="checkbox"/> Utilities / Service Systems |
| <input type="checkbox"/> Biological Resources | <input type="checkbox"/> Mineral Resources | <input type="checkbox"/> Other: |
| <input type="checkbox"/> Cultural Resources | <input type="checkbox"/> Noise | <input type="checkbox"/> Other: |
| <input type="checkbox"/> Geology / Soils | <input type="checkbox"/> Population / Housing | <input type="checkbox"/> Mandatory Findings of Significance |
| <input type="checkbox"/> Greenhouse Gas Emissions | <input type="checkbox"/> Public Services | |

IV. **DETERMINATION**

On the basis of this initial evaluation:

A PREVIOUS ENVIRONMENTAL IMPACT REPORT/NEGATIVE DECLARATION WAS NOT PREPARED

I find that the proposed project **COULD NOT** have a significant effect on the environment, and a **NEGATIVE DECLARATION** will be prepared.

I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project, described in this document, have been made or agreed to by the project proponent. **A MITIGATED NEGATIVE DECLARATION** will be prepared.

I find that the proposed project MAY have a significant effect on the environment, and an **ENVIRONMENTAL IMPACT REPORT** is required.

A PREVIOUS ENVIRONMENTAL IMPACT REPORT/NEGATIVE DECLARATION WAS PREPARED

I find that although the proposed project could have a significant effect on the environment, **NO NEW ENVIRONMENTAL DOCUMENTATION IS REQUIRED** because (a) all potentially significant effects of the proposed project have been adequately analyzed in an earlier EIR or Negative Declaration pursuant to applicable legal standards, (b) all potentially significant effects of the proposed project have been avoided or mitigated pursuant to that earlier EIR or Negative Declaration, (c) the proposed project will not result in any new significant environmental effects not identified in the earlier EIR or Negative Declaration, (d) the proposed project will not substantially increase the severity of the environmental effects identified in the earlier EIR or Negative Declaration, (e) no considerably different mitigation measures have been identified and (f) no mitigation measures found infeasible have become feasible.

I find that although all potentially significant effects have been adequately analyzed in an earlier EIR or Negative Declaration pursuant to applicable legal standards, some changes or additions are necessary but none of the conditions described in California Code of Regulations, Section 15162 exist. An **ADDENDUM** to a previously-certified EIR or Negative Declaration has been prepared and will be considered by the approving body or bodies.

I find that at least one of the conditions described in California Code of Regulations, Section 15162 exist, but I further find that only minor additions or changes are necessary to make the previous EIR adequately apply to the project in the changed situation; therefore a **SUPPLEMENT TO THE ENVIRONMENTAL IMPACT REPORT** is required that need only contain the information necessary to make the previous EIR adequate for the project as revised.

I find that at least one of the following conditions described in California Code of Regulations, Section 15162, exist and a **SUBSEQUENT ENVIRONMENTAL IMPACT REPORT** is required: (1) Substantial changes are proposed in the project which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; (2) Substantial changes have occurred with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or (3) New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete or the negative declaration was adopted, shows any the following:(A) The project will have one or more significant effects not discussed in the previous EIR or negative declaration;(B) Significant effects previously examined will be substantially more severe than shown in the previous EIR or negative declaration;(C) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measures or alternatives; or,(D) Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR or negative declaration would substantially reduce one or more significant effects of the project on the environment, but the project proponents decline to adopt the mitigation measures or alternatives.



Signature

9/16/10

Date

Matt Straite
Printed Name

For Carolyn Syms Luna, Planning Director

V. ENVIRONMENTAL ISSUES ASSESSMENT

In accordance with the California Environmental Quality Act (CEQA) (Public Resources Code Section 21000-21178.1), this Initial Study has been prepared to analyze the proposed project to determine any potential significant impacts upon the environment that would result from construction and implementation of the project. In accordance with California Code of Regulations, Section 15063, this Initial Study is a preliminary analysis prepared by the Lead Agency, the County of Riverside, in consultation with other jurisdictional agencies, to determine whether a Negative Declaration, Mitigated Negative Declaration, or an Environmental Impact Report is required for the proposed project. The purpose of this Initial Study is to inform the decision-makers, affected agencies, and the public of potential environmental impacts associated with the implementation of the proposed project.

| | Potentially Significant Impact | Less than Significant with Mitigation Incorporated | Less Than Significant Impact | No Impact |
|--|--------------------------------|--|------------------------------|-------------------------------------|
| AESTHETICS Would the project | | | | |
| 1. Scenic Resources | | | | |
| a) Have a substantial effect upon a scenic highway corridor within which it is located? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings and unique or landmark features; obstruct any prominent scenic vista or view open to the public; or result in the creation of an aesthetically offensive site open to public view? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Source: Western Coachella Valley Area Plan Figure 9 "Scenic Highways"

Findings of Fact:

a) Dillon Road is in a portion of the Upper Coachella Valley Scenic Area which is identified as an "Eligible County Scenic Highway". The proposed SMP00200R1 is approximately 1 mile easterly from Dillon Road. The intensity of the mining will not be altered with this revision to the permit and will not change the existing conditions. The time for the permit will be extended, which will continue the proposed use for an additional 25 years; however, the intensity of the existing use will not change. There will be no impacts to the corridor as designated.

b) The project will not impact any scenic resources. There are no distinctive features on the site.

Mitigation: No additional mitigation required

Monitoring: Riverside County Annual Inspections will verify compliance with conditions.

| | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 2. Mt. Palomar Observatory | | | | |
| a) Interfere with the nighttime use of the Mt. Palomar Observatory, as protected through Riverside County Ordinance No. 655? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Source: GIS database, Ord. No. 655 (Regulating Light Pollution)

Findings of Fact:

| Potentially Significant Impact | Less than Significant with Mitigation Incorporated | Less Than Significant Impact | No Impact |
|--------------------------------|--|------------------------------|-----------|
|--------------------------------|--|------------------------------|-----------|

a) The site is located beyond the limits of the Mt. Palomar Observatory Special Lighting area.

Mitigation: None required.

Monitoring: None Required.

3. Other Lighting Issues

a) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?

b) Expose residential property to unacceptable light levels?

Source: On-site Inspection, Project Application Description

Findings of Fact:

a and b) The proposed project will not be creating any sources of glare; and no residential development is existing or permitted near the project site.

Mitigation: None required.

Monitoring: None required.

AGRICULTURE & FOREST RESOURCES Would the project

4. Agriculture

a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland) as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?

b) Conflict with existing agricultural zoning, agricultural use or with land subject to a Williamson Act contract or land within a Riverside County Agricultural Preserve?

c) Cause development of non-agricultural uses within 300 feet of agriculturally zoned property (Ordinance No. 625 "Right-to-Farm")?

d) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?

Source: Riverside County General Plan Figure OS-2 "Agricultural Resources," GIS database, and Project Application Materials.

Findings of Fact:

| Potentially Significant Impact | Less than Significant with Mitigation Incorporated | Less Than Significant Impact | No Impact |
|--------------------------------|--|------------------------------|-----------|
|--------------------------------|--|------------------------------|-----------|

a-d) The site does not contain any agricultural resources, is not located on land designated Agriculture or farmland, and will not be developing within 300 feet of any land designated for agriculture.

Mitigation: None required.

Monitoring: None required.

5. Forest

| | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Govt. Code section 51104(g))? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

| | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| b) Result in the loss of forest land or conversion of forest land to non-forest use? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

| | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| c) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of forest land to non-forest use? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

Source: Riverside County General Plan Figure OS-3 "Parks, Forests and Recreation Areas," and Project Application Materials.

Findings of Fact:

a-c) The project site and surrounding area is desert. There are no timber or forest lands.

Mitigation: None required.

Monitoring: None required.

AIR QUALITY Would the project

6. Air Quality Impacts

| | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Conflict with or obstruct implementation of the applicable air quality plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

| | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

| | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

| | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| d) Expose sensitive receptors which are located within 1 mile of the project site to project substantial point source emissions? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

| | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| e) Involve the construction of a sensitive receptor located within one mile of an existing substantial point | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

| | Potentially Significant Impact | Less than Significant with Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|--------------------------------|--|------------------------------|-------------------------------------|
| source emitter? | | | | |
| f) Create objectionable odors affecting a substantial number of people? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Source: SCAQMD CEQA Air Quality Handbook Table 6-2

Findings of Fact:

a and b) The South Coast Air Quality Management District (SCAQMD) is responsible for developing a regional air quality management plan to insure compliance with state and federal air quality standards. The SCAQMD has adopted the 2003 Air Quality Management Plan (AQMP). The 2003 AQMP is based on socioeconomic forecasts (including population estimates) provided by the Southern California Association of Governments (SCAG). The County General Plan is consistent with SCAG's Regional Growth Management Plan and SCAQMD's Air Quality Management Plan. This project is consistent with the General Plan land use designations, and population estimates. The proposed operation will continue to operate at previously permitted levels, with no increase in production or potential emissions. There has been no development near the site since the previous permitting effort in 2001, and there are no sensitive receptors within 1 mile. The impact is considered less than significant.

c) The proposed project will not result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors). Therefore, impacts are considered less than significant.

d) A sensitive receptor is a person in the population who is particularly susceptible to health effects due to exposure to an air contaminant than is the population at large. Sensitive receptors (and the facilities that house them) in proximity to localized CO sources, toxic air contaminants or odors are of particular concern. High levels of CO are associated with major traffic sources, such as freeways and major intersections, and toxic air contaminants are normally associated with manufacturing and commercial operations. Land uses considered to be sensitive receptors include long-term health care facilities, rehabilitation centers, convalescent centers, retirement homes, residences, schools, playgrounds, child care centers, and athletic facilities. The project is not expected to generate substantial point source emissions. The long-term project impacts in the daily allowable emissions for the project's operational phase are considered to be not significant.

e) The project will not create sensitive receptors located within one mile of an existing substantial point source emitter.

f) The project will not create objectionable odors affecting a substantial number of people.

Mitigation: None required.

Monitoring: None required.

BIOLOGICAL RESOURCES Would the project

7. Wildlife & Vegetation

| | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Conflict with the provisions of an adopted Habitat | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

| | Potentially Significant Impact | Less than Significant with Mitigation Incorporated | Less Than Significant Impact | No Impact |
|--|--------------------------------|--|------------------------------|-------------------------------------|
| Conservation Plan, Natural Conservation Community Plan, or other approved local, regional, or state conservation plan? | | | | |
| b) Have a substantial adverse effect, either directly or through habitat modifications, on any endangered, or threatened species, as listed in Title 14 of the California Code of Regulations (Sections 670.2 or 670.5) or in Title 50, Code of Federal Regulations (Sections 17.11 or 17.12)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U. S. Wildlife Service? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) 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? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U. S. Fish and Wildlife Service? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| f) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| g) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Source: GIS database, WRC-MSHCP and/or CV-MSHCP, On-site Inspection, EA37875

Findings of Fact:

a) The project will not conflict with the adopted Coachella Valley Multi Species Habitat Conservation plan or any other adopted habitat plan. Additionally, mitigation for habitat disturbance was satisfied in the conditions of SMP00200. No further mitigation will be necessary.

b) The site has been surveyed for both the previous permitting efforts of SMP00200 and RCL00155. This extension does not propose to disturb any areas not previously considered and mitigated for in EA37875. The area identified in SMP00200 as the "Phase 3 area" will be disturbed during this time extension, but the disturbance was considered previously and accommodated in the 2001 application EA37875. Mitigation for habitat disturbance was satisfied in the conditions of SMP00200. No further mitigation will be necessary.

c-e) The project site is not located within the Fringe-Toed Lizard Habitat Area (Western Coachella Valley Area Plan Figure 10), and is not within critical habitat for the desert tortoise. This re-permitting

| Potentially Significant Impact | Less than Significant with Mitigation Incorporated | Less Than Significant Impact | No Impact |
|--------------------------------|--|------------------------------|-----------|
|--------------------------------|--|------------------------------|-----------|

effort would not impact any new, previously un-addressed habitat or species. No riparian habitat exists on the site.

f) There is a blue line stream that spans a portion of the project site. The project has previously received clearances from California Fish and Game and from U.S. Fish and Game regarding the stream. The changes in the project proposed by this permit will not impact the stream or the previous clearances issued for the project.

g) The project will not conflict with any local policies or ordinances protecting wildlife.

Mitigation: None required.

Monitoring: None required.

CULTURAL RESOURCES Would the project

8. Historic Resources

| | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Alter or destroy an historic site? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Cause a substantial adverse change in the significance of a historical resource as defined in California Code of Regulations, Section 15064.5? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Source: Cultural Resources Assessment, prepared by Archaeological Associates in August 2000, EA37875.

Findings of Fact:

a and b) No historic sites have been recorded within the project site, and the field survey was also negative.

Mitigation: None required.

Monitoring: None required.

9. Archaeological Resources

| | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Alter or destroy an archaeological site. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to California Code of Regulations, Section 15064.5? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Disturb any human remains, including those interred outside of formal cemeteries? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Restrict existing religious or sacred uses within the potential impact area? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Source: Cultural Resources Assessment, prepared by Archaeological Associates, August 2000, EA37875.

Findings of Fact:

| Potentially Significant Impact | Less than Significant with Mitigation Incorporated | Less Than Significant Impact | No Impact |
|--------------------------------|--|------------------------------|-----------|
|--------------------------------|--|------------------------------|-----------|

a-d) As reported in the 2001 SMP 200 application, no archaeological sites have been recorded within the project site, and the field survey was also negative. No cultural resources have been encountered during previous mining activity. If during ground disturbance activities, unique cultural resources are discovered that were not assessed by the environmental assessment conducted prior to project approval, the following procedures shall be followed. Unique cultural resources are defined, for this condition, as being multiple 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 its sacred or cultural importance.

1. All ground disturbance activities within 100 feet of the discovered cultural resources shall be halted until a meeting is convened between the developer, the archaeologist, the Native American tribal 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 representative and the archaeologist, a decision shall be made, with the concurrence of the Planning Director, as to the appropriate mitigation. Conditions of Approval 10.PLANNING.01 and 10.PLANNING.02 are not considered unique mitigation measures pursuant to CEQA. No additional mitigation is identified or required.

Mitigation: None required.

Monitoring: None required.

10. Paleontological Resources

a) Directly or indirectly destroy a unique paleontological resource, or site, or unique geologic feature?

Source: Riverside County General Plan Figure OS-8 "Paleontological Sensitivity" EA37875

Findings of Fact:

a) The site is not within an area known to possess significant paleontological resources. No fossils have been encountered during previous mining activity.

Mitigation: None required.

Monitoring: None required.

GEOLOGY AND SOILS Would the project

11. Alquist-Priolo Earthquake Fault Zone or County Fault Hazard Zones

a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death?

b) Be subject to rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area

| Potentially Significant Impact | Less than Significant with Mitigation Incorporated | Less Than Significant Impact | No Impact |
|--------------------------------|--|------------------------------|-----------|
|--------------------------------|--|------------------------------|-----------|

or based on other substantial evidence of a known fault?

Source: Riverside County General Plan Figure S-2 "Earthquake Fault Study Zones," GIS database, Geologist Comments

Findings of Fact:

a and b) The site is located within an Alquist Priolo-Special Study zone. No habitable structures are proposed, therefore, there are no impacts.

Mitigation: None required.

Monitoring: None required.

12. Liquefaction Potential Zone

a) Be subject to seismic-related ground failure, including liquefaction?

Source: Western Coachella Valley Area Plan Figure 14 "Seismic Hazards"

Findings of Fact:

a) The site is not located within an area identified for potential liquefaction.

Mitigation: None required.

Monitoring: None required.

13. Ground-shaking Zone

Be subject to strong seismic ground shaking?

