

FACE MINING PERMIT Case #: SMP00162R5

Parcel: 519-200-005

10. GENERAL CONDITIONS

10.PLANNING. 87

SMP - GEO02282 (cont.)

RECOMMND

Report No. 2282, Geotechnical Engineering Report by Earth Systems Global, Wind Turbines at Robertson's Cabazon Quarry, Riverside County, California", dated August 10, 2012

"Response to Riverside County Planning Department Review, E-mail Dated August 29, 2012, County Geologic Report No. 2282, Geotechnical Engineering Report by Earth Systems Global, Wind Turbines at Robertson's Cabazon Quarry, Riverside County, California", dated September 4, 2012

These documents are herein incorporated as a part of GEO02282.

GEO02282 concluded:

(ESG)

- 1.The primary risk at the site is a potential earthquake along the San Andreas (San Gorgonio Pass - Garnet Fault) that is about 2.4 miles from the wind turbine site.
- 2.The most significant geologic hazard to the project is severe seismic shaking from earthquakes.
- 3.There are no active faults in the immediate proximity of the proposed turbines. No faults were observed suggesting an overall absence of faulting in the quarry area.
- 4.The potential for surface rupture at these sites is very low.
- 5.The potential for liquefaction to occur at this site is low.
- 6.No future slopes are proposed within 250 feet of the turbine locations as long as the turbines are present.
- 7.The potential for seismically induced slope instability is remote.
- 8.The expected settlement of partially saturated soils at this site is less than 0.5 inch.
- 9.The potential for scour to occur at the tower locations is low.

10/23/12  
11:36

Riverside County LMS  
CONDITIONS OF APPROVAL

Page: 26

SURFACE MINING PERMIT Case #: SMP00162R5

Parcel: 519-200-005

10. GENERAL CONDITIONS

10.PLANNING. 87

SMP - GEO02282 (cont.) (cont.)

RECOMMND

10.Both turbine sites are a minimum of 50 feet from existing adjacent descending slopes that range in height from approximately 30 feet (north site) to 10 feet (south site).

11.The upper soils were found to generally consist of dense to very dense, granular soils derived from river deposited soils. The soils can provide suitable bearing and lateral support for the P&H pier type or gravity spread foundations.

CHJ

1.The proposed reclaimed mine slopes meet "code" minima for factors of safety and are considered stable at their proposed configuration. \* CHJ's report conclusions or recommendations are not intended to apply to any propose wind energy turbines or to any use other than the proposed reclaimed mine slopes.

2.The strength parameters utilized by ESG are not representative of the conditions at the site and are unrealistically conservative. Application of these unrealistic strengths resulted in unrealistically low static stability.

3.The ESG report does not include any justifiable information to question the public health and safety related to these mine slopes.

4.If current seismic practice were to be applied to this project, approved in 2005, a k of 0.20 would be reasonable. Use of the higher seismic coefficient (0.20) yields acceptable current standard of practice minima for static and pseudostatic factors of safety.

GEO02282 recommended:

1.Structures should be designed in accordance with the values and parameters given within the 2010 California Building Code and ASCE 7-05. Seismic loading may be higher than extreme wind loads and may govern structural design.

2.No grading or mining that substantially modifies existing conditions in the immediate vicinity of the proposed turbines be allowed within 250 feet of the turbine locations unless the turbines are relocated or

FACE MINING PERMIT Case #: SMP00162R5

Parcel: 519-200-005

10. GENERAL CONDITIONS

10.PLANNING. 87 SMP - GEO02282 (cont.) (cont.) (cont.)

RECOMMND

decommissioned.

GEO No. 2282 satisfies the requirement for a geologic/geotechnical study for Planning/CEQA purposes for the wind turbine amendment of this mining permit (SMP00162R5). GEO No. 2282 is hereby accepted for Planning purposes for the wind turbines. Engineering and other Uniform Building Code parameters were not included as a part of this review or approval. This approval is not intended and should not be misconstrued as approval for grading permit. Engineering and other building code parameters will be reviewed and additional comments and/or conditions may be imposed by the Building and Safety Department upon application for grading and/or building permits.

10.PLANNING. 88 WCS - EROSION CONSIDERATIONS

RECOMMND

The owner and/or operator of the wind turbines shall inspect the ground surface around the perimeter of the wind turbines immediately following a rain event of low to moderate intensity to confirm, as current analysis concludes, that there will be no detrimental scour or erosion adjacent to the wind turbines. The owner/operator shall perform this inspection during a major rain event (i.e. prior to the rainfall ceasing).