Source: Riverside County General Plan Figure S-4 "Earthquake-Induced Slope Instability Map," and Figures S-13 through S-21 (showing General Ground Shaking Risk)

Findings of Fact: The project site is located within a ground shaking zone V. There are no structures planned on site that would be detrimental to public health and safety on site in an earthquake.

Mitigation: None required.

Monitoring: None required.

14. Landslide Risk

a) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, collapse, or rockfall hazards?

| Potentially Significant Impact | Less than Significant with Mitigation Incorporated | Less Than Significant Impact | No Impact |
|--------------------------------|--|------------------------------|-----------|
|--------------------------------|--|------------------------------|-----------|

Source: On-site Inspection, Western Coachella Valley Area Plan, Figure 16 "Slope Instability".

Findings of Fact:

a) The project site is not located on a geologic unit or on soils that have been known to be unstable or pose a risk of landslides. Topographic gradient across the site is approximately 2%.

Mitigation: None required.

Monitoring: None required.

15. Ground Subsidence

a) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in ground subsidence?

Source: County Board of Supervisors Resolution No. 94-125

Findings of Fact:

a) The project site is not located within a zone of potential danger from subsidence.

Mitigation: None required.

Monitoring: None required.

16. Other Geologic Hazards

a) Be subject to geologic hazards, such as seiche, mudflow, or volcanic hazard?

Source: On-site Inspection, Project Application Materials

Findings of Fact:

a) The site is not located within an area which has a known risk of seiche, mudflow, or volcanic activity.

Mitigation: None required.

Monitoring: None required.

17. Slopes

a) Change topography or ground surface relief features?

b) Create cut or fill slopes greater than 2:1 or higher than 10 feet?

| | Potentially Significant Impact | Less than Significant with Mitigation Incorporated | Less Than Significant Impact | No Impact |
|--|--------------------------------|--|------------------------------|-------------------------------------|
| c) Result in grading that affects or negates subsurface sewage disposal systems? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Source: Riv. Co. 800-Scale Slope Maps, SMP00200R1 Mining / Reclamation application.

Findings of Fact:

a) The project will result in an excavated pit with a maximum depth of 30'. Signs are required to be installed at the top of all manufactured slopes to call attention to any open pits or mines (COA 10.BS GRADE.18). Additionally, 4 foot safety berms are required at the top of all cut slopes (COA 10.BS GRADE.20). Lastly, a 6 foot chain link fence is required around the perimeter of the mine (10.BS GRADE.25). These are considered standard conditions of approval for mines and are not considered mitigation for CEQA purposes.

b) The proposed slopes will not be steeper than 2:1, and the eastern boundary will have a finish slope of 12:1. Slopes will be revegetated as required in the Reclamation Plan.

c) The proposed project will not be expanding operations beyond that already approved, including no additional grading where sub-surface septic systems may exist.

Mitigation: None required.

Monitoring: None required.

18. Soils

| | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Result in substantial soil erosion or the loss of topsoil? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Be located on expansive soil, as defined in Section 1802.3.2 of the California Building Code (2007), creating substantial risks to life or property? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Have soils incapable of adequately supporting use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Source: U.S.D.A. Soil Conservation Service Soil Surveys, Project Application Materials, On-site Inspection

Findings of Fact:

a) Areas of topsoil were disturbed and removed during the previous operations under SMP00200 and RCL00155. No additional soil disturbances beyond that already analyzed are being proposed. Topsoil and tailings are stored onsite for future reclamation and revegetation.

b) The project is not located on expansive soils.

c) No septic systems are proposed with this project.

| Potentially Significant Impact | Less than Significant with Mitigation Incorporated | Less Than Significant Impact | No Impact |
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|--------------------------------|--|------------------------------|-----------|

The site is graded to minimize the potential for erosion offsite, as required in the SWPPP.

Mitigation: None required.

Monitoring: None required.

19. Erosion

| | | | | |
|--|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| a) Change deposition, siltation, or erosion that may modify the channel of a river or stream or the bed of a lake? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Result in any increase in water erosion either on or off site? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

Source: U.S.D.A. Soil Conservation Service Soil Surveys

Findings of Fact:

a and b) The site is graded to retain water from storms or potential run-off from adjacent properties, and then allow it to percolate at the bottom of the pit. The SWPPP for the site, as required by NPDES (National Pollutant Discharge Elimination System), identifies measures to control and contain any possible erosion.

Mitigation: None required.

Monitoring: None required.

20. Wind Erosion and Blowsand from project either on or off site.

| | | | | |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| a) Be impacted by or result in an increase in wind erosion and blowsand, either on or off site? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|

Source: Riverside County General Plan Figure S-8 "Wind Erosion Susceptibility Map," Ord. 460, Sec. 14.2 & Ord. 484

Findings of Fact:

a) During mining operations, all roads and active mining areas will be kept wetted, through either the use of water or approved dust control suppressants (COA 10.PLANNING.9). SCAQMD rules will be complied with during the life of the permit. In accordance with SCAQMD rule 403, all operations will be suspended when wind speeds exceed 25 MPH (COA 10.PLANNING.19). Once mining is completed and reclamation has begun, the revegetation will ensure long-term compliance with wind erosion and blowsand requirements. These conditions are standard and not considered mitigation for CEQA purposes.

Mitigation: None required.

Monitoring: None required.

| | Potentially Significant Impact | Less than Significant with Mitigation Incorporated | Less Than Significant Impact | No Impact |
|--|--------------------------------|--|------------------------------|-----------|
|--|--------------------------------|--|------------------------------|-----------|

GREENHOUSE GAS EMISSIONS Would the project

21. Greenhouse Gas Emissions

| | | | | |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

Source: Greenhouse Gas Numerical Analysis by Associates Environmental dated September 14, 2010

Findings of Fact:

a) Analysis by Associates Environmental indicates the project's annual GHG emissions will be **678.28** metric tons per year (MTY) of CO₂-equivalents (CO₂e). This total is below the threshold of 7,000 MTY CO₂e for industrial projects established by the South Coast Air Quality Management District. This project total includes both direct (amortized construction, area source and mobile emissions) and indirect (electricity, solid waste and water usage) GHG emissions. Hence, the project will not result in significant generation of greenhouse gases, either directly or indirectly, and will not have a significant impact on the environment due to greenhouse gas emissions. The project is an extension of time and a combination of two Reclamation Plans. There will be no operational increases in production, hours of operation, or truck traffic.

Greenhouse gases will be reduced in time, due to compliance with the California Air Resources Board (CARB) Off-Road Diesel Rule. Compliance with this rule will result in a reduction in Particulate Matter (PM) and oxides of nitrogen (NO_x).

b) The project is consistent with the Riverside County General Plan's land use designation (Open Space- Mineral Resources) for the site. Hence the project does not represent development in excess of the State's "Business As Usual" (BAU) scenario. Further, the project will be subject to a variety of measures that will reduce the project's greenhouse gas emissions to below the BAU level. These measures include the following:

- a. Compliance with all applicable policies, measures and regulations promulgated through, or as a result of, AB 32, California's "Global Warming Solutions Act of 2006," including measures outlined by the California Air Resources Board in their *Climate Change Scoping Plan* (December 2008) for AB 32 implementation.
- b. Compliance with County Ordinance No. 859, *Water-Efficient Landscaping Standards*.

As a result of implementation of, and compliance with, the above measures, the project will further reduce greenhouse gas emissions below that expected for a business-as-usual project, consistent with the policies and plans of the County and the State, AB 32 in particular. These measures ensure the project will not conflict with the any applicable plans, policies or regulations related to reducing greenhouse gas emissions, and that this project's affect on the attainment of these plans is less than significant.

| Potentially Significant Impact | Less than Significant with Mitigation Incorporated | Less Than Significant Impact | No Impact |
|--------------------------------|--|------------------------------|-----------|
|--------------------------------|--|------------------------------|-----------|

Mitigation: None required.

Monitoring: None required.

HAZARDS AND HAZARDOUS MATERIALS Would the project

22. Hazards and Hazardous Materials

| | | | | |
|--|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) Impair implementation of or physically interfere with an adopted emergency response plan or an emergency evacuation plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Source: Project Application Materials

Findings of Fact:

a) There was no evidence of prior industrial activity or use of hazardous materials on site before active mining operations began. The project does not propose to transport any dangerous or hazardous materials. No blasting is permitted on the site (COA 10.PLANNING.20). There will be no impact.

b and d) As noted, blasting is not permitted. The project will not release any hazardous materials into the environment. The project is located near any existing or proposed school sites. During the past 10 years of mining operations, the site has been inspected on an annual basis for any hazardous materials problems. Site visits during the last 36 months by representatives of Commercial Resources and the County of Riverside confirm that the site is active, and that there are no hazardous materials issues on site. The equipment on-site is fueled from an above-ground storage tank in secondary containment.

c) The project has not, and will not interfere with any adopted emergency response plan.

e) The project site is not located on a list of hazardous materials sites.

Mitigation: None required.

| Potentially Significant Impact | Less than Significant with Mitigation Incorporated | Less Than Significant Impact | No Impact |
|--------------------------------|--|------------------------------|-----------|
|--------------------------------|--|------------------------------|-----------|

Monitoring: None required.

23. Airports

| | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Result in an inconsistency with an Airport Master Plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Require review by the Airport Land Use Commission? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) For a project within the vicinity of a private airstrip, or heliport, would the project result in a safety hazard for people residing or working in the project area? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Source: Riverside County General Plan Figure S-19 "Airport Locations," GIS database, Western Coachella Valley Area Plan, Figure 5.

Findings of Fact:

a-d) The project site is located approximately 8-miles northerly of the Thermal Airport and is beyond the limits of area influenced by airport activity. No airport activity will be impacted by the proposed project.

Mitigation: None required.

Monitoring: None required.

24. Hazardous Fire Area

| | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

Source: Western Coachella Valley Area Plan Figure 13 "Wildfire Susceptibility," GIS database

Findings of Fact:

a) The project site is not located within a Hazardous Fire Zone as identified in the County LIS database. The Wildfire Susceptibility Map shows the site to be in an area of Low Risk.

Mitigation: None required.

Monitoring: None required.

| | Potentially Significant Impact | Less than Significant with Mitigation Incorporated | Less Than Significant Impact | No Impact |
|--|--------------------------------|--|------------------------------|-----------|
|--|--------------------------------|--|------------------------------|-----------|

HYDROLOGY AND WATER QUALITY Would the project

25. Water Quality Impacts

| | | | | |
|---|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| a) Substantially alter the existing drainage pattern of the site or area, including the alteration of the course of a stream or river, in a manner that would result in substantial erosion or siltation on- or off-site? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Violate any water quality standards or waste discharge requirements? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| d) Create or contribute runoff water that would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) Place housing within a 100-year flood hazard area, as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| f) Place within a 100-year flood hazard area structures which would impede or redirect flood flows? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| g) Otherwise substantially degrade water quality? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| h) Include new or retrofitted stormwater Treatment Control Best Management Practices (BMPs) (e.g. water quality treatment basins, constructed treatment wetlands), the operation of which could result in significant environmental effects (e.g. increased vectors and odors)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Source: Riverside County Flood Control District Flood Hazard Report/Condition, EA37875

Findings of Fact:

a) The area of watershed to the east covers an area of approximately 24.3 acres, and is part of an alluvial fan west of the Little San Bernardino Mountains. The peak discharge along the east boundary of the site is projected to be 70 CFS in a 100-year storm (EA37875). Measures from the previous approval for the site have been incorporated in the proposed project, and have been in place at the site since 2001. The expansion into the Phase 3 mining area has been mitigated through the design of the project and reiterated by the Riverside County Flood Control in the form of permit conditions and a 12:1 slope in the NE corner (COA 10.FLOOD RI.1).

b and d) The project is required to comply with all NPDES and other drainage regulations (COA 10.PLANNING.21).

| Potentially Significant Impact | Less than Significant with Mitigation Incorporated | Less Than Significant Impact | No Impact |
|--------------------------------|--|------------------------------|-----------|
|--------------------------------|--|------------------------------|-----------|

c) The proposed project will not alter or impact preexisting conditions, including the usage of groundwater. The permit life will be extended; however the original analyses used in EA37875 was estimated for the maximum allowed tonnage of excavated materials. The maximum amount will not change, only the length of time to extract any materials. Therefore, the impacts will not be altered.

e and f) No housing is proposed or permitted as part of the project, nor are any 100 year flood zones located on the site.

g and h) The project will not impact ground water in any way and is not proposing any new or altered BMP's.

Mitigation: No additional mitigation required.

Monitoring: None required.

26. Floodplains

Degree of Suitability in 100-Year Floodplains. As indicated below, the appropriate Degree of Suitability has been checked.

NA - Not Applicable U - Generally Unsuitable R - Restricted

| | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner that would result in flooding on- or off-site? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

| | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| b) Changes in absorption rates or the rate and amount of surface runoff? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

| | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| c) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam (Dam Inundation Area)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

| | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| d) Changes in the amount of surface water in any water body? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

Source: Riverside County General Plan Figure 12 "100- and 500-Year Flood Hazard Zones," Riverside County Flood Control District Flood Hazard Report/Condition, GIS database

Findings of Fact:

a-b) There is a blue line stream that spans a portion of the project site. The project has previously received clearances from California Fish and Game and from U.S. Fish and Game regarding the stream. The changes in the project proposed by this permit will not impact or alter the stream in any way and will not alter the amount of surface runoff. Impacts to the floodplain and stream alteration were considered and mitigated for in the earlier application.

c) No housing is proposed or permitted as part of the project, nor are any 100 year flood zones located on the site.

Mitigation: No additional mitigation required.

| Potentially Significant Impact | Less than Significant with Mitigation Incorporated | Less Than Significant Impact | No Impact |
|--------------------------------|--|------------------------------|-----------|
|--------------------------------|--|------------------------------|-----------|

Monitoring: None required.

LAND USE/PLANNING Would the project

27. Land Use

| | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Result in a substantial alteration of the present or planned land use of an area? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Affect land use within a city sphere of influence and/or within adjacent city or county boundaries? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Source: RCIP, GIS database, Project Application Materials

Findings of Fact:

a) The mine site will not impact present or planned land use in the immediate area. The project is not changing the intensity of the use or total tonnage of mined material.

b) The project is within the sphere of influence for the City of Indio. The City of Indio General Plan Land Use Designation for the existing project site is "Specific Plan", which simply means that a Specific Plan would be required should a project process through their jurisdiction once annexed. A Specific Plan could permit any land use, so it is assumed that the proposed project would be consistent with the Indio Designation, pending the approval of a Specific Plan. The mine has been operation before the spheres was approved by the Local Area Formation Commission, so the approval of the revision to the permit will not affect any land use beyond that which was already existing. The life of the permit will be extended, for 25 years. The City has a pending residential development project, in the sphere but outside the current City limits. The development timeline of the proposed residential development may overlap the extended life of the mining permit, effectively placing the mining project in the vicinity of the residential development; however, the residential project will still be in development for some time and the exact overlap cannot be determined at this time. The mine will not present and public safety risk to the proposed residential development.

Mitigation: No additional mitigation required.

Monitoring: None required.

28. Planning

| | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Be consistent with the site's existing or proposed zoning? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Be compatible with existing surrounding zoning? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Be compatible with existing and planned surrounding land uses? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Be consistent with the land use designations and policies of the Comprehensive General Plan (including those of any applicable Specific Plan)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) Disrupt or divide the physical arrangement of an established community (including a low-income or minority | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

| Potentially Significant Impact | Less than Significant with Mitigation Incorporated | Less Than Significant Impact | No Impact |
|--------------------------------|--|------------------------------|-----------|
|--------------------------------|--|------------------------------|-----------|

community)?

Source: Riverside County General Plan Land Use Element, Staff review, GIS database

Findings of Fact:

a and d) The current zoning, Watercourse, Watershed & Conservation Areas (W-1), permits mining in accordance with the regulations found in Riverside County Ordinance 555, and is consistent with the General Plan Open Space designation of Desert Area, which permits development of mineral resources.

b and c) The mine is currently compatible with surrounding Open Space zoning and General Plan designations, and the proposed revisions will not alter the compatibility. The life of the permit will be extended; however, the uses surrounding the site are not anticipated to change.

e) There is no current or proposed development surrounding the project site.

Mitigation: None required.

Monitoring: None required.

MINERAL RESOURCES Would the project

29. Mineral Resources

a) Result in the loss of availability of a known mineral resource that would be of value to the region or the residents of the State?

b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?

c) Be an incompatible land use located adjacent to a State classified or designated area or existing surface mine?

d) Expose people or property to hazards from proposed, existing or abandoned quarries or mines?

Source: Riverside County General Plan Figure OS-5 "Mineral Resources Area"

Findings of Fact:

a and b) The proposed project site is within an MRZ-2 Zone as identified by the State Department of Conservation and CGP Figure VI.42. CGP policies related to MRZ-2 zones indicate that only those land uses that are either related to mineral production, or are compatible with mineral production are permitted in these zones. While the project would result in the loss of mineral resources via construction use of the resource, such activity was anticipated and is consistent with the General Plan, Zoning, and MRZ-classification. There are no impacts.

c) The proposed project is currently a permitted mine and is not located near any other mines.

| Potentially Significant Impact | Less than Significant with Mitigation Incorporated | Less Than Significant Impact | No Impact |
|--------------------------------|--|------------------------------|-----------|
|--------------------------------|--|------------------------------|-----------|

d) The project will not create a hazard from the resulting mine pit once the reclamation plan is complete. The plan includes provisions that address the safety of the open pit mine once all mining operations and reclamation are completed.

Mitigation: None required.

Monitoring: None required.

NOISE Would the project result in

Definitions for Noise Acceptability Ratings

Where indicated below, the appropriate Noise Acceptability Rating(s) has been checked.

NA - Not Applicable

A - Generally Acceptable

B - Conditionally Acceptable

C - Generally Unacceptable

D - Land Use Discouraged

30. Airport Noise

a) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport would the project expose people residing or working in the project area to excessive noise levels?

NA A B C D

b) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?

NA A B C D

Source: Riverside County General Plan Figure S-19 "Airport Locations," County of Riverside Airport Facilities Map

Findings of Fact:

a) The project site is located approximately 8 miles northerly of the Thermal Airport and is beyond the limits of area influenced by airport activity.

Mitigation: None required.

Monitoring: None required.

31. Railroad Noise

NA A B C D

Source: Riverside County General Plan Figure C-1 "Circulation Plan", GIS database, On-site Inspection

Findings of Fact: The project site is more than 4 miles from the nearest railroad line.

Mitigation: None required.

| Potentially Significant Impact | Less than Significant with Mitigation Incorporated | Less Than Significant Impact | No Impact |
|--------------------------------|--|------------------------------|-----------|
|--------------------------------|--|------------------------------|-----------|

Monitoring: None required.

32. Highway Noise

| | | | | | | | | |
|--|----------------------------|----------------------------|----------------------------|----------------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|
| NA <input checked="" type="checkbox"/> | A <input type="checkbox"/> | B <input type="checkbox"/> | C <input type="checkbox"/> | D <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|----------------------------|----------------------------|----------------------------|----------------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|

Source: On-site Inspection, Project Application Materials

Findings of Fact: The site is approximately 4 miles from Interstate 10. The site will not be impacted by noise from the highway.

Mitigation: None required.

Monitoring: None required.

33. Other Noise

| | | | | | | | | |
|--|----------------------------|----------------------------|----------------------------|----------------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|
| NA <input checked="" type="checkbox"/> | A <input type="checkbox"/> | B <input type="checkbox"/> | C <input type="checkbox"/> | D <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|----------------------------|----------------------------|----------------------------|----------------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|

Source: Project Application Materials, GIS database

Findings of Fact: There are no major noise generators near the project site.

Mitigation: None required.

Monitoring: None required.

34. Noise Effects on or by the Project

| | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

| | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| b) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

| | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| c) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

| | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| d) Exposure of persons to or generation of excessive ground-borne vibration or ground-borne noise levels? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

Source: Riverside County General Plan, Table N-1 ("Land Use Compatibility for Community Noise Exposure"); Project Application Materials

Findings of Fact:

a-d) There are no operational changes proposed with this extension of time, and existing requirements regulating noise will continue to be effective during the new term. The ambient noise

| Potentially Significant Impact | Less than Significant with Mitigation Incorporated | Less Than Significant Impact | No Impact |
|--------------------------------|--|------------------------------|-----------|
|--------------------------------|--|------------------------------|-----------|

environment, which includes another surface mine on Fargo Canyon Rd., will be unaffected by this extension.

Mitigation: No additional mitigation required.

Monitoring: Annual inspections by Riverside County will verify compliance with permit conditions.

POPULATION AND HOUSING Would the project

35. Housing

a) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?

b) Create a demand for additional housing, particularly housing affordable to households earning 80% or less of the County's median income?

c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?

d) Affect a County Redevelopment Project Area?

e) Cumulatively exceed official regional or local population projections?

f) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?

Source: Project Application Materials, GIS database, Riverside County General Plan Housing Element

Findings of Fact:

a-f) The proposed project is a revision to existing and operating mine. There are no residential uses on the site. The project will continue to employ approximately 10 people, who will be drawn from the local labor force. The project is not in a redevelopment area. There will be no additional or increased impact due to this extension.

Mitigation: None required.

Monitoring: none required.

PUBLIC SERVICES Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered government facilities or the need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:

36. Fire Services

| Potentially Significant Impact | Less than Significant with Mitigation Incorporated | Less Than Significant Impact | No Impact |
|--------------------------------|--|------------------------------|-----------|
|--------------------------------|--|------------------------------|-----------|

Source: Riverside County General Plan Safety Element

Findings of Fact: The project will not result in a need for increased fire protection facilities. There are no new or expanded operations as a result of this application.

Mitigation: None required.

Monitoring: None required.

37. Sheriff Services

Source: RCIP

Findings of Fact: The project will not result in an increase in the amount of sheriff or law enforcement protection. This application does not propose any change in the scope of operations or number of employees, hours of operation, or truck traffic except an extension of time. The total tonnage will not change, thus the level of impact will not change. Impacts to Sheriff services based on the time extension would be minimal as the mining use has minimal impacts to Sherriff services.

Mitigation: None required.

Monitoring: None required.

38. Schools

Source: Desert Sand Unified School District correspondence, GIS database

Findings of Fact: There are no schools in the vicinity of the project.

Mitigation: None required.

Monitoring: None required.

39. Libraries

Source: RCIP

Findings of Fact: There will be no change in the number of employees at the site as a result of this application, and the Library System will be not be impacted.

Mitigation: None required.

Monitoring: None required.

40. Health Services

| Potentially Significant Impact | Less than Significant with Mitigation Incorporated | Less Than Significant Impact | No Impact |
|--------------------------------|--|------------------------------|-----------|
|--------------------------------|--|------------------------------|-----------|

Source: RCIP

Findings of Fact: The nearest hospital to the facility is John F Kennedy Memorial Hospital, located in Indio. There will be no change in the number of employees or activities at the site.

Mitigation: None required.

Monitoring: None required.

RECREATION

41. Parks and Recreation

| | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Would the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Would the project include the use of existing neighborhood or regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Is the project located within a Community Service Area (CSA) or recreation and park district with a Community Parks and Recreation Plan (Quimby fees)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Source: GIS database, Ord. No. 460, Section 10.35 (Regulating the Division of Land – Park and Recreation Fees and Dedications), Ord. No. 659 (Establishing Development Impact Fees), Parks & Open Space Department Review

Findings of Fact:

a-b) The project would not require recreational services of any kind, nor create a increase in demand of existing recreational services or facilities. The project is located approximately 7 miles south of the boundary of boundary of the Joshua Tree National Park and approximately 10 miles southeasterly of the Coachella Valley Preserve. The proposed revision to the existing permit will not change operations at the mine except to extend the life of the permit. The only possible impact to the National Park would be from windblown dust (PM10); however, conditions of approval and continuous inspections mitigate and monitor the dust, resulting in a less than significant impact to the National Park. There are smaller parks located 4-5 miles from the site. There are no new activities proposed under this application, and there will be no impacts to parks or recreation areas.

c) The project is not located within a Community Service Area, besides, the County Wide CSA152. The proposed use will not require park services, no impact park services. There will be no impact.

Mitigation: None required.

Monitoring: None required.

42. Recreational Trails

Source: Open Space and Conservation Map for Western County trail alignments

| Potentially Significant Impact | Less than Significant with Mitigation Incorporated | Less Than Significant Impact | No Impact |
|--------------------------------|--|------------------------------|-----------|
|--------------------------------|--|------------------------------|-----------|

Source: Open Space and Conservation Map for Western County trail alignments

Findings of Fact: The proposed extension does not include any expansion in area or activity, and would not impact any recreational trails.

Mitigation: None required.

Monitoring: None required.

TRANSPORTATION/TRAFFIC Would the project

43. Circulation

a) Conflict with an applicable plan, ordinance or policy establishing a measure of effectiveness for the performance of the circulation system, taking into account all modes of transportation, including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?

b) Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?

c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?

d) Alter waterborne, rail or air traffic?

e) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g. farm equipment)?

f) Cause an effect upon, or a need for new or altered maintenance of roads?

g) Cause an effect upon circulation during the project's construction?

h) Result in inadequate emergency access or access to nearby uses?

i) Conflict with adopted policies, plans or programs regarding public transit, bikeways or pedestrian facilities, or otherwise substantially decrease the performance or safety of such facilities?

Source: Western Coachella Valley Area Plan, Figure 7 "Circulation"., RCIP

Findings of Fact:

| Potentially Significant Impact | Less than Significant with Mitigation Incorporated | Less Than Significant Impact | No Impact |
|--------------------------------|--|------------------------------|-----------|
|--------------------------------|--|------------------------------|-----------|

a) The proposed revision to the existing permit will not impact the existing General Plan Circulation plan or any other ordinance or policy that contain any measures of effectiveness.

b) The proposed revision to the existing permit will not impact any congestion management programs or LOS standards for the site or surrounding area.

c and d) The proposed revision to the existing permit will not impact or change air traffic patterns or waterborne/rail traffic.

e-h) The proposed revision to the existing permit will not create any hazards based on a design feature. Access to the site, which is located on Fargo Canyon Road, is via Dillon Road. Interstate 10 is the closest freeway, and Dillon is the closest exit. There will be no change in previously approved levels of traffic as a result of this application. Mitigation was provided under the currently permitted SMP00200.

i) The proposed revision to the existing permit will not conflict with any public transit, bikeway or pedestrian facilities.

Mitigation: No further mitigation required.

Monitoring: Annual inspections by Riverside County will verify compliance with conditions.

44. Bike Trails

Source: Western Coachella Valley Area Plan, Figure 8., RCIP

Findings of Fact: Dillon Road is identified as a Class III bike route, which is a bike route shared with vehicular traffic on the existing roadway. There will be no change in truck traffic as a result of this application except to extend the life of the permit. The intensity of truck usage will not change.

Mitigation: None required.

Monitoring: None required.

UTILITY AND SERVICE SYSTEMS Would the project

45. Water

a) Require or result in the construction of new water treatment facilities or expansion of existing facilities, the construction of which would cause significant environmental effects?

b) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?

Source: Department of Environmental Health Review

Findings of Fact:

| Potentially Significant Impact | Less than Significant with Mitigation Incorporated | Less Than Significant Impact | No Impact |
|--------------------------------|--|------------------------------|-----------|
|--------------------------------|--|------------------------------|-----------|

a and b) The facility uses water from an onsite well for dust control and processing. Potable water for employees is in the form of bottled water delivered to the site. There are no changes from the existing permits, and no additional impacts are anticipated.

Mitigation: None required.

Monitoring: None required.

46. Sewer

| | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Require or result in the construction of new wastewater treatment facilities, including septic systems, or expansion of existing facilities, the construction of which would cause significant environmental effects? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

| | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| b) Result in a determination by the wastewater treatment provider that serves or may service the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

Source: Department of Environmental Health Review

Findings of Fact:

a and b) Sewage needs will be handled through the use of portable toilets brought to the site by an approved contractor. There will be no change in the number of employees, or number of portable toilets.

Mitigation: None required.

Monitoring: None required.

47. Solid Waste

| | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Is the project served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

| | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| b) Does the project comply with federal, state, and local statutes and regulations related to solid wastes including the CIWMP (County Integrated Waste Management Plan)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

Source: RCIP, Riverside County Waste Management District correspondence

Findings of Fact:

a and b) Generation of waste from the site will not increase as a result of the new SMP00200R1 extension. Waste is stored in dumpsters on site, and hauled offsite by approved contractors.

| Potentially Significant Impact | Less than Significant with Mitigation Incorporated | Less Than Significant Impact | No Impact |
|--------------------------------|--|------------------------------|-----------|
|--------------------------------|--|------------------------------|-----------|

Mitigation: None required.

Monitoring: None required.

48. Utilities

Would the project impact the following facilities requiring or resulting in the construction of new facilities or the expansion of existing facilities; the construction of which could cause significant environmental effects?

| | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Electricity? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Natural gas? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Communications systems? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Storm water drainage? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) Street lighting? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| f) Maintenance of public facilities, including roads? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| g) Other governmental services? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Source: RCIP

Findings of Fact:

a-g) Adequate utility serve is currently provided to the site, the proposed revision to the existing permit will not impact the utilities except to extend the life of the permit.

Mitigation: None required.

Monitoring: None required.

49. Energy Conservation

| | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Would the project conflict with any adopted energy conservation plans? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

Source: Project application

Findings of Fact:

a) The site will have no increase in production, and no change in the hours of operation are proposed. The project will not create any new energy demand except to extend the life of the permit.

Mitigation: None required.

Monitoring: None required.

MANDATORY FINDINGS OF SIGNIFICANCE

| | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 50. Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self- | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

| Potentially Significant Impact | Less than Significant with Mitigation Incorporated | Less Than Significant Impact | No Impact |
|--------------------------------|--|------------------------------|-----------|
|--------------------------------|--|------------------------------|-----------|

sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?

Source: Staff review, Project Application Materials

Findings of Fact: Implementation of the proposed project would not substantially degrade the quality of the environment, substantially reduce the habitat of fish or wildlife species, cause a fish or wildlife populations to drop below self-sustaining levels, threaten to eliminate a plant or animal community, or reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory.

51. Does the project have impacts which are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, other current projects and probable future projects)?

Source: Staff review, Project Application Materials

Findings of Fact: The project does not have impacts which are individually limited, but cumulatively considerable.

52. Does the project have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly?

Source: Staff review, project application

Findings of Fact: The proposed project would not result in environmental effects which would cause substantial adverse effects on human beings, either directly or indirectly.

VI. EARLIER ANALYSES

Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration as per California Code of Regulations, Section 15063 (c) (3) (D). In this case, a brief discussion should identify the following:

Earlier Analyses Used, if any: SMP00200, RCL00155, EA37875 and 37319

Location Where Earlier Analyses, if used, are available for review:

Location: County of Riverside Planning Department
 4080 Lemon Street, 9th Floor
 Riverside, CA 92505

| | | | |
|--------------------------------------|--|---------------------------------------|--------------|
| Potentially Significant Impact | Less than Significant with Mitigation Incorporated | Less Than Significant Impact | No Impact |
|--------------------------------------|--|---------------------------------------|--------------|

VII. AUTHORITIES CITED

Authorities cited: Public Resources Code Sections 21083 and 21083.05; References: California Government Code Section 65088.4; Public Resources Code Sections 21080(c), 21080.1, 21080.3, 21082.1, 21083, 21083.05, 21083.3, 21093, 21094, 21095 and 21151; *Sundstrom v. County of Mendocino* (1988) 202 Cal.App.3d 296; *Leonoff v. Monterey Board of Supervisors* (1990) 222 Cal.App.3d 1337; *Eureka Citizens for Responsible Govt. v. City of Eureka* (2007) 147 Cal.App.4th 357; *Protect the Historic Amador Waterways v. Amador Water Agency* (2004) 116 Cal.App.4th at 1109; *San Franciscans Upholding the Downtown Plan v. City and County of San Francisco* (2002) 102 Cal.App.4th 656.