Further, measures (equipment, materials, plans, personnel) shall be in-place/at the ready, prior to the each rainy season, to provide for any remedial protective measures should detrimental scour or erosion threaten the wind turbines.

Any detrimental scour or erosion shall be repaired at the earliest possible time and further remedial measures to prevent future scour or erosion shall be put in place.

A report of any detrimental scour or erosion that occurs, including a description of the extent of the scour/erosion and the remedial measures employed, shall be submitted to the County's Department of Building and Safety along with the submittals required for the SMARA annual mine inspection.

10/23/12  
11:36

Riverside County LMS  
CONDITIONS OF APPROVAL

Page: 28

SURFACE MINING PERMIT Case #: SMP00162R5

Parcel: 519-200-005

10. GENERAL CONDITIONS

10.PLANNING. 89

WCS - TURBINE MAINTENANCE

RECOMMND

The owner/operator of the wind turbines shall inspect and employ all necessary maintenance on the wind trubines no less than twice per calendar year and more fequently should conditions warrant.

A report of the maintenance performed on the wind turbines shall be provided to the County's Department of Building and Safety on an annual basis in conjunction with the required submittals for the SMARA annual mine inspection.

10.PLANNING. 92

SMP - ORD 875 CVMSHCP FEE

RECOMMND

In accordance with Riverside County Ordinance No. 875, to assist in providing revenue to acquire and preserve open space and habitat, a local development mitigation fee shall be paid for each development project or portion of an expanded development project to be constructed in the Coachella Valley and surrounding mountains. The amount of the fee for commercial or industrial development shall be calculated on the basis of "project area," which shall mean the net area, measured in acres, from the adjacent road right-of-way to the limits of the project development.

10.PLANNING. 93

WCS - 250' TURBINE SETBACKS

RECOMMND

No grading or mining that substantially modifies existing conditions in the immediate vicinity of the proposed turbines is allowed within 250 feet of the turbine locations unless the turbines are relocated or decommissioned first.

To ensure grading or mining does not occur within 250 feet of the turbines, appropriate monuments (6 foot high poles), barricades ("K rails") and/or fencing shall be placed around the mine-side 250-foot setback perimeter of the wind turbines. Whatever method of protection to be employed shall also be adorned with adequate signage to prohibit grading and mining within the perimeter of the 250-foot setback.

10.PLANNING. 94

SMP - VOID RELATED PROJECT

RECOMMND

Any approval for use of or development of the area or tract of land which is the subject of this application that was made pursuant to Surface Mining Permit No. 162, Revised Permit No. 2, including all previous modifications thereto,

SURFACE MINING PERMIT Case #: SMP00162R5

Parcel: 519-200-005

10. GENERAL CONDITIONS

10.PLANNING. 94 SMP - VOID RELATED PROJECT (cont.) RECOMMND

shall become null and void upon final approval of Surface Mining Permit No. 162, Revised Permit No. 5, by the County of Riverside.

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

EPD DEPARTMENT

20.EPD. 1 - BIO MONITORING REPORT RECOMMND

One year from the start of operation, a biologist who holds an MOU with the county of Riverside, shall submit a Biological Monitoring report detailing the results of monitoring throughout the first year of operation. The report shall include any bird or bat carcasses found on site, and how those carcasses were handled.

PLANNING DEPARTMENT

20.PLANNING. 1 SMP - LIFE OF PERMIT RECOMMND

This permit shall become null and void fifty (50) years after the initial approval date (expires 12/31/2041) or upon mining of 120,000,000 cubic yards of material, whichever occurs first. Extensions of time to the life of this permit shall require submission of a revised permit

10/23/12  
11:36

Riverside County LMS  
CONDITIONS OF APPROVAL

Page: 30

SURFACE MINING PERMIT Case #: SMP00162R5

Parcel: 519-200-005

20. PRIOR TO A CERTAIN DATE

20.PLANNING. 1 SMP - LIFE OF PERMIT (cont.)

RECOMMND

application in accordance with Riverside County's Ordinance No. 555.