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Revised: 11/29/2010 9:50 AM

SURFACE MINING PERMIT Case #: SMP00200R1

Parcel: 601-180-016

10. GENERAL CONDITIONS

EVERY DEPARTMENT

10. EVERY. 1 SMP - PROJECT DESCRIPTION

RECOMMND

This revision, is for the following:

- (1) combine RCL00155 and SMP200 into one SMP and reclamation plan under SMP00200R1;
- (2) a 25-year operational extension to September 24, 2036 as the existing SMP200 expires on September 24, 2011; and
- (3) include graded slopes in Phase 3 on the east side of the northern 20 acres per normal protocol of the Riverside County Flood Control District (RCFCD).

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 (COUNTY), its agents, officers, or employees from any claim, action, or proceeding against the COUNTY, its agents, officers, or employees to attack, set aside, void, or annul an approval of the COUNTY, its advisory agencies, appeal boards, or legislative body concerning SMP00200R1. The COUNTY will promptly notify the applicant/permittee of any such claim, action, or proceeding against the COUNTY and will 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.

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. SMP00200R1, shall be henceforth defined as follows:

APPROVED EXHIBIT NO. "A" = Mining Plan Approved Exhibit No. "A", Amended No. 2, SMP00200R1, dated 12/6/10.

APPROVED EXHIBIT NO. "B" = Reclamation Plan Approved Exhibit No. "B", Amended No. 2, SMP00200R1, dated 12/6/10.

SURFACE MINING PERMIT Case #: SMP00200R1

Parcel: 601-180-016

10. GENERAL CONDITIONS

10. EVERY. 3 SMP- DEFINITIONS (cont.) RECOMMND

APPROVED EXHIBIT NO. "C" = Project Description Approved Exhibit No. "C", Amended No. 2, SMP00200R1, Dated 12/6/10.

BS GRADE DEPARTMENT

10.BS GRADE. 1 SMP G-1 BUILDING/GRADING RECOMMND

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

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

The operator shall submit to the Building & Safety Department with the annual report the following information:

- 1) New topography maps detailing disturbed land and proximity to permit boundaries and property lines.
- 2) Certify maximum depth of excavated areas.
- 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

SURFACE MINING PERMIT Case #: SMP00200R1

Parcel: 601-180-016

10. GENERAL CONDITIONS

10.BS GRADE. 2 SMP G-2 ANNUAL REPORT INFO (cont.) RECOMMND

and benches of all excavations.

10.BS GRADE. 3 SMP G-3 ANNUAL F.A.C.E. RECOMMND

Each year after the 1st year of land disturbed under this Surface Mining Permit, Reclamation Plan, 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 all new disturbed land, (SURFACE and SUBSURFACE), 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 or as amended in the future.

10.BS GRADE. 4 SMP G-4 PROPERTY LINE SETBACKS RECOMMND

There shall be a graded setback per approved plans from all property lines.

Within the setback area, the four foot vertical 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. 5 SMP G-5 NPDES/SWPPP RECOMMND

THE OPERATOR MUST SUBMIT A NOTICE OF INTENT (NOI), DEVELOP AND IMPLEMENT A STORM WATER POLLUTION PREVENTION PLAN (SWPPP), A MONITORING PROGRAM AND REPORTING PLAN FOR THE SURFACE MINE/RECLAMATION PLAN SITE.

(FOR ADDITIONAL INFORMATION AND TO OBTAIN A COPY OF THE NPDES STATE CONSTRUCTION PERMIT CONTACT SWRCB AT (916) 657-1146.)

SURFACE MINING PERMIT Case #: SMP00200R1

Parcel: 601-180-016

10. GENERAL CONDITIONS

10.BS GRADE. 6 SMP G-6 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 AGGEREGATE 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. 7 SMP G-7 GENERATOR PERMI 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

10.BS GRADE. 8 SMP G-8 BUILDING PERMIT RECOMMND

Building permits are required for all structures as identified in Ordinance 475. Grading permits are not necessarily required, however, prior to issuance of any building permit, the operator shall obtain approval to construct from the Grading Division of the Building & Safety Department.

A Substantial Conformance may be required prior to the construction/installation of any structure/building or any temporary or portable trailers.

10.BS GRADE. 9 SMP G-9 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 report 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.

FACE MINING PERMIT Case #: SMP00200R1

Parcel: 601-180-016

10. GENERAL CONDITIONS

10.BS GRADE. 10 SMP G-10 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".

10.BS GRADE. 11 SMP G-11 SLOPE STABL'TY Report RECOMMND

A slope stability report shall be submitted and approved by the County Geologist for all proposed cut or fill slopes steeper than 2:1 (horizontal:vertical) or over 30 feet in vertical height - unless addressed in a previous report.

10.BS GRADE. 12 SMP G-12 DRNAGE DESIGN Q-100 RECOMMND

All drainage shall be designed in accordance with Riverside County Flood Control & All MS-4 Regions requirements to accommodate 100 year storm flows.

10.BS GRADE. 13 SMP G-13 Offsite Excavation/G RECOMMND

ANY OFF SITE (outside of the Surface Mine Permit/Reclamation Plan.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 purposed.

10.BS GRADE. 14 SMP G-14 Retaining/Cribwall RECOMMND

All retaining/cribwalls require a seperate building permit.

Retaining walls shall be designed by a registered civil engineer unless they conform to the County standard Retaining wall designs.

All cribwalls shall be designed by a qualified professional and shall have detailed plans showing soil preparation and compaction requirements, method of installation and properties of materials to be used. Additionally, special inspections will be required.

A substantial conformance to the Surface Mining Permit/Reclamation Plan may be required. Consult with the Planning Department prior to obtaining a building permit.

SURFACE MINING PERMIT Case #: SMP00200R1

Parcel: 601-180-016

10. GENERAL CONDITIONS

10.BS GRADE. 15 SMP G-15 Miscellaneous 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. 16 SMP G-16 CONTRACTOR EQUIPMENT RECOMMND

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

A "Conditional Use" Permit must be obtained from the Planning Department prior to storage of any non-mining equipment.

10.BS GRADE. 18 SMP G-18 QUARRY SIGNS RECOMMND

Signs shall be installed at the top of all manufactured slopes (cut or fill), at intervals not greater than 100 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. 19 SMP G-19 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 no exceed 2:1 or as identified in another approved condition or approved exhibit to this case.

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10. GENERAL CONDITIONS

10.BS GRADE. 20 SMP G-20 SAFETY BERMS RECOMMND

A four (4) foot, minimum vertical height, SAFETY BERM shall be installed at the top of all cut/fill slopes.

10.BS GRADE. 21 SMP G-21 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. 22 SMP G-22 TEMPORARY/OFFICES 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 installed or constructed by building permit.

10.BS GRADE. 24 SMP G-24 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. 25 SMP G-25 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 and to prevent/limit unauthorized access to the site.

10.BS GRADE. 26 SMP G-26 APPROVED CONDITIONS RECOMMND

ALL PRIOR BUILDING & SAFETY DEPARTMENT CONDITIONS APPROVED UNDER SURFACE MINING PERMIT SMP00200, INCLUDING OTHER REVISIONS AND SUBSTANTIAL CONFORMANCES, SHALL REMAIN IN EFFECT DURING THE LIFE OF THIS PERMIT UNLESS SUCCEEDED HEREIN OR ON FUTURE APPROVED AMENDMENTS.

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10. GENERAL CONDITIONS

E HEALTH DEPARTMENT

10.E HEALTH. 1

SMP- LEA GENERAL CONDITIONS

RECOMMND

LEA has the following general conditions for this project:

- 1) There shall be no burial of any materials on-site. This includes burial of imported inerts for reclamation.
- 2) All contaminants removed from recyclable asphalt and concrete shall be removed and disposed of in an approved manner and timeframe.
- 3) Storage of recyclable stockpiles shall not exceed approved capacity.
- 4) Recycling of other materials shall require separate approvals.
- 5) All domestic garbage shall be removed from the site twice weekly unless otherwise approved by this Department.

10.E HEALTH. 2

SMP-LAND USE/ WATER

RECOMMND

LAND USE & WATER ENGINEERING conditions:

- 1) Any occupied structures at this site with restrooms or plumbing fixtures must be connected to approved water and wastewater disposal systems.
- 2) If the existing onsite well is to be used for domestic purposes, it must be approved by this Department.
- 3) Onsite sewage disposal systems are an acceptable means of sanitary waste generated at such a site.
- 4) When the site is reclaimed, any existing wells shall be properly abandoned under permit with this Department.
- 5) All wells within 200' shall be properly identified on any plot plans.

FIRE DEPARTMENT

10.FIRE. 2

SMP-#23-MIN REQ FIRE FLOW

RECOMMND

Minimum required fire flow shall be 1,500 GPM for a 2-hour duration at 20 PSI residual operating pressure, which must be available before any combustible material is placed on the job site.

10.FIRE. 3

SMP-#84-TANK PERMIT

RECOMMND

Applicant or Developer shall be responsible for obtaining under/aboveground fuel, chemical and mixed liquid storage tank permits, from the Riverside County Fire Department and Environmental Health Departments. Plans must be submitted for approval prior to installation. Aboveground fuel/mixed

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10. GENERAL CONDITIONS

10.FIRE. 3 SMP-#84-TANK PERMIT (cont.) RECOMMND

liquid tank(s) shall meet the following standard: Tank must be tested and labeled to UL2085 Protected Tank Standard or SwRI 93-01. The test must include the Projectile Penetration Test and the Heavy Vehicle Impact Test. A sample copy of the tank's label from an independent test laboratory must be included with your plans.

10.FIRE. 4 SMP-#89-RAPID ENTRY BOX RECOMMND

Rapid entry (KNOX)key storage cabinet shall be installed on the outside of the main building,if any.

10.FIRE. 5 SMP-#88A-AUTO/MAN GATE RECOMMND

Gate(s) may be automatic or manual operated, minimum 20 feet in width. Gate access shall be equipped with a rapid entry(KNOX) systems. Plans shall be submitted to the Fire Department for approval prior to installation. Automatic/manual gate pins shall be rated with shear pin force, not to exceed 30 foot pounds. Automatic gates shall be equipped with emergency backup power. Gates activated by the rapid entry system shall remain open until closed by the rapid entry system.

FLOOD RI DEPARTMENT

10.FLOOD RI. 1 SMP FLOOD HAZARD REPORT RECOMMND

This is a proposal for the operational extension for 25 years and amendment to the eastern slopes to an existing surface mine in the Fargo Canyon area. The site is located north of Fargo Canyon Road and west of Polk Street.

This is phase 3 of the original mining project. The site lies on an alluvial fan formed from Fargo and Little Fargo Canyons. This fan has a tributary drainage area of approximately 27 square miles from the Little San Bernardino Mountains. The alluvial fan's steep slope of about 4 percent coupled with the soft alluvial bed material subjects the fan to severe and unpredictable lateral and vertical erosion as well as flooding. Flooding from the Fargo Canyons can occur anytime of year.

The District's primary concern with this proposal is the potential for headward erosion as a result of pit capture. Major erosion can occur as a result of the increased

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10. GENERAL CONDITIONS

10.FLOOD RI. 1

SMP FLOOD HAZARD REPORT (cont.)

RECOMMND

velocity and energy of water as it flows over the edge of the pit. Headward erosion can extend far upstream and could adversely impact offsite properties. A head cutting analysis performed by the District reveals that the pit should be set back 380 ft from the eastern boundary. Alternatively to assure long term stability, these slopes which have the potential to receive storm flows shall be no steeper than 10 percent. This slope requirement does not include temporary slopes (i.e. working faces) that may be vertical and up to 30 feet tall. The amended 2 exhibit proposes the easternmost cut slopes 12:1 and 50 ft set back from the eastern property line. This proposal is acceptable to the District.

PLANNING DEPARTMENT

10.PLANNING. 1

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

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10. GENERAL CONDITIONS

10.PLANNING. 2

SMP - 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 its 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. 3

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:

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10. GENERAL CONDITIONS

10.PLANNING. 3

SMP - LOW PALEO (cont.)

RECOMMND

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 owner of the property shall be immediately notified of the fossil discovery who will in turn immediately notify the County Geologist of the discovery.

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

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

5.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.

6.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.

7.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 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

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10. GENERAL CONDITIONS

10.PLANNING. 3 SMP - LOW PALEO (cont.) (cont.) RECOMMND

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.

10.PLANNING. 4 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 conform substantially with that as shown on the Mining and Reclamation Plans and Project Description (APPROVED EXHIBIT A, APPROVED EXHIBIT B, and APPROVED EXHIBIT C) unless otherwise amended by these conditions.

10.PLANNING. 5 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 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. 6 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. 7 SMP - SLOPE STABILITY RECOMMND

During the life of the permit the permittee shall comply with the recommendations concerning slope stability made in the report entitled, "SURFACE MINING AND RECLAMATION PLAN

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10. GENERAL CONDITIONS

10.PLANNING. 7 SMP - SLOPE STABILITY (cont.) RECOMMND

FOR FARGO CANYON MINE", dated "Revised December 2009". This document is on file at the Riverside County Planning Department.

10.PLANNING. 8 SMP - SPARK ARRESTOR REQUIRED RECOMMND

During the life of the permit, the permittee shall comply with spark arrestor requirements of the Public Resources Code, Section 4422, AND/OR THE MOST RECENT REQUIREMENTS FOR OFFROAD EQUIPMENT for all equipment used on the premises other than turbocharger vehicles designed and licensed for highway use.

10.PLANNING. 9 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/pr stockpiles (previously mined areas which remain inactive for 96 hours or more). Sorters, crushers, conveyors and other processing equipment shall be fitted with water sprayers and/or other dust control devices as necessary to control fugitive dust.

10.PLANNING. 10 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. 11 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".

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10. GENERAL CONDITIONS

10.PLANNING. 12 SMP - OPERATING HOURS RECOMMND

On-site operating hours, other than maintenance or emergencies, shall be limited to the hours between 6:00 A.M. and 7:00 P.M., Monday through Saturday. Operations shall be prohibited on Sundays and Federally recognized holidays.

10.PLANNING. 13 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. 14 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. 15 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 becoming idle, as specified in 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. 16 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. 17 SMP - COMPLY W/ 348 STANDARDS RECOMMND

The development of the property shall comply with all provisions of Riverside County Ordinance No. 348, Article XIIb, Section 12.62 (Specific Development and Performance

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10. GENERAL CONDITIONS

10.PLANNING. 17 SMP - COMPLY W/ 348 STANDARDS (cont.) RECOMMND

Standards), except as modified by the conditions of this permit.

10.PLANNING. 18 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.

10.PLANNING. 19 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. 20 SMP - NO EXPLOSIVES RECOMMND

No blasting, dynamiting or use of explosives of any kind whatsoever on the premises is authorized.

10.PLANNING. 21 SMP - NPDES COMPLIANCE (I) RECOMMND

The permittee shall comply with all of the applicable requirements of the National Pollution Discharge Elimination System (NPDES) and shall conform to NPDES Best Management Practices for Stormwater Pollution Prevention Plans during the life of this permit.

10.PLANNING. 22 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. 23 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

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10. GENERAL CONDITIONS

10.PLANNING. 23 SMP - SIGNS NEED PERMIT (cont.) RECOMMND

requirements of Section 18.30.a.(1) of Riverside County Ordinance No. 348 (Plot Plans not subject to the California Environmental Quality Act and not subject to review by any governmental agency other than the Planning Department), and all necessary building permits shall be obtained from the Riverside County Department of Building and Safety.

10.PLANNING. 24 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 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.

10.PLANNING. 25 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 SMP00200R1. The Planning Director and/or Building Director may require inspection or other monitoring to ensure such compliance.

10.PLANNING. 30 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 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. 32 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.org.buslic.

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10. GENERAL CONDITIONS

TRANS DEPARTMENT

10.TRANS. 1 SMP - STD INTRO (ORD 460/461)

RECOMMND

With respect to the conditions of approval for the referenced exhibit, the Transportation Department recommends that the applicant provide the following street improvements, street improvement plans and/or road dedications in accordance with Ordinance 460 and Riverside County Road Improvement Standards (Ordinance 461). It is understood that the exhibit correctly shows all existing easements, traveled ways, and drainage courses with appropriate Q's, and that their omission or unacceptability may require the map to be resubmitted for further consideration. These Ordinances and all conditions are essential parts and a requirement occurring in ONE is as binding as though occurring in all. All questions regarding the true meaning of the conditions shall be referred to the Transportation Department.

20. PRIOR TO A CERTAIN DATE

PLANNING DEPARTMENT

20.PLANNING. 1 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 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 completion.

20.PLANNING. 2 SMP - LIFE OF PERMIT

RECOMMND

This permit shall become null and void December 31, 2036 or upon mining of a total of 1,450,000 tons*, whichever comes first. Annual mining tonnage shall not exceed 200,000 tons. Extensions of time to the life of this permit shall require submission of a revised permit application in accordance with Riverside County's Ordinance No. 555.

* NOTE: ALL REQUIRED RECLAMATION ACTIVITIES, REVEGETATION SUCCESS MONITORING, FINAL REPORTING, MINE CLOSURE APPROVAL, ETC. SHALL BE COMPLETED PRIOR TO DECEMBER 31, 2036. REVISION OF THIS SMP00200R1 ENTITLEMENT IS REQUIRED TO EXTEND THE LIFE OF THIS PERMIT BEYOND

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20. PRIOR TO A CERTAIN DATE

20.PLANNING. 2 SMP - LIFE OF PERMIT (cont.)

RECOMMND

DECEMBER 31, 2036.

60. PRIOR TO GRADING PRMT ISSUANCE

PLANNING DEPARTMENT

60.PLANNING. 5 SMP - RCL RECLAMATION PLAN

RECOMMND

The permittee shall comply with the approved 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. 6 SMP - YR RECLAMATION REPORT

RECOMMND

The permittee shall submit a final reclamation completion report, prior to the completion of each phase of reclamation, 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) maximum, 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, licensed geologist, or other appropriate professional stating that the project was reclaimed pursuant to the approved Reclamation Plan.

60.PLANNING. 15 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. PRIOR TO GRADING PRMT ISSUANCE

60.PLANNING. 19 SMP - SWPPP BMP REQD

RECOMMND

The permit holder shall provide written proof of compliance with the California Regional Water Quality Control Board Watershed-wide waste discharge requirements.

TRANS DEPARTMENT

60.TRANS. 1 SMP - TUMF

RECOMMND

Prior to the issuance of any grading permit and/or surface mining operation, the applicant shall pay the Transportation Uniform Mitigation Fee (TUMF) in accordance with the fee schedule in effect at the time of issuance, pursuant to Ordinance No. 673.

70. PRIOR TO GRADING FINAL INSPECT

PLANNING DEPARTMENT

70.PLANNING. 7 SMP - YR TEMPORARY SLOPES

RECOMMND

Temporary slopes created during mining operations shall be excavated no steeper than 1:1 (horizontal:vertical) and no higher than 30 feet in vertical height, or in compliance with MSHA and CALOSHA requirements.

80. PRIOR TO BLDG PRMT ISSUANCE

E HEALTH DEPARTMENT

80.E HEALTH. 1 SMP - WATER PERMIT

RECOMMND

If the project is to be served water by existing wells, pumps and water tanks, a water supply permit will be required. The requirements are as follows: 1) Satisfactory laboratory tests (bacteriological, general mineral, general physical, organic, inorganic). 2) A complete set of plans showing all details of the proposed and existing water systems.

FIRE DEPARTMENT

80.FIRE. 1 SMP-#17A-BLDG PLAN CHECK \$

RECOMMND

Building plan check deposit base fee of \$1,056.00, shall be paid in a check or money order to the Riverside County Fire Department after plans have been approved by our office.

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80. PRIOR TO BLDG PRMT ISSUANCE

80.FIRE. 2

SMP-#4-WATER PLANS

RECOMMND

The applicant or developer shall separately submit two copies of the water system plans to the Fire Department for review and approval. Calculated velocities shall not exceed 10 feet per second. Plans shall conform to the fire hydrant types, location and spacing, and the system shall meet the fire flow requirements. Plans shall be signed and approved by a registered civil engineer and the local water company with the following certification: "I certify that the design of the water system is in accordance with the requirements prescribed by the Riverside County Fire Department."

PLANNING DEPARTMENT

80.PLANNING. 2

USE - FEE BALANCE

RECOMMND

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

TRANS DEPARTMENT

80.TRANS. 3

SMP - TUMF

RECOMMND

Prior to the issuance of a building permit, the applicant shall pay the Transportation Uniform Mitigation Fee (TUMF) in accordance with the fee schedule in effect at the time of issuance, pursuant to Ordinance No. 673.

90. PRIOR TO BLDG FINAL INSPECTION

E HEALTH DEPARTMENT

90.E HEALTH. 1

SMP - 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

SMP - 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

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90. PRIOR TO BLDG FINAL INSPECTION

90.E HEALTH. 2 SMP - HAZMAT REVIEW (cont.) RECOMMND

business in accordance with applicable County Ordinances.

90.E HEALTH. 3 SMP-- HAZMAT CONTACT RECOMMND

Contact the Hazardous Materials Management Division, Doug Thompson 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 hazardous waste report and fee is due at occupancy. If further review of the site indicates additional environmental health issues, the Division reserves the right to regulate the business in accordance with applicable County Ordinances. Contact (951) 358-5055 for more information.

FIRE DEPARTMENT

90.FIRE. 1 SMP-#12-SPRINKLER SYSTEM RECOMMND

Install a complete fire sprinkler system per NFPA 13, 1996 edition (13D and 13R systems are not allowed) in all buildings requiring a fire flow of 1500 GPM or greater. Sprinkler system(s) with pipe sizes in excess of 4" in diameter will require the project structural engineer to certify (wet signature) the stability of the building system for seismic and gravity loads to support the sprinkler system. All fire sprinkler risers shall be protected from any physical damage. The post indicator valve and fire department connection shall be located to the front, within 50 feet of a hydrant, and a minimum of 25 feet from the building(s). A statement that the building(s) will be automatically fire sprinkled must be included on the title page of the building plans. (current sprinkler plan check deposit base fee is \$614.00 per riser)

Applicant/Developer shall be responsible to install a U.L. Central Station Monitored Fire Alarm System. Monitoring system shall monitor fire sprinkler system(s) water flow, P.I.V.'s and all control valves. Plans must be submitted to the Fire Department for approval prior to installation. (current monitoring plan check deposit base fee is \$192.00)

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90. PRIOR TO BLDG FINAL INSPECTION

90.FIRE. 2 SMP-#45-FIRE LANES RECOMMND

Applicant or developer shall prepare and submit to the Fire Department for approval, a site plan designating required fire lanes with appropriate lane painting and/or signs.

90.FIRE. 3 SMP-#27-EXTINGUISHERS RECOMMND

Install portable fire extinguishers with a minimum rating of 2A-10BC and signage.

90.FIRE. 4 SMP-#66-DISPLAY BOARDS RECOMMND

Display boards will be as follows: Each complex shall have an illuminated diagrammatic representation of the actual layout which shows name of complex, all roads, building designators, unit members, and fire hydrant locations within the complex. These directories shall be a minimum 4'X4' in dimension and located next to the main roadway access.

COUNTY OF RIVERSIDE
TRANSPORTATION AND LAND MANAGEMENT AGENCY

Tony Carstens · Agency Director

Planning Department

Robert C. Johnson · Planning Director

DATE: **October 4, 2006**

TO: **BUILDING & SAFETY: Mine Inspector**
TRANSPORTATION (2)
HEALTH DEPARTMENT (2)
FIRE PROTECTION
FLOOD CONTROL DISTRICT: RIVCO/CVWD
RIV. CO. PARKS DISTRICT
RIV. CO. EPD
CULTURAL RESOURCES – J. Fagelson
P. D. TRAILS COORDINATOR – J. Joliffe
RIV. CO. SUPERVISOR WILSON
RIV. CO. COMMISSIONER PORRAS
RIV. CO. SHERIFFS DEPT – PD
RIV. CO. WASTE MANAGEMENT DEPT
IID / SCG (PS - CHATSWORTH) / CALTRANS #8
CA DEPT OF FISH & GAME-BD
US FISH & WILDLIFE SERVICE – CARLSBAD
DSUSD / VERIZON / CITY OF COACHELLA
CITY OF INDIO / INDIO HILLS ASSOC
INDIO HILLS COMMUNITY COUNCIL
CABAZON INDIAN TRIBE / RWQCB #7
OMR / BLM / CSA-152 / CVAG / UCR-EIC
DESERT FILE

SURFACE MINING PERMIT NO. 200 REVISED PERMIT NO. 1 –
EA40797 –Applicant: Coachella Valley Aggregates –
Engineer/Representative: Justice and Associates - Fourth Supervisorial
District – Lower Berdoo Canyon Zoning District – Western Coachella
Valley Area Plan: Open Space: Open Space: Mineral Resources (OS-MR)
and Rural (OS-RUR) (20 Acre Minimum) – Location: Easterly of Dillon
Road and northerly of 42nd Avenue / Fargo Canyon Road – 188.39 Gross
Acres - Zoning: Watercourse, Watershed and Conservation Areas (W-1) -
REQUEST: Addition of 94 acres to be mined over a period of 55 years
from original inception (2001) and will be processed in 4 phases through
2056. The existing and permitted mine is approved (through 2011) for the
mining of sand and gravel, an aggregate processing plant, a concrete
batch plant, an asphalt batch plant, related offices and maintenance
facilities. Under the current operation there are 60 acres with a projected
volume of 1.4 million tons. The additional 94 acres will provide a projected
additional volume of 7.6 million tons. The current rate of production is
200,000 tons per year. The proposed revision will not increase the
maximum permitted annual production, nor require additional processing
equipment. – APN(s): 601-180-012, 014, 015, 016, 017, 020, 601-210-002,
004, 005, 601-220-005, et al
CONCURRENT CASES: NONE
RELATED CASES: SMP00200, RCL00155

Please review the case described above, along with the attached tentative map/exhibit.

All County Agencies and Departments, please have your conditions in the SIERRA LMS no later than November 9, 2006.

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 included in the staff report for this particular case.

Should you have any questions regarding this item, please do not hesitate to contact David Jones, Project Planner at (951) 955-6863.

COMMENTS:


DATE: _____ SIGNATURE: _____

PRINT NAME: _____ TITLE: _____

If you do not use this letter for your response, please indicate case number and project planner's name. Thank You.

SYMPO0200R1



A  Sempra Energy™ company

November 30, 2006

County of Riverside
Planning Dept
4080 Lemon Street, 9th Floor
Riverside, CA 92502-1409

Southern California
Gas Company

9400 Oakdale Avenue
Chatsworth, CA
91313

**Re: EA 40797 - Utility Request - Riverside
Fargo Canyon Blvd Btwn Polk St & Fillmore St**

Mailing Address:
P. O. Box 2300
Chatsworth, CA
91313-2300
M.L.9314

Southern California Gas Company-Transmission Department (The Gas Company) has received your request for pipeline locations within the general area of your proposed project. The Gas Company operates and maintains (36) - inch high pressure natural gas lines (2051) within the limits of your construction project. Attached are copies of our pipeline Atlas sheets (GI24B11, 12), which show the location of our pipelines. While we cannot guarantee the accuracy of these maps they are included to assist you in your planning and design.

tel 818-701-4546
fax 818-701-3441

Design parameters for The Gas Company shall include:

- Consideration be given to the safety of our pipeline during the design and construction stages.
- No mechanical equipment will be permitted to operate within three horizontal feet of the pipeline, and any closer work must be done by hand.
- A representative of The Gas Company must observe the excavation around or near our facilities to insure protection and to record pertinent data necessary for our operations.

Upon request, at least two (2) working days prior to the start of construction, we will locate and mark our active underground facilities for the contractor at no cost. Please call Underground Service Alert (USA) at (800) 422-4133.

Arrangements for someone to stand-by and observe can be made by calling (951) 845-0712 two working days prior to the start of construction. We would appreciate it if you would place a note on your plans to that effect.

County of Riverside
Page 2

**Re: EA 40797 - Utility Request - Riverside
Fargo Canyon Blvd Btwn Polk St & Fillmore St**

We will also require "final" grading plans and construction profiles prior to the start of construction.

Within the limits of your proposed construction, if you have not already done so, please contact the East Distribution Region of The Gas Company for information on their pipelines. You can contact them at (909) 335-7725 and they will furnish you with any information you may require.

Future correspondence pertaining to this project should be mailed to:

THE GAS COMPANY
251-A East First St
Beaumont, CA 92223-2903
Attn: Tim Pearce, Mail Location 8080

If a conflict is identified and can only be resolved by the relocation of our facilities, please be advised that the projected timetable for the completion of this relocation is one year. This includes planning, design, material procurement, cathodic protection, permits, environmental issues and construction.

Please refer to our Document Control Plan File # **275-06-2051** and any correspondence directed to this office, in connection with this project. If you have further questions or require additional assistance, please contact **Tim Pearce at (951) 845-0709**.

Sincerely,


Rosalyn Squires
Pipeline Planning Assistant
Transmission Department

cc: TPearce
FargoCynBlvd Polk Fillmore EA 40797 UReq Riv.doc



Coachella Valley Aggregates

Since 1999

December 27, 2006

The Gas Company
251-A East First Street
Beaumont, CA 92223-2903

Attn: Rosalyn Squires, Pipeline Planning Assistant

Ref: EA 40797 – Utility Request – Riverside
Fargo Canyon Road between Polk Street and Fillmore Street
Document Control Plan File #275-06-2051

Dear Ms. Squires,

I recently received a copy of your letter to the County of Riverside Planning Department regarding the location of your 36" gas pipeline adjacent to our Surface Mining project off Fargo Canyon Road governed by Surface Mining Permit Numbers 193-RA and 200-R1.

We are very aware of the location of the Gas Company pipeline which is routed along the southerly boundary of Fargo Canyon Road, with the exception of service provided to E.L. Yeager Corp., which crosses Fargo Canyon Road to its asphalt plant site.

The expansion of our mining permits should not pose any risk to the Gas Company Line for the following reasons:

- 1) Any expanded mining operations will be conducted northerly of Fargo Canyon Road.
- 2) Our Surface Mining Permits require an additional fifty foot setback from Fargo Canyon Road to any excavations.
- 3) We are requesting expansion of our Permits, only, as to acreage and increased years of operation. There will be no increase in traffic, volume, or other factors that might affect your pipeline.

Thank you for your inquiry. For further clarification, I can be reached at (951) 277-3900 during business hours.

Yours truly,

A handwritten signature in black ink, appearing to read 'L. M. Werner', with a long horizontal flourish extending to the right.