20.PLANNING. 3 WCS - UNDEVELOPED VOID DATE

RECOMMND

Notwithstanding any other condition of approval herein, this permit for the WECS portion shall become null and void on January 1, 2015, as it applies to any undeveloped portion or any undeveloped phase(s) of the WECS portion of the property; "undeveloped" shall mean where no lawful occupancy or structure exists. A notice to the Building and Safety Department concerning this condition shall be placed on this application to take effect on the date specified in this condition.

60. PRIOR TO GRADING PRMT ISSUANCE

EPD DEPARTMENT

60.EPD. 1 - BIOLOGICAL MONITORING

RECOM

Prior to the issuance of a grading permit or building permit which ever occurs, a biologist who holds an MOU with the county of Riverside, shall submit a proposal for a 1 - Year Post Construction Monitoring Plan in order to monitor the operational effects of the wind turbines. The Monitoring Plan shall be submitted to the Riverside County Planning Department, Environmental Programs Division (EPD) for review and approval. The report shall provide details and procedures for on-site works in the event bird or bat carcasses are found by working staff, as well as any procedures employed for desert tortoise clearance survey. The report should identify how each species will be identified and recorded as well as the eventual disposal process of any carcass. The report shall clearly identify all aspects and procedures that are required to effectively monitor the operations of the wind turbines for a full year. A final report shall be submitted to EPD after one year of operation.

FLOOD RI DEPARTMENT

60.FLOOD RI. 1 SMP ENCROACHMENT PERMIT REQ

RECOMMND

An encroachment permit shall be obtained for any work within the District right of way or with District

FACE MINING PERMIT Case #: SMP00162R5

Parcel: 519-200-005

60. PRIOR TO GRADING PRMT ISSUANCE

60.FLOOD RI. 1 SMP ENCROACHMENT PERMIT REQ (cont.)

RECOMMND

facilities. The encroachment permit application shall be processed and approved concurrently with the improvement plans.

PLANNING DEPARTMENT

60.PLANNING. 1 SMP - CULTURAL RESOURCES PROFE

RECOMMND

As a result of the knowledge that the project area is within the Traditional Use Area of the Morongo Band of Mission Indians, and that the general area is sensitive for prehistoric Native Amercian cultural resources, and that tribal monitoring has been required for the "Phase II West Basin" since the second revision of this permit, the additional requirement for limited archaeological monitoring is now required for "Phase II West Basin" in those areas not previously mined, and for the specific locations of the two wind turbines including a 100 foot radius around the footprint of the wind turbines and any related construction-related equipment or lay-down area associated with the two turbines.

Prior to the issuance of grading permits, the developer/permit holder shall retain and enter into a monitoring and mitigation service contract with a qualified Archaeologist for services. This professional shall be known as the "Project Archaeologist." The Project Archaeologist shall be included in the pre-grade meetings to provide cultural/historical sensitivity training including the establishment of set guidelines for ground disturbance in sensitive areas with the grading contractors and any required tribal or special interest monitors. The Project Archaeologist shall manage and oversee monitoring for all initial ground disturbing activities and excavation of each portion of the project site including clearing, grubbing, tree removals, grading, trenching, stockpiling of materials, rock crushing, structure demolition and etc. The Project Archaeologist shall have the authority to temporarily divert, redirect or halt the ground disturbance activities to allow identification, evaluation, and potential recovery of cultural resources in coordination with the required tribal or special interest monitors. After a reasonable amount of monitoring, no cultural deposits should be identified, the Project Archaeologist may recommend to the County Archaeologist for approval that monitoring be reduced or eliminated.

SURFACE MINING PERMIT Case #: SMP00162R5

Parcel: 519-200-005

60. PRIOR TO GRADING PRMT ISSUANCE

60.PLANNING. 1

SMP - CULTURAL RESOURCES PROFE (cont.)

RECOMMND

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

NOTE:

1)The Project Archaeologist is responsible for implementing mitigation using standard professional practices for cultural resources. The Professional shall consult with the County, developer/permit holder and any required tribal or special interest group monitor throughout the process.

2)This agreement shall not modify any approved condition of approval or mitigation measure.

60.PLANNING. 3

SMP - TRIBAL MONITORING

RECOMMND

As a result of previously approved condition for SMP 00162R2 to allow the Morongo Band of Mission Indians to provide tribal monitoring, and a letter from the Band dated October 17, 2011, tribal monitoring of the archaeological monitoring shall be allowed for this project revision. Prior to the issuance of grading permits, the developer/permit holder shall enter into contract and retain a monitor designated by the Morongo Band of Mission Indians. This group shall be known as the Tribal Monitor for this project. The contract shall address the treatment and ultimate disposition of cultural resources which may include repatriation and/or curation in a Riverside County approved curation facility.