L. M. Werner
President

LMW/pas

CC: Dave Jones, Riverside County Geologist
Tom Davis, Justice & Associates



California Regional Water Quality Control Board

Colorado River Basin Region



Linda S. Adams
Secretary for
Environmental Protection

73-720 Fred Waring Drive, Suite 100, Palm Desert, California 92260
(760) 346-7491 • Fax (760) 341-6820
<http://www.waterboards.ca.gov/coloradoriver>

Arnold Schwarzenegger
Governor

February 1, 2010

Dave Jones
Riverside County Planning Department
MailStop # 1070
Riverside, CA 92502

Subject: SURFACE MINING AND RECLAMATION PLAN FOR FARGO CANYON MINE
SMP 200R1

Dear MR. Jones,

Following a preliminary review of this project, Regional Water Board staff has determined that the following checked items may be relevant to this project.

- Waste Discharge Requirements or a National Pollutant Discharge Elimination System Permit is required to discharge treated wastewater and/or sludge.
- A National Pollutant Discharge Elimination System (NPDES) permit for storm water discharges associated with construction activities is required for projects disturbing one or more acres. An NPDES storm water permit is also required for projects that are part of a common plan and disturb one or more acres.
- Waste Discharge Requirements may be required to discharge processed or treated wastewater. Facilities commonly requiring waste discharge requirements include: car and truck washes; sand and gravel washing operations; concentrated animal feeding operations; aquatic animal production facilities; manufacturing facilities; and facilities using reclaimed wastewater for landscaping.
- Waste Discharge Requirements may be required for new subdivisions, grouped or community septic tank/seepage pit or leach field systems, particularly in vulnerable areas.
- An NPDES permit for storm water discharges associated with industrial facilities may be required, and will be determined by the facilities Standard Industrial Code (SIC).

Environmental Document
Comments

- General Waste Discharge Requirements may be required if the project involves: discharges of water used for hydrostatic testing of pipelines; a confined animal facility; discharges of extracted and/or treated groundwater; mobile home parks, sanitary sewer systems, other waste discharge facilities.
- Projects that impact "Waters of the U.S." require a Clean Water Act (CWA) Section 404 permit issued by the United States Army Corp of Engineers (Corps). A CWA Section 401 Water Quality Certification is required to obtain a Section 404 permit from the Corps.
- Projects using chemical dust control suppressants are reviewed on a case by case basis, and may require Waste Discharge Requirements.

If you have questions regarding your responsibility to protect water quality as it relates to your project, please contact the staff checked below, and obtain the appropriate permits (if any) prior to the discharge of waste.

- Storm Water, MS4..... **Jay Mirpour, WRCE**
(760) 776 - 8981
- 401 Water Quality Certifications..... **Jay Mirpour, WRCE**
(760) 776 - 8981
- Storm Water, CalTrans,..... **Suhas Chakraborty, WRCE**
Construction, & Industrial (760) 776 - 8961
- NPDES (Discharges to Waters **John Carmona, Senior WRCE**
of the U.S.) (760) 340 - 4521
- Aquaculture, Feedlots, Dairy's..... **John Carmona, Senior WRCE**
(760) 340 - 4521
- Discharges to Land, Landfills,..... **Jenny Snyder, WRCE**
Biosolids (760) 776 - 8962
- New Development in Un-sewered **Jenny Snyder, WRCE**
Communities (Septic Systems) (760) 776 - 8962
- Chemical Dust Suppressants..... **Jenny Snyder, WRCE**
(760) 776-8962
- Geothermal Power..... **Herbert Jackson, Engineering**
Geologist (760) 776-8947



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 • WEB SITE conservation.ca.gov

March 25, 2010

VIA email: dlijones@rctlma.org

VIA CERTIFIED MAIL: 7009 0960 0000 4467 3966

Mr. David Jones
Chief Engineering Geologist
Planning Department
4080 Lemon Street
Riverside CA 92502-1629

**15-DAY NOTICE - FARGO CANYON MINE, PALM DESERT ROCK
CA MINE ID # 91-33-0092 AND # 91-33-0028**

Dear Mr. Jones,

The Department of Conservation's Office of Mine Reclamation (OMR) has reviewed a proposed permit extension for the Fargo Canyon Mine, ID #91-33-0092. OMR's records indicate:

- No reclamation plan has been approved for Fargo Canyon Mine;
- Fargo Canyon Mine and Palm Desert Rock (ID #91-33-0028) are one surface mining operation with one and the same mine operator; and,
- The reclamation plan for Palm Desert Rock was never amended to incorporate Fargo Canyon Mine.

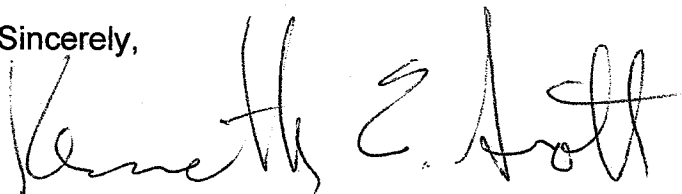
Fargo Canyon Mine is in violation of SMARA for not having an approved reclamation plan. Pursuant to California Public Resources Code Section 2773.1(d), this letter serves as official notice that the Department of Conservation will initiate enforcement actions pursuant to SMARA section 2774.1 unless:

1. On or before April 9, 2010, Riverside County issues a Notice of Violation to Fargo Canyon Mine for operating without an approved reclamation plan; and,

2. On or before June 1, 2010, an amended reclamation plan incorporating both Palm Desert Rock and Fargo Canyon Mine has been submitted to Riverside County and determined by OMR to meet the requirements of a reclamation plan pursuant to SMARA and its implementing regulations.

If you have any questions regarding this notice, please contact me at (916) 323-9198.

Sincerely,

A handwritten signature in black ink, appearing to read "Kenneth E. Trott". The signature is written in a cursive style with a large initial "K" and a distinct "E" and "T".

Kenneth E. Trott
Environmental Program Manager
Reporting and Compliance Unit

cc: Coronet Concrete Products, Inc.
50-305 Highway 111
Coachella, CA 92236



Established in 1918 as a public agency
Coachella Valley Water District

Directors:

Patricia A. Larson, President
Peter Nelson, Vice President
Tellis Codekas
Franz W. De Klotz
Russell Kitahara

Officers:

Steven B. Robbins, General Manager-Chief Engineer
Julia Fernandez, Board Secretary

March 16, 2010

Redwine and Sherrill, Attorneys

File: 0163.1
0421.1
0721.1

Dave Jones
Riverside County Planning Department
4080 Lemon Street, 9th Floor
Riverside, CA 92501

Dear Mr. Jones:

Subject: Surface Mining Permit No. 200, Revised Permit No. 1 (Amended No. 1)

This area is not within the boundaries of the stormwater unit of this District.

The District will provide domestic water and sanitation service to this area and such service will be subject to the satisfaction of terms and conditions established by the District and exercised from time to time, including but not limited to fees and charges, water conservation measures, etc.

The District may need additional facilities to provide for the orderly expansion of its domestic water and sanitation systems. These facilities may include lift stations and other facilities. The developer may be required to install these facilities and provide land and/or easements on which some of these facilities will be located. These sites shall be shown on the tract map as lots and/or easements to be deeded to the District for such purpose.

This notice of domestic water and sanitation service availability can only be used and relied upon for the specific property for which it was issued and shall expire three (3) years from date of issuance.

Domestic water and sanitation service remains at all times subject to changes in regulations adopted by the District's Board of Directors including reductions in or suspensions of service.

Dave Jones
Riverside County
Planning Department

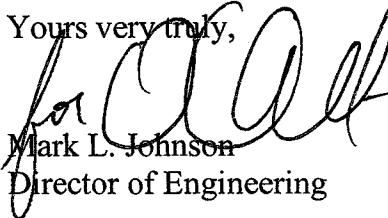
2

March 16, 2010

Plans for grading, landscaping and irrigation systems shall be submitted to the District for review. This review is for ensuring efficient water management.

If you have any questions, please call Tesfaye Demissie, Stormwater Engineer, extension 2605.

Yours very truly,



Mark L. Johnson
Director of Engineering

cc: Commercial Resources, LLC
Post Office Box 77850
Corona, CA 92877

Alan French
Riverside County Transportation Department
4080 Lemon Street, 8th Floor
Riverside, CA 92501

Majeed Farshad
Riverside County Department of Transportation
38-686 El Cerrito Road
Palm Desert, CA 92211

Michael Mistica
Department of Environmental Health
Post Office Box 1280
Riverside, CA 92502

TD:ch/eng/sw/2010/march/Surface Mining Permit No. 200

050809-1
050809-4

SMP 200 R1



CITY OF INDIO

100 CIVIC CENTER MALL • INDIO, CA 92201
760.342.6500 • FAX 760.342.6556 • WWW.INDIO.ORG

October 26, 2006

County of Riverside Planning Department
4080 Lemon Street, Ninth Floor
Riverside, CA 92502

Attention: Robert Johnson, Director of Community Development
Subject: Commercial Resources, LLC, Fargo Canyon Mine I.D. # 91-33-0092

Dear Mr. Johnson:

Thank you for the opportunity to review the subject mining application. The location of the site and proposed expansion are within the City's proposed Northeast Sphere of Influence (SOI) project area. The City has circulated a Notice of Intent to Adopt a Negative Declaration for the SOI project. The location and potential impacts associated with the Fargo Canyon Mine expansion would have major influences on our ability to plan for this area.

We have examined the content of the application and its associated mine and reclamation plans, but have not reviewed the Environmental Assessment (EA) and related background reports because the EA was not a part of the materials sent to the City. Nor were the technical appendices cited in the Application, included in the document we received for review. In addition, we made several phone calls to the Planning Department in an attempt to have a copy of the EA sent, but have not received a return phone call to date.

After looking over the details of the proposed project, we find we have issues and unresolved questions related to the potential environmental impacts likely to occur as a result of implementation of the proposed mine expansion. The scope and magnitude of the proposed expansion warrants additional study in the form of an Environmental Impact Report (EIR).

The subject application (as re-submitted on August 18, 2006) is to expand the approximate gross acreage and extend the life of the mining operation. The proposed project consists of aggregate surface mining on 154 acres (60 existing and 94 proposed), located on the north side of Fargo Canyon Road, two miles east of Dillon Road in Section 9, Township 5 South, Range 8 East, in Riverside County and just east of the proposed Northeast SOI project area of the City of Indio. Under the current operation, there are 1.4 million tons to be mined through 2011 at a rate of 200,000 tons per year. According to the application, the

estimated volume of material in the 96 acre expansion is 7.6 million tons, for a combined total of 9.0 million tons. At an unchanged permitted removal rate of 200,000 tons per year, the duration of the proposed permit would be approximately 55 years (2001-2056).

The net result of this expansion would be a 160 percent expansion of the land area, a 543 percent expansion of the volume of mined material and a 550 percent extension of the duration of mining activity. Although most of the acreage is owned by the applicant, approximately 5 acres is identified as not a part of the existing plan and must be acquired (APN 601-220-005).

General Comments

The City of Indio believes that the environmental evaluation of the proposed project should be conducted in the form of an EIR and that an Environmental Assessment would not adequately address major issues of concern to the City such as air quality, traffic and impacts on roads, and water supply, nor does it adequately address potential issues concerning biological and cultural resources.

The Application for the Fargo Canyon Mine mischaracterizes the location of the project site by stating that the City of Indio is about four miles to the southwest. In fact, the City of Indio corporate boundary is less than two miles away. In addition, the City is currently processing an application from Suncal to develop the Citrus Ranch Specific Plan project site which includes a request for annexation. If approved, this project would adjust the City's corporate boundary to within approximately ½ mile to the west of the project site, and would place over 3,000 dwelling units within proximity to the proposed mine expansion site. The EIR for the proposed Citrus Ranch project is currently in public circulation with a closing date of November 15, 2006. Therefore, it should be considered a reasonably foreseeable project that would be directly affected by the expansion of the Fargo Canyon Mine.

Specific Comments

The County should prepare an EIR for the following reasons:

Aesthetics

Dillon Road is listed in the County's East Coachella Valley Area Plan as eligible for County status as a scenic highway. Further, as a remnant of old U.S. Highway 60, Dillon Road may achieve historic status. Impacts of heavy trucks on the scenic quality and potentially historic status of this road should be reported and impacts of the expanded mining activity on the scenic viewshed as seen from Dillon Road should be further analyzed.

Air Quality

Any assertion that there would be no impacts on Air Quality because the existing process plant has air permits, and that the annual production would not increase is to evaluate the project in a vacuum. Two issues should be addressed here: first, under the existing permit, the applicant will run out of material in 2011, but by expanding, an additional 45 years is added to the life of the project and the duration of discharge of pollutants. Second, the reason for expanding the mine is because of the tremendous amount of growth in the Coachella Valley which is projected to continue for the foreseeable future. As such, expansion of the project could result in a cumulatively considerable net increase in criteria pollutants when considered with other proposed projects in the area.

An Environmental Impact Report should be prepared that addresses the cumulative impacts associated with this and other reasonably foreseeable projects, including the proposed expansion of the nearby Coachella Valley Aggregates Indio Mine I.D. # 91-33-0084.

Finally, another air quality issue that should be addressed in the EIR is the site's proximity to the Joshua Tree National Park and the potential for the continued generation of PM₁₀ to have an adverse effect on visibility of this Class 1 Land Use (federal Clean Air Act designation).

Biological Resources

Previous habitat assessments in the area identify five sensitive species as having the potential to occur in the vicinity (black-tailed gnatcatcher, glandular ditaxis, LeConte's thrasher, burrowing owl, and desert tortoise). In addition, there is no discussion of the potential for wildlife corridors to be affected by the expansion of the mine site.

Cultural Resources

It does not appear that a Cultural Resources survey was conducted for the proposed project. Although we are unaware of any cultural or paleontological resources or remains on the site, Cultural Resources were found on the Citrus Ranch site located on the west side of Dillon Road, directly west of the proposed project site. A Cultural Resources survey should be conducted for the project that includes a literature review and pedestrian survey of the site. The Environmental Impact Report should discuss several actions if such resources or remains are present or discovered. The information presented offers no guarantee that significant impacts would not occur to potential resources.

Land Use

As discussed above, the City of Indio is proposing to expand its Sphere of Influence to include the area on both sides of Dillon Road, including the existing Fargo Canyon Mine site and the proposed expansion area. The Notice of Intent to Adopt a Negative Declaration for this project has circulated for public review

and should thus be considered in an evaluation of land use in an EIR for the proposed mine expansion.

Noise, Fugitive Dust and Transportation/Traffic

Activity at the project site is expected to last for 45 years. The mine is expected to yield 200,000 tons per year of sand and gravel. All of this material is transported via trucks to off-site consumers. All of this traffic must travel along Dillon Road and almost all of it is or will be routed south toward more populated areas in the cities of Indio and Coachella.

While the impacts from trucking activities are not as significant in the immediate unpopulated area, as the population of Indio expands into the area (as has already begun with the proposed Citrus Ranch project), the impacts of noise, dust and truck traffic created by this project and other mining projects could significantly affect this new population. The Citrus Ranch project is a reasonable foreseeable project with a Draft EIR that is currently circulating for public review (October 2 through November 15, 2006). This project represents a new community with 3,075 dwelling units located adjacent to Dillon Road, approximately one mile west of the proposed mine expansion site.

At a minimum, the proposed mine expansion should include a traffic study that addresses future traffic conditions on Dillon Road and related intersections in the vicinity, and evaluate future conditions with and without the project. Based on input from the County traffic engineer and traffic engineers from the cities of Indio and Coachella, the traffic study for the proposed mine expansion would provide an accurate picture of future conditions, identify any needed infrastructure improvements, and assign the project's fair share of any future road, intersection or freeway improvements.

In addition to the project's fair share of the cost of improvements, the traffic study should also identify impacts to the roads themselves, that is, how the project could "cause an effect upon, or a need for new or altered maintenance of roads". The City of Indio has first hand experience with the long-term effects that aggregate haul trucks have on the local road system.