The Tribal Monitor(s) shall be allowed on-site during all initial ground disturbing activities and excavation of each portion of the project site including clearing, grubbing, tree removals, grading, trenching, stockpiling of materials, rock crushing, structure demolition and etc. The Tribal Monitor shall have the limited authority to temporarily divert, redirect or halt the ground disturbance activities to allow identification, evaluation, and potential recovery of cultural resources in coordination with the Project Archaeologist. Should archaeological monitoring be reduce or eliminated, tribal monitoring shall also be reduced or eliminated.

The developer/permit holder shall submit a fully executed



FACE MINING PERMIT Case #: SMP00162R5

Parcel: 519-200-005

60. PRIOR TO GRADING PRMT ISSUANCE

60.PLANNING. 3 SMP - TRIBAL MONITORING (cont.)

RECOMMND

copy of the contract to the Riverside County Planning Department to ensure compliance with this condition of approval. Upon verification, the Planning Department shall clear this condition.

NOTE:

1) The Project Archaeologist is responsible for implementing mitigation and standard professional practices for cultural resources, and shall consult with the County and developer/permit holder throughout the process.

2) Tribal monitoring does not replace any required Cultural Resources (archaeological) monitoring, but rather serves as a supplement for consultation and advisory purposes for Tribal interests only.

3) This agreement shall not modify any approved condition of approval or mitigation measure.

4) The developer/permit holder shall contact the Planning Director for consideration of this condition after forty-five (45) days, if an agreement with the tribe has not been met.

5) Should repatriation be preferred, it shall not occur until after the Phase IV monitoring report has been submitted to the Riverside County Planning Department. Should curation be preferred, the developer/permit holder is responsible for all costs.

60.PLANNING. 6 SMP - RCL RECLAMATION PLAN

RECOMMND

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

60.PLANNING. 10 SMP - YR RECLAMATION REPORT

RECOMMND

The permittee shall submit a final reclamation completion report prior to the completion of each phase and a final report prior to the expiration of the permit, to the Building and Safety Director and Planning Director for review and approval. This report shall indicate the

SURFACE MINING PERMIT Case #: SMP00162R5

Parcel: 519-200-005

60. PRIOR TO GRADING PRMT ISSUANCE

60.PLANNING. 10 SMP - YR RECLAMATION REPORT (cont.)

RECOMMND

completion of reclamation in accordance with the approved plan, including final contours, slope configuration of 2:1 (horizontal:vertical), resoiled areas, erosion control structures, and successful revegetation. This report shall be submitted at least 30 days prior to completion of each phase and expiration of this permit. This report shall be accompanied by a stamped and wet-signed substantial conformance letter from an independent licensed engineer, landscape architect, geologist or other appropriate professional stating that the project was reclaimed pursuant to the approved Reclamation Plan.

60.PLANNING. 17 SMP - YR REPORT REQUIREMENTS

RECOMMND

The permittee shall provide the following information as part of the annual report required by Condition No. 60.10 This report shall be prepared by a qualified, licensed professional.

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

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

c. Maximum depth of excavation.

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

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

f. Provide data indicating the area reclaimed for the year concluding and for the total amount reclaimed to date. Certify that reclamation is complete in these areas.

g. A Certified Engineering Geologist or Geotechnical Engineer shall inspect all excavated slopes within the surface mining area at least once per year for slope stability. The results of this inspection and any recommendations for slope remediation shall be included with the annual report.

FACE MINING PERMIT Case #: SMP00162R5

Parcel: 519-200-005

60. PRIOR TO GRADING PRMT ISSUANCE

60.PLANNING. 17 SMP - YR REPORT REQUIREMENTS (cont.)

RECOMMND

h. The permittee shall report the discovery of any fossil vertebrate animal remains in the annual report. Upon discovery of such fossil remains, the permittee shall cause a paleontologist to be retained for the project to immediately evaluate the fossils to determine their significance and develop a collection and study plan in conformance with the Paleontological Survey prepared for the site by Jeanette A. McKenna for Lilburn Corporation, a copy of which is on file at the Riverside County Planning Department. The report of findings shall be submitted with the annual report.

60.PLANNING. 18 SMP - YR TEST DUST EMISSIONS

RECOMMND

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

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

b. The results of the air quality testing shall meet or not exceed SCAQMD standards for PM10 (upwind/downwind PM10 differences shall not exceed 50 micrograms per cubic meter). If the air quality testing results indicate non-compliance with the SCAQMD standards, State and Federal rules and regulations, including, but not limited to SCAQMD Rule 403 for fugitive dust, and State and Federal

10/23/12  
11:36

Riverside County LMS  
CONDITIONS OF APPROVAL

Page: 36

SURFACE MINING PERMIT Case #: SMP00162R5

Parcel: 519-200-005

60. PRIOR TO GRADING PRMT ISSUANCE

60.PLANNING. 18 SMP - YR TEST DUST EMISSIONS (cont.)

RECOMMND

regulations pertaining to crystalline silica dust emissions, the permittee shall cease surface mining operations until further fugitive dust emission mitigation measures are included and implemented with the fugitive dust emissions control plan. Further testing shall then be performed to confirm compliance with the SCAQMD standards and State and Federal rules and regulations described above. The mitigation measures and further testing shall be submitted to the Planning Director for review and approval prior to commencement of further surface mining operations.

c. The results of air quality testing, monitoring, and/or new mitigation measures shall be included with the annual report required by Condition No. 5.1.

60.PLANNING. 19 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, and/or by adjustments to the U.S. Department of Labor Consumer Price Index for the Los Angeles-Long Beach Metropolitan Area.

60.PLANNING. 22 SMP - FEE BALANCE

RECOMMND

Prior to issuance of ANNUAL INSPECTION PERMITS the Planning Department shall determine if the deposit based fees for SMP No. 162, Revision No. 5 are in a negative balance. If so, any outstanding fees shall be paid by the applicant/developer.

60.PLANNING. 23 SMP - C/I SWPPP BMP REQD

RECOMMND

The permit holder shall provide written proof of compliance with the California Regional Water Quality Control Board, Santa Ana Region's Watershed-wide waste discharge requirements as follows:

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

FACE MINING PERMIT Case #: SMP00162R5

Parcel: 519-200-005

60. PRIOR TO GRADING PRMT ISSUANCE

60.PLANNING. 23

SMP - C/I SWPPP BMP REQD (cont.)

RECOMMND

Initial residents, occupants, or tenants of this site shall receive educational materials on good house keeping practices which contribute to the protection of storm water quality. These Educational materials shall be provided by the Riverside County Flood Control and Water Conservation District and shall be distributed by the Property Owners' Association. These materials shall address good housekeeping practices associated with the sites's land use and or uses (e.g., good housekeeping practices for office, commercial, retail commercial, vehicle-related commercial, or industrial land use). Employers at this site shall adapt these materials for training their employees in good housekeeping practices (BMP N1 & N13);

Only pesticide applicators who are certified by the State of California as Qualified Applicators or who are directly supervised by a Qualified Applicator shall apply pesticides to common area landscaping. The applicator shall apply all pesticides in strict accordance with pesticide application laws as stated in the California Food and Agricultural Code. Fertilizer shall be applied to common area landscaping in accordance with the manufacturer's recommendations. Application to hardscape surfaces shall be avoided (BMP N3);

The 'catch basin(s)', more particularly described on Exhibit '\_\_\_', shall be inspected and, if necessary, cleaned by the Property Owners' Association no later than October 15th of each year. "ONLY RAIN IN THE DRAIN" and "NO DUMPING" stencils shall be repainted as necessary to maintain legibility (BMP N4 & S12);

The Property Owners' Association shall keep the common area(s) free of litter. Litter shall be removed from the common area, and litter receptacles shall be emptied at least once a month. Where improper disposal of trash has occurred, the Property Owners' Association shall take corrective action within forty-eight hours of discovery (BMP N5);

The 'water quality inlet(s), oil/water seperator(s) and trash rack(s)', more particularly described on Exhibit '\_\_\_', shall be inspected and, if necessary, cleaned by the Property Owners' Association no later that October 15th of each year (BMP S4 & S13);

10/23/12  
11:36

Riverside County LMS  
CONDITIONS OF APPROVAL

Page: 38

SURFACE MINING PERMIT Case #: SMP00162R5

Parcel: 519-200-005

60. PRIOR TO GRADING PRMT ISSUANCE

60.PLANNING. 23

SMP - C/I SWPPP BMP REQD (cont.) (cont.)