In summary, the increase in the duration of mining operations to 55 years significantly increases the potential for adverse impacts. Impacts on air quality, noise, traffic and road conditions related to long-term operational activity by heavy trucks on the immediate and surrounding area should be fully quantified and analyzed in an EIR.

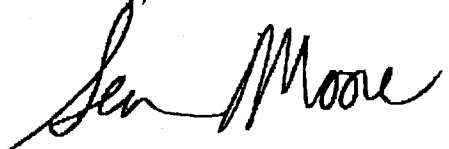
Summary

The proposed expansion is considerable in area and duration. The project site will be more than doubled and will ultimately involve 154 acres of land. The increase in the effective life of the project from 10 years to 55 years significantly

compounds the potential for adverse and cumulative environmental impacts. For that reason, it is recommended that a full Environmental Impact Report be prepared for this project.

We thank you for your assistance. Please call me if you have any questions or need additional information.

Sincerely,



Sean M. Moore
Senior Planner



United States Department of the Interior

FISH AND WILDLIFE SERVICE

Ecological Services
Carlsbad Fish and Wildlife Office
6010 Hidden Valley Road
Carlsbad, California 92011



In Reply Refer To:
FWS - ERIV - 5097.1

NOV 9 2006

Robert C. Johnson, Planning Director
County of Riverside Planning Department
P.O. Box 1409
Riverside, CA 92505-1409

Subject: Surface Mining Permit No. 200 Revised Permit No. 1 - EA Number 40797

Dear Mr. Johnson:

The U.S. Fish and Wildlife Service (Service) received the Surface Mining Permit as described above in our office on October 12, 2006, and we have reviewed it. We wish to be involved in your planning efforts, as we have concern with the potential for the proposed project to impact individuals, burrows, and foraging areas of the desert tortoise (*Gopherus agassizii*) (federal threatened species), Coachella Valley (Palm Springs) round-tailed ground squirrel (*Spermophilus tereticaudus chlorus*) (federal candidate species), Palm Springs pocket mouse (*Perognathus longimembris bangsi*) and Le Conte's thrasher (*Toxostoma leconti*). At this time, we do not have site specific knowledge pertaining to the above mentioned species that may be disrupted or displaced because of the proposed project. However, we are aware that these species are known to be located nearby and may be using the proposed project site. Within the proposed project site there are existing native vegetation communities that are suitable for all four species. Reductions of these resources through conversion of lands to other uses are of concern to the Service. At this time, we recommend that you conduct a survey for each of these species within the proposed project area using a qualified biologist who is familiar with the survey guidelines of the Service and the State of California.

We note that a desert tortoise survey was conducted on one winter day. A desert tortoise survey is generally a specific terrestrial strip-search methodology which requires specific techniques that take some time. We recommend that the project area be surveyed during the appropriate time of year because there may be scat, burrows, or other sign present in addition to the presence of individuals. We recommend that the applicant's consultant contact the Service to discuss appropriate survey methodology.

Candidate species, such as the Coachella Valley round-tailed ground squirrel receive no statutory protection under the Endangered Species Act (ESA). However, the Service encourages the formation of partnerships to conserve these species because they are, by definition, species that

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IN AMERICA 

may warrant future protection under the ESA. By participating in proactive conservation measures now, this species population may avoid a population decline and future restrictions. The State has designated this species as a Species of Special Concern. This species qualifies as a rare or threatened species under California Environmental Quality Act (CEQA).

Surveys for the Palm Springs pocket mouse are best conducted in the spring, summer or fall when the pocket mouse is above ground and active. While the Palm Springs pocket mouse is not federally listed, the extent of this species habitat is limited and therefore the Service is concerned with its current status in the area. The State has designated this species as a Species of Special Concern. This species qualifies as a rare or threatened species under CEQA.

Our models indicate that the majority of Le Conte's thrasher habitat in that area has already been mined, but it is possible that there is still a resident population within the project area. The State has designated this species as a Species of Special Concern. This species qualifies as a rare or threatened species under CEQA.

The Service continues to work closely with Riverside County and the cities of the Coachella Valley on the Natural Community Conservation Plan (NCCP) for this portion of Riverside County. We recommend that you assess this proposed project in conformance with the requirements of the pending NCCP.

Please note that State-listed species not mentioned above may be found on the proposed site and may be protected under the provisions of the California Endangered Species Act. The Service also recommends that you contact the California Department of Fish and Game to obtain a list of State-listed and sensitive species that may occur in the area of the proposed project.

The document states that a biological survey was conducted during the winter, and there were "no sensitive, threatened or endangered plant species" found on the site. We recommend that a plant survey would prove more accurate if the survey was conducted during the spring or early summer months.

We were unable to review the entire project due to lack of information in the document and recommend that information on the following topics be made available: (1) a complete list of wildlife species; (2) a list complete list of plant species; (3) a detailed reclamation plan; (4) additional information regarding the potential impacts to wildlife from unidentified "hazardous waste"; and (5) a biological report of survey methodology and results. Due to the magnitude of this project, we also suggest that an evaluation of cumulative impacts of this project and the surrounding projects be made available.

The Migratory Bird Treaty Act (MTBA) (16 U.S.C. 703-712) prevents harassing, killing, or taking eggs or nests of migratory birds. Occupied migratory bird nests are protected under the MTBA and are especially susceptible to nest destruction from mining related activities during the spring and early summer, and especially if those activities occur near water sources. We recommend a conservation measure that requires the applicant to avoid grubbing or grading in undisturbed areas during the spring and early summer.

If you have any questions or concerns about our comments or would like to discuss long term conservation measures for the above mentioned species, please call Carol Roberts or Peggy Bartels of my staff at 760-431-9440.

Sincerely,



for Therese O'Rourke
Assistant Field Supervisor

cc: Kim Nicol, California Department of Fish and Game, Bermuda Dunes

COUNTY OF RIVERSIDE
TRANSPORTATION AND LAND MANAGEMENT AGENCY
Planning Department
Robert C. Johnson Planning Director

APPLICATION FOR SURFACE MINING PERMIT

CHECK ONE AS APPROPRIATE:

CG003722

Surface Mining Permit Revised SMP (Original SMP No. 200) Reclamation Plan

INCOMPLETE APPLICATIONS OR INACCURATE EXHIBITS WILL NOT BE ACCEPTED.

CASE NUMBER: SMP-200-R1 DATE SUBMITTED: _____

APPLICATION INFORMATION

Applicant's Name: Coachella Valley Aggregates E-Mail: lwerner@wernercorp.net

Mailing Address: _____
P.O. Box 77850
Corona Street CA 92887-0122
City State Zip

Daytime Phone No: (951) 277-3900 Fax No: (951) 277-3339

Permit Operator's Name: Coronet Concrete - c/o James N. Richert E-Mail: datelandconst@aol.com

Mailing Address: _____
50-305 Highway 111
Coachella Street CA 92236
City State Zip

Daytime Phone No: (760) 398-2441 Fax No: (760) 398-3507

Engineer/Representative's Name: Justice & Associates - c/o Tom Davis E-Mail: tdavis@justiceassociates.com

Mailing Address: _____
4155 Outer Traffic Circle
Long Beach Street CA 90804-2111
City State Zip

Daytime Phone No: (562) 961-3494 Fax No: (562) 961-3493

Property Owner's Name: See Section 3.0 E-Mail: See Section 3.0

Mailing Address: _____
See Section 3.0
City State Zip

Daytime Phone No: _____ Fax No: _____

Mineral Rights Owner's Name: See Section 3.0 E-Mail: _____

Side Office: 4080
P.O. Box 1409, Riverside, California 92502-1409
(951) 955-3200 Fax (951) 955-3157

Indio Office: 82-675 Hwy 111, 2nd Floor
Room 209, Indio, California 92201
(760) 863-8277 Fax (760) 863-7555

Murrieta Office: 39493 Los Alamos Road
Murrieta, California 92563
Fax (951) 600-6145

EA 40797 / CFG04225

APPLICATION FOR SURFACE MINING PERMIT

Mailing Address: _____
Street

Daytime Phone No: _____^{City} Fax: _____^{State} _____^{Zip}

Lessee's Name: _____ Coronet Concrete _____ E-Mail: _____ datelandconst@aol.com

Mailing Address: _____ 50-305 Highway 111 _____
Coachella _____^{City} _____^{Street} _____^{CA} _____⁹²²³⁶

Daytime Phone No: _____ (760) 398-2441 _____ Fax: _____ (760) 398-3507 _____
^{City} _____^{State} _____^{Zip}

If the property is owned by more than one person, attach a separate page that reference the application case number in the following manner, "Surface Mining Permit No. _____," and list the names, mailing addresses and phone numbers of all persons having an interest in the real property or properties involved in this application.

If the mineral rights are owned by more than one person, attach a separate page that reference the application case number in the following manner, "Surface Mining Permit No. _____," and list the names, mailing addresses and phone numbers of all persons having an interest in the ownership of the mineral rights involved in this application.

The Planning Department will primarily direct communications regarding this application to the person identified above as the Applicant. The Applicant may be the property owner, representative or other assigned agent.

AUTHORIZATION FOR CONCURRENT FEE TRANSFER

The signature below authorizes the Planning Department and TLMA to expedite the refund and billing process by transferring monies among concurrent applications to cover processing costs as necessary. Fees collected in excess of the actual cost of providing specific services will be refunded. If additional funds are needed to complete the processing of your application, you will be billed, and processing of the application will cease until the outstanding balance is paid and sufficient funds are available to continue the processing of the application. The applicant understands the deposit fee process as described above, and that there will be NO refund of fees which have been expended as part of the application review or other related activities or services, even if the application is withdrawn or the application is ultimately denied.

I certify that the above information in this Mining and Reclamation Plan application is correct to the best of my knowledge and that all of the owners and possessory interest in the property in question have been notified of the proposed uses or potential uses of the land after reclamation. I also certify that I personally accept responsibility for reclaiming the mined lands in accordance with the approved reclamation plan and within the time limits of said plan.

Larry Werner
PRINTED NAME OF APPLICANT

SIGNATURE OF APPLICANT

APPLICATION FOR SURFACE MINING PERMIT

Executed on _____
Month, Date, Year

AUTHORITY FOR THIS APPLICATION IS HEREBY GIVEN:

I certify that I am the owner of record and consent to the proposed Surface Mining Permit application for this property. I further certify that the information contained in this application is true and complete.

All signatures must be originals ("wet-signed"). Photocopies of signatures are **not** acceptable.

Larry Werner
PRINTED NAME OF PROPERTY OWNER(S)

Larry Werner
SIGNATURE OF PROPERTY OWNER(S)

PRINTED NAME OF PROPERTY OWNER(S)

SIGNATURE OF PROPERTY OWNER(S)

If the subject property is owned by persons who have not signed as owners above, attach a separate sheet that references the application case number and lists the printed names and signatures of all persons having an interest in the property.

PROPERTY INFORMATION:

Name of Mine: _____ Fargo Canyon Quarry

Assessor's Parcel Number(s): _____ See Attachment

Section: _____ 9 _____ Township: _____ 5 South _____ Range: _____ 8 East

Approximate Gross Acreage: _____ 168 acres (60 existing* and 108 proposed)

General location of Mine (street address, cross streets, etc.): North of _____ Fargo Canyon Road _____, South of _____ N/A _____, East of _____ Dillon Road _____, West of _____ N/A _____

Thomas Brothers map, edition year, page number and coordinates: _____ 2006, 5411, E3

Proposal (describe the type of mining operation, the days and hours of operation, number of employees, number of daily vehicle trips, etc.).

See Section 8.0 "Exhibit C" Project Description

addition of 33 parcels to project

* SMP 200 = 20 Acres, Plus 9 Acres Overlying RCL 155
RCL 155 = 40 Acres
60 Existing Acres

APPLICATION FOR SURFACE MINING PERMIT

Related cases filed in conjunction with this request:

None

Is there a previous development application filed on the same site: Yes No

Case No. SMP 200, M3 (Permit No. 293), RCL 155 (Parcel Map, Zone Change, etc.)

E.A. No. (if known) 37319 E.I.R. No. (if applicable): _____

HAZARDOUS WASTE SITE DISCLOSURE STATEMENT

Government Code Section 65962.5 requires the applicant for any development project to consult specified state-prepared lists of hazardous waste sites and submit a signed statement to the local agency indicating whether the project is located on or near an identified site. Under the statute, no application shall be accepted as complete without this signed statement.

I (we) certify that I (we) have investigated our project with respect to its location on or near an identified hazardous waste site and that my (our) answers are true and correct to the best of my (our) knowledge. My (Our) investigation has shown that:

- The project is not located on or near an identified hazardous waste site.
- The project is located on or near an identified hazardous waste site. Please list the location of the hazardous waste site(s) on an attached sheet.

Owner/Representative (1) Tom Davis

Date 4/2/06

Owner/Representative (2) *[Signature]*

Date _____

NATIONAL POLLUTION DISCHARGE ELIMINATION SYSTEM (NPDES) REQUIREMENTS

In 1987, Congress amended the Clean Water Act to require the permitting of stormwater discharges from municipal storm drain systems. The Riverside County Board of Supervisors adopted Riverside County Ordinance No. 754.1 establishing stormwater/urban runoff management and discharge controls to protect and enhance the water quality of Riverside County watercourses, water bodies, groundwater and wetlands in a manner pursuant to and consistent with the Federal Clean Water Act.

Preventing pollution is much easier, and less costly than cleaning up polluted stormwater. Runoff from construction and grading sites can carry sediments and other pollutants into storm drains. Also, a developed site can contribute damaging new pollutants to the surrounding environment. A variety of "Best Management Practices" (BMPs) can be used to prevent different types of stormwater pollution.

APPLICATION FOR SURFACE MINING PERMIT

Construction-related water quality impacts shall be addressed in accordance with County Ordinances, and shall comply with the Regional Water Quality Control Board Construction Permit, where applicable. New developments and redevelopments within the Santa Ana and Santa Margarita watershed regions of Riverside County must mitigate their post construction water quality impacts by complying with Section 6 of the Drainage Area Management Plan (DAMP). Some development and redevelopment projects may be required to submit a project-specific WQMP in compliance with Section 6 of the DAMP. Projects within the Whitewater watershed may refer to the Whitewater River Watershed Stormwater Management Plan (SMP). These documents are available on-line at:
<http://www.floodcontrol.co.riverside.ca.us/waterqualitynpdes.asp>.

Noncompliance with Riverside County Ordinance 754.1 may result in the imposition of substantial penalties by the local Regional Water Quality Control Board.

NOTICE OF PUBLIC HEARING
and
INTENT TO ADOPT A MITIGATED NEGATIVE DECLARATION

A **PUBLIC HEARING** has been scheduled, pursuant to Riverside County Land Use Ordinance No. 348, before the **RIVERSIDE COUNTY PLANNING COMMISSION** to consider the project shown below:

SURFACE MINING PERMIT NO. 200 REVISED PERMIT NO. 1– Intent to Adopt a Mitigated Negative Declaration – Applicant: Coachella Valley Aggregates – Engineer/Representative: Lilburn Corporation - Fourth Supervisorial District – Lower Berdoo Canyon Zoning District – Western Coachella Valley Area Plan: Open Space: Open Space: Mineral Resources (OS-MR) and Rural (OS-RUR) (20 Acre Minimum) – Location: Easterly of Dillon Road and northerly of 42nd Avenue / Fargo Canyon Road – 60 Gross Acres - Zoning: Watercourse, Watershed and Conservation Areas (W-1) - **REQUEST:** This revision proposes three amendments. (1) combine RCL00155 and SMP200 into one surface mining plan and reclamation plan under SMP00200R1; (2) add a 25-year operational extension to September 24, 2036 as the existing SMP200 expires on September 24, 2011; and (3) to revise the site plan to include graded slopes in Phase 3 on the east side of the northern 20 acres per normal protocol of the Riverside County Flood Control District (RCFCD). On site concrete recycling, previously permitted by SMP00200, will remain for the proposed life of the project. – APN(s): 601-180-016, 601-210-005 – Related Cases: SMP00200, RCL00155. (Quasi-judicial)

TIME OF HEARING: 9:00 a.m. or as soon as possible thereafter.
DATE OF HEARING: January 5, 2011
PLACE OF HEARING: RIVERSIDE COUNTY ADMINISTRATIVE CENTER
BOARD CHAMBERS, 1ST FLOOR
4080 LEMON STREET
RIVERSIDE, CA 92501

For further information regarding this project, please contact Project Planner, David Jones, at 951-955-6863 or email djones@rctlma.org or go to the County Planning Department's Planning Commission agenda web page at http://www.tlma.co.riverside.ca.us/planning/content/hearings/pc/current_pc.html.