RECOMMND

The Property Owner's Association shall keep the common area(s) free of litter. Litter shall be removed from the common area, and litter receptacles shall be emptied at least once a month. Where improper disposal of trash has occurred, the Property Owner's Association shall take corrective action within forty-eight hours of discovery (BMP N5);

The Street(s) and parking lot(s), more particularly described on Exhibit '\_\_\_', shall be swept by the Property Owner's Association at least once a year and shall be swept no later than October 15th of each year (BMP N6);

The Property Owner's Association shall keep loading docks in a clean and orderly condition through a regular program of sweeping, litter control, and the immediate cleanup of spills and broken containers. In accordance with the Riverside County Ordinance No. 754, Establishing Storm Water/Urban Runoff Management and Discharge Controls, illicit discharges and non-storm water discharges (e.g., wash water) from loading docks to storm water drains shall not be allowed (BMP N12);

The Property Owner's Association shall maintain an up-to-date list identifying the party or parties responsible for the implementation and maintenance of each of the BMPs described herein. The list shall include the party's name, organization, address, a phone number at which the party may be reached 24 hours a day, and a description of the party's responsibility for implementation and maintenance of a particular BMP (BMP N14).

60.PLANNING. 26

SMP - YR ANNUAL INSPECTIONS

RECOMMND

The permittee shall apply for a Special Inspection Permit from the Riverside County Department of Building and Safety and submit to this inspection pursuant to SMARA regulations at least once per year during the life of this mining permit.

60.PLANNING. 27

SMP - RELOC GAS AND OIL LINES

RECOMMND

Prior to the mining of any material in Phase III, as shown on Exhibit "A", the 36" natural gas line and the 16" oil

SURFACE MINING PERMIT Case #: SMP00162R5

Parcel: 519-200-005

60. PRIOR TO GRADING PRMT ISSUANCE

60.PLANNING. 27 SMP - RELOC GAS AND OIL LINES (cont.) RECOMMND

line shall be relocated outside of the mining area.

70. PRIOR TO GRADING FINAL INSPECT

PLANNING DEPARTMENT

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

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

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

All roads within the project limits shall be posted with speed limit signs of 15 miles per hour.

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

The outer boundary of the mining, processing, maintenance and access road areas shall be posted with "No Trespassing" signs as delineated on Mining Plan, Exhibit "A" and/or as deemed necessary by the County's mine inspector during annual inspections. Said "No Trespassing" signs shall be maintained to the completion of the project.

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

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

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

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

SURFACE MINING PERMIT Case #: SMP00162R5

Parcel: 519-200-005

70. PRIOR TO GRADING FINAL INSPECT

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

throughout the life of this mining permit.

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

BS GRADE DEPARTMENT

80.BS GRADE. 1 WCS - SITE EVALUATION RECOMMND

The information provided does not indicate whether any grading has taken place or will take place for construction of the wind turbines. Therefore, prior to the issuance of any building permit(s), the applicant shall provide the Building & Safety Department with documentation that the wind turbine site is not graded - a site is considered not graded if it has less than 50 cubic yards of cut or fill (whichever is greater) material on it. If the grading status of the site cannot be determined from the information supplied by the applicant, documentation of site status will be required. Documentation can be in the form of a signed and stamped letter from a registered civil engineer - stating less than 50 cubic yards of cut or fill material has been graded - or by a special inspection permit from the Building & Safety Department. This permit pays for a site review to determine the need for further information or a permit on the existing grading - if any.

Site evaluation need not take place if the applicant obtains a grading permit.

EPD DEPARTMENT

80.EPD. 1 SMP - BIOLOGICAL MONITORING RECOMMND

Prior to the issuance of a grading permit or building permit which ever occurs first, a biologist who holds an MOU with the County of Riverside, shall submit a proposal for a 1 - year Post Construction Monitoring Plan in order to monitor the operational effects of the wind turbines. The Monitoring shall be submitted to the Riverside County



FACE MINING PERMIT Case #: SMP00162R5

Parcel: 519-200-005

80. PRIOR TO BLDG PRMT ISSUANCE

80.EPD. 1 SMP - BIOLOGICAL MONITORING (cont.)

RECOMMND

Planning Department, Environmental Programs Division (EPD) for review and approval. The report shall provide details and procedures for on-site work in the event bird or bat carcasses are found by working staff, as well as any procedures employed for desert tortoise clearance survey. The report shall identify how each species will be identified and recorded as well as the eventual disposal process of any carcass. The report shall clearly identify all aspects and procedures that are required to effectively monitor the operations of the wind turbines for a full year. A final report shall be submitted to EPD after one year of operation.

FIRE DEPARTMENT

80.FIRE. 2 WCS-WIND TURBINE TOWERS

RECOMMND

The following areas shall be cleared of vegetation and maintained as a fire/fuel break as long as the generators are in operation:

a) Thirty (30) feet around the periphery of the project. Access roads that completely surround the project may satisfy this requirement, if approved by the Fire Department.

b) Ten (10) radius feet around all transformers and wind turbine towers. c) Thirty (30) feet around all buildings.

d) All buildings or equipment enclosures of substantial size containing control panels, switching equipment, or transmission equipment, and no regular human occupancy, shall be equipped with an automatic fire extinguishing system of a Halon or dry chemical type. This requirement shall not apply to the Nacells. Plans for such systems must be submitted to the Fire Department for review or approval.

FLOOD RI DEPARTMENT

80.FLOOD RI. 1 SMP ENCHROACHMENT PERMIT

RECOMMND

An encroachment permit shall be obtained for any work within the District right of way or with District facilities. The encroachment permit application shall be processed and approved concurrently with the improvement

10/23/12  
11:36

Riverside County LMS  
CONDITIONS OF APPROVAL

Page: 42

SURFACE MINING PERMIT Case #: SMP00162R5

Parcel: 519-200-005

80. PRIOR TO BLDG PRMT ISSUANCE

80.FLOOD RI. 1 SMP ENCHROACHMENT PERMIT (cont.) RECOMMND  
plans.

PLANNING DEPARTMENT

80.PLANNING. 3 WCS - WIMP FEES RECOMMND  
PRIOR TO THE ISSUANCE OF BUILDING PERMITS, the permit holder shall pay to the Planning Director all Wind Implementation Monitoring Program (WIMP) fees established by the Board of Supervisors and in effect at the time of the request for a building permit.

80.PLANNING. 4 WCS - PAY ALL PROPERTY TAX RECOMMND  
The permit holder shall pay all property taxes due prior to the issuance of building permits, as assessed by the Riverside County Tax Collector. The Planning Department may require written certification from the Office of the County Treasurer & Tax Collector or other forms of verification to be presented by the permit holder in order to assure compliance with this condition of approval.

80.PLANNING. 5 WCS - STAKE PROPERTY RECOMMND  
PRIOR TO ISSUANCE OF BUILDING PERMITS, the permit holder shall place identified stakes at each corner of the the two turbine lease areas to contain the commercial WECS, as shown in the APPROVED EXHIBIT "A". Additional stakes may be required, as determined by the Planning Director or Building Director. The stakes shall extend at least three (3) feet above the ground and shall be maintained during the construction, repowering and restoration period(s) of this permit.

The Planning Department shall require the permit holder to submit written certification from a state licensed professional and/or inspection by county staff in order to verify compliance with this condition of approval.

80.PLANNING. 6 WCS - CERTIFY STRUCTURE RECOMMND  
PRIOR TO THE ISSUANCE OF BUILDING PERMITS for any WECS, a California registered structural and electrical engineer shall certify, in writing, to the satisfaction of the Director of the Department of Building and Safety, that the WECS foundations, tower and compatibility of the tower with

FACE MINING PERMIT Case #: SMP00162R5

Parcel: 519-200-005

80. PRIOR TO BLDG PRMT ISSUANCE

80.PLANNING. 6                   WCS - CERTIFY STRUCTURE (cont.)                   RECOMMND

the rotor and the rotor related equipment, and the electrical system, conform with good engineering practice and comply with the applicable provisions of the Uniform Building and Electrical Code that have been adopted by the County.

80.PLANNING. 7                   WCS - CERTIFY MECHANICAL                   RECOMMND

PRIOR TO THE ISSUANCE OF BUILDING PERMITS for any WECS, a registered mechanical engineer shall certify, in writing, to the satisfaction of the Director of the Department of Building and Safety, that the WECS mechanical system, including rotor overspeed control system, conforms to good engineering practice and complies with the appropriate provisions of the mechanical codes adopted by the County.

80.PLANNING. 8                   WCS - COLOR & FINISH                   RECOMMND

PRIOR TO THE ISSUANCE OF BUILDING PERMITS FOR ANY WECS or tower, the permit holder shall submit, for the approval of the Planning Department, four (4) 5" x 5" color and finish samples of the exterior WECS components and towers.