The Riverside County Planning Department has determined that the above project will not have a significant effect on the environment and has recommended adoption of a mitigated negative declaration. The Planning Commission will consider the proposed project and the proposed mitigated negative declaration, at the public hearing. The case file for the proposed project and the proposed mitigated negative declaration may be viewed Monday through Friday, 8:30 a.m. to 4:30 p.m., (with the exception of Noon-1:00 p.m. and holidays) at the County of Riverside Planning Department, 4080 Lemon Street, 9th Floor, Riverside, CA 92502. For further information or an appointment, contact the project planner.

Any person wishing to comment on a proposed project may do so, in writing, between the date of this notice and the public hearing or appear and be heard at the time and place noted above. All comments received prior to the public hearing will be submitted to the Planning Commission, and the Planning Commission will consider such comments, in addition to any oral testimony, before making a decision on the proposed project.

If you challenge this project in court, you may be limited to raising only those issues you or someone else raised at the public hearing, described in this notice, or in written correspondence delivered to the Planning Commission at, or prior to, the public hearing. Be advised that, as a result of public hearings and comment, the Planning Commission may amend, in whole or in part, the proposed project. Accordingly, the designations, development standards, design or improvements, or any properties or lands, within the boundaries of the proposed project, may be changed in a way other than specifically proposed.

Please send all written correspondence to:
RIVERSIDE COUNTY PLANNING DEPARTMENT
Attn: David Jones
P.O. Box 1409, Riverside, CA 92502-1409

PROPERTY OWNERS CERTIFICATION FORM

I, VINNIE NGUYEN, certify that on 8/24/2010,

The attached property owners list was prepared by Riverside County GIS,

APN (s) or case numbers SMPOOZOORI For

Company or Individual's Name Planning Department,

Distance buffered ~~600'~~ 1000'.

Pursuant to application requirements furnished by the Riverside County Planning Department, Said list is a complete and true compilation of the owners of the subject property and all other property owners within 600 feet of the property involved, or if that area yields less than 25 different owners, all property owners within a notification area expanded to yield a minimum of 25 different owners, to a maximum notification area of 2,400 feet from the project boundaries, based upon the latest equalized assessment rolls. If the project is a subdivision with identified off-site access/improvements, said list includes a complete and true compilation of the names and mailing addresses of the owners of all property that is adjacent to the proposed off-site improvement/alignment.

I further certify that the information filed is true and correct to the best of my knowledge. I understand that incorrect or incomplete information may be grounds for rejection or denial of the application.

NAME: Vinnie Nguyen

TITLE GIS Analyst

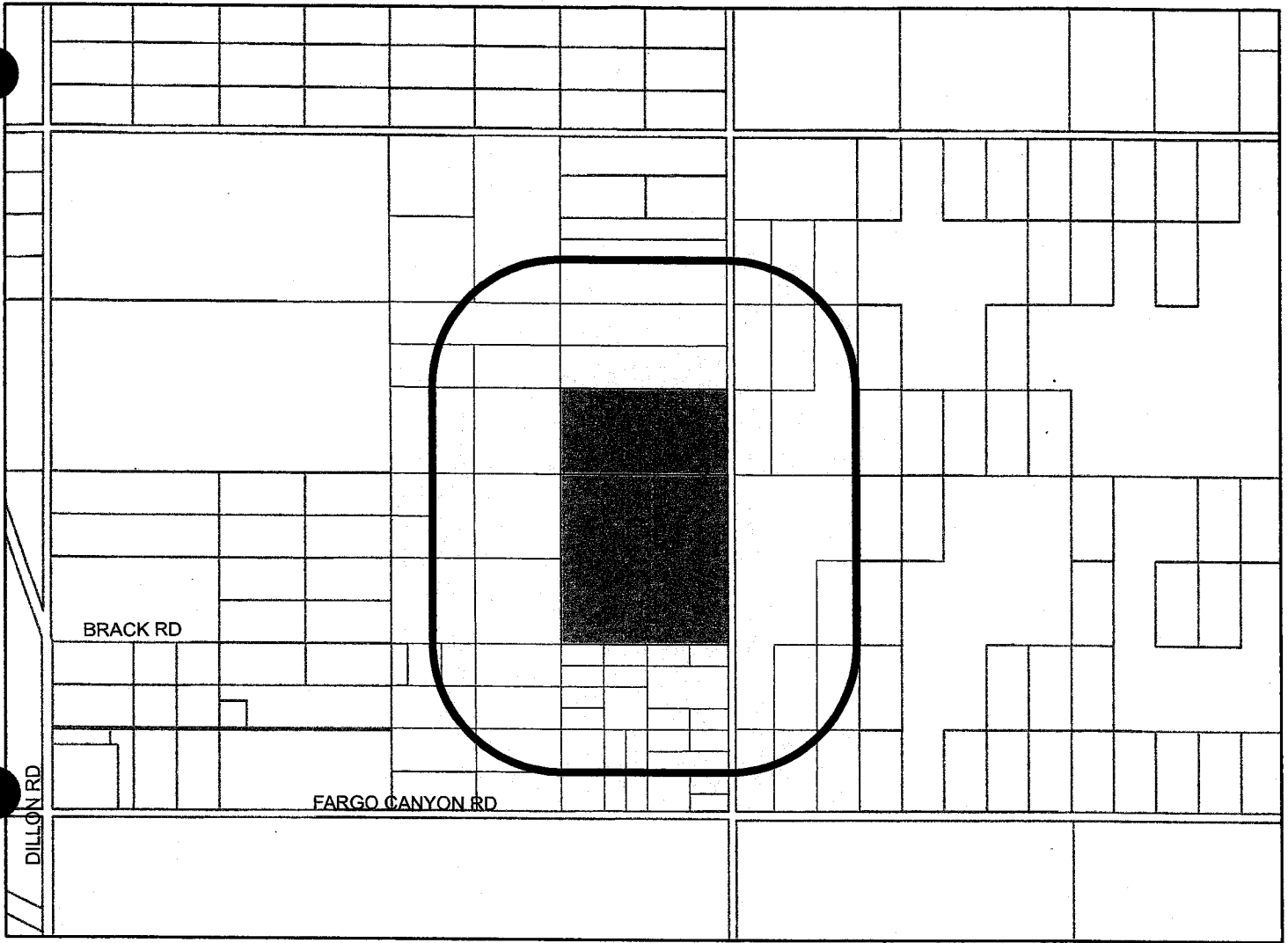
ADDRESS: 4080 Lemon Street 2nd Floor

Riverside, Ca. 92502

TELEPHONE NUMBER (8 a.m. – 5 p.m.): (951) 955-8158

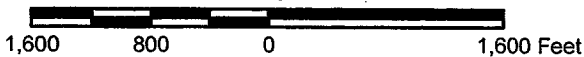
✓ 8/24/10 *CD*
EXPIRES: 2/24/11

1000 foot buffer



Selected Parcels

| | | | | | | | | | |
|-------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|
| 601-210-003 | 601-230-007 | 601-220-038 | 601-220-039 | 601-220-042 | 601-220-033 | 601-220-029 | 601-220-027 | 601-220-020 | 601-220-043 |
| 601-220-045 | 601-220-046 | 601-210-005 | 601-210-004 | 601-210-002 | 601-180-017 | 601-180-016 | 601-180-015 | 601-220-031 | 601-180-020 |
| 601-220-034 | 601-220-022 | 601-180-019 | 601-220-026 | 601-220-013 | 601-220-006 | 601-220-010 | 601-220-018 | 601-220-024 | 601-220-009 |
| 601-220-041 | 601-180-012 | 601-220-049 | 601-220-048 | 601-220-005 | 601-241-005 | 601-241-008 | 601-230-008 | 601-220-002 | 601-241-006 |
| 601-241-003 | 601-241-009 | 601-220-004 | 601-220-007 | 601-230-012 | 601-180-018 | 601-220-003 | 601-210-007 | 601-180-014 | 601-180-010 |
| 601-180-009 | 601-220-037 | 601-230-010 | 601-230-009 | 601-241-010 | 601-230-006 | 601-180-003 | 601-210-006 | 601-241-018 | 601-230-028 |
| 601-180-004 | | | | | | | | | |



Maps and data are to be used for reference purposes only. Map features are approximate, and are not necessarily accurate to surveying or engineering standards. The County of Riverside makes no warranty or guarantee as to the content (the source is often third party), accuracy, timeliness, or completeness of any of the data provided, and assumes no legal responsibility for the information contained on this map. Any use of this product with respect to accuracy and precision shall be the sole responsibility of the user.

APN: 601210003, ASMT: 601210003
ANTONIO RAMIREZ, ETAL
D HECTOR FELIX MARTINEZ GARCIA
54275 AVENIDA OBREGON
LA QUINTA CA 92253

APN: 601241005, ASMT: 601241005
G THOMAS TANSSELLE, ETAL
2113 ROSELAWN DR
LEBANON IN 46052

APN: 601230007, ASMT: 601230007
BASSAM D TURJMAN, ETAL
P O BOX 925389
AMMAN 11110 JORDAN 0

APN: 601241008, ASMT: 601241008
GERALD C PIEMEISL
38143 HIGHWAY 79
WARNER SPRINGS CA 92086

APN: 601220013, ASMT: 601220013
COMMERCIAL RESOURCES INC
P O BOX 77850
CORONA CA 92877

APN: 601230008, ASMT: 601230008
GLENN JAMES OLIVIER
49185 BALADA CT
LA QUINTA CA 92253

APN: 601220009, ASMT: 601220009
COMMERCIAL STREET INV CO
P O BOX 77850
CORONA CA 92877

APN: 601220002, ASMT: 601220002
HELEN PETRULLI
C/O SCOTT HESKES
14 HOLIDAY DR
ALAMO CA 94507

APN: 601180012, ASMT: 601180012
COMMERICAL RESOURCES
P O BOX 77850
CORONA CA 92877

APN: 601241009, ASMT: 601241009
HOLLENBECK & PRUETTE INV
41505 CARLOTTA DR APT 619
PALM DESERT CA 92211

APN: 601220048, ASMT: 601220048
COMMERICAL STREET INV CO
P O BOX 77850
CORONA CA 92877

APN: 601220004, ASMT: 601220004
JOHNNY DURAN YANEZ, ETAL
P O BOX 51
COACHELLA CA 92236

APN: 601220005, ASMT: 601220005
DANIEL P HERNANDEZ, ETAL
HERNANDEZ DANIEL P
2325 S WHITNEY DR
ALHAMBRA CA 91803

APN: 601220007, ASMT: 601220007
JONES BROTHERS LEASING
P O BOX 905
COACHELLA CA 92236

APN: 601230012, ASMT: 601230012
KATHLEEN HOLDERBACH
117 SHADOW HILL DR
LANCASTER CA 93536

APN: 601241010, ASMT: 601241010
RODERICK T WARING
1545 GULF SHORES PKWY 172
GULF SHORES AL 36542

APN: 601180018, ASMT: 601180018
KERY STPETER
STE 172
1545 GULF SHORES PARKWAY
GULF SHORES AL 36542

APN: 601230006, ASMT: 601230006
SHEILA Z STIRLING, ETAL
4132 S RAINBOW BL NO 465
LAS VEGAS NV 89103

APN: 601220003, ASMT: 601220003
KHALED Y OBEIDI
3100 16TH ST
SAN FRANCISCO CA 94103

APN: 601180003, ASMT: 601180003
SURENDER VUTHOORI, ETAL
5 MILTON PL
RANCHO MIRAGE CA 92270

APN: 601210007, ASMT: 601210007
OLFRID PAYSINGER, ETAL
2320 ALVA AVE
CERRITO CA 94530

APN: 601210006, ASMT: 601210006
SYLVIA M NELSON
988 WIGEON WAY
ARROYO GRANDE CA 93420

APN: 601180010, ASMT: 601180010
R K STPETER
3410 LA SIERRA AVE 113F
RIVERSIDE CA 92503

~~APN: 601230028, ASMT: 601230028
USA 601
NONE
UNKNOWN
0~~

APN: 601180009, ASMT: 601180009
ROBERT A LANE, ETAL
400 PUU WAY
HAIKU HI 96708

APN: 601180004, ASMT: 601180004
WILLIAM LARRY MARAGNO, ETAL
24200 JUNIPER SPRINGS RD
HOMELAND CA 92548

APN: 601220037, ASMT: 601220037
ROBERT W JOHNSON, ETAL
6742 SHERIDAN RD
KENOSHA WI 53143

Coachella Valley Water District
Attn: Patty Schwartz
P.O. Box 1058
Coachella, CA 92236

Indio Hills Improvement Assoc.
PO Box 1165
Indio, CA 92202

Southern California Gas Co.
211 N. Sunrise Way
Palm Springs, CA 92262

RWQCB #7
73720 Fred Waring Drive #100
Palm Desert, CA 92260

U.S. Fish and Wildlife Service
Attn: Division Manager, Ecological
Service
6010 Hidden Valley Rd.
Carlsbad, CA 92011

CVAG
Attn: J. Sullivan
73-710 Fred Waring Dr, Ste. 200
Coachella, CA 92260

City of Coachella
1515 Sixth Street
Coachella, CA 92236

Applicant:
Commercial Resources, LLC
P.O. Box 77850
Corona, CA 92877

City of Indio
Planning Department
P. O. Box 1788
Indio, CA 92202

Indio Hills Community Council
ATTN: Debra Scriven
29705 Desert Charm Rd.
Indio Hills, CA 92241

Cabazon Band – Mission Indians
Attn: John Paul Nichols
84245 Indio Springs Drive
Indio, CA

CA Department of Fish & Game
Attn: Kim Nicol
78-078 Country Club Dr., Ste 109
Bermuda Dunes, CA 92203

Desert Sands USD
Attn: Peggie Reyes
47-950 Dune Palms Ave
La Quinta, CA 92253

Verizon
Attn: Chris Brown
83-793 Dr. Carreon Blvd.
Indio, CA 92201

Indio Hills Community Council
ATTN: Michael Lewis, Chairman
31700 Happy Valley Rd.
Indio Hills, CA 92241

Eng-Rep:
Lilburn Corporation
Attn: Marty Derus
1905 Business Center Dr.
San Bernardino, CA 92408

Imperial Irrigation District
ATTN: Alfonso Rodriguez
P.O. Box 1080
La Quinta, CA 92253-1080

Southern California Gas Co.
Attn: Ron Dietl
PO Box 2300
Chatsworth, CA 91313-2300

CALTRANS District #8
Attn: William Mosby
464 W. 4th St., 6th Fl., Mail Stop 726
San Bernardino, CA 92401-1407

Office of Mine Reclamation
California Dept. of Conservation
801 K St.
Mail Stop 09-06
Sacramento, CA 95814

Bureau of Land Management
U.S. Department of the Interior
22835 Calle San Juan De Los Lagos
Moreno Valley, CA 92553

Eastern Information Center
Dept. of Anthropology
1334 Watkins Hall, UCR
Riverside, CA 92521-0418

Owner:
Commercial Street Investment Co.
P.O. Box 77850 C
Corona, CA 92887