80.PLANNING. 12                  WCS - INDUST HYGIENE CLEARANCE                  RECOMMND

A clearance letter from Riverside County Department of Public Health, Office of Industrial Hygiene shall be provided to the Riverside County Planning Department verifying compliance with the conditions contained in their letter dated December 21, 2011, a copy which is attached to these conditions.

80.PLANNING. 13                  SMP - 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.

80.PLANNING. 14                  WCS - HEIGHT LIMITATIONS                  RECOMMND

WECS within this permit shall not exceed 338.6 feet in overall height. The permittee shall demonstrate to the satisfaction of the Planning Director and the Director of the Department of Building and Safety that construction plans comply with the above maximum height limits;

SURFACE MINING PERMIT Case #: SMP00162R5

Parcel: 519-200-005

80. PRIOR TO BLDG PRMT ISSUANCE

80.PLANNING. 14                   WCS - HEIGHT LIMITATIONS (cont.)                   RECOMMND

verification of compliance with the height limits of this permit may include submission of a written certification by a state licensed professional that plans submitted to the Department of Building and Safety are in compliance and/or inspection of such plans by county staff.

80.PLANNING. 15                   WCS - ALUC CLEARANCE                   RECOMMND

Prior to building permit issuance for the WECS, a clearance letter from the Airport Land Use Commisision shall be provided to the Riverside County Planning Department verifying compliance with the conditions contained in their letter dated November 7, 2011, a copy attached to these conditions.

80.PLANNING. 16                   USE - SCHOOL MITIGATION                   RECOMMND

Impacts to the Banning Unified School District shall be mitigated in accordance with California State law.

TRANS DEPARTMENT

80.TRANS. 1                       SMP - R-O-W DEDICATION                   RECOMMND

Sufficient right-of-way along Apache Trail (projects easterly boundary) shall be conveyed for public use to provide for a 59-foot half-width dedicated right-of-way.

90. PRIOR TO BLDG FINAL INSPECTION

FIRE DEPARTMENT

90.FIRE. 1                       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. 2                       SMP-#27-EXTINGUISHERS                   RECOMMND

Install portable fire extinguishers with a minimum rating of 2A-10BC and signage. Fire extinguishers located in public areas shall be in recessed cabinets mounted 48" (inches) to center above floor level with maximum 4" (inch) projection from the wall. Contact Fire Department for proper placement of equipment prior to installation.

FACE MINING PERMIT Case #: SMP00162R5

Parcel: 519-200-005

90. PRIOR TO BLDG FINAL INSPECTION

90.FIRE. 3                      WCS-WIND TURBINE TOWERS                      RECOMMND

The following areas shall be cleared of vegetation and maintained as a fire/fuel break as long as the generators are in operation: a) Thirty (30) feet around the periphery of the project. Access roads that completely surround the project may satisfy this requirement, if approved by the Fire Department. b) Ten (10) radius feet around all transformers and wind turbine towers. c) Thirty (30) feet around all buildings.

90.FIRE. 4                      FINAL INSPECTION                      RECOMMND

Prior to occupancy a Fire Department inspection is required to verify all conditions stated at plan check are met.

Riverside office    (951)955-4777  
Murrieta office    (951)600-6160  
Indio Office        (760)863-8886

PLANNING DEPARTMENT

90.PLANNING. 1                      SMP - CULTURAL RESOURCES RPT                      RECOMMND

Prior to final inspection of the first building permit, the developer/permit holder shall prompt the Cultural Resources Professional to submit two (2) copies of a Phase IV Cultural Resources Monitoring Report that complies with the Riverside County Planning Department's requirements for such reports. The report shall include evidence of the required cultural/historical sensitivity training for the construction staff held during the pre-grade meeting. The Planning Department shall review the report to determine adequate mitigation compliance. Provided the report is adequate, the Planning Department shall clear this condition.

90.PLANNING. 4                      WCS - WECS IDENTIFICATION                      RECOMMND

A number or other identification, for each WECS approved by this permit, shall be assigned by the Department of Building and Safety and permanently affixed to the base of each WECS tower or foundation. This number or other identification shall not be change by the permittee or removed from the WECS tower or foundation without the approval of the Department of Building and Safety. The number or other identification shall be cited in connection will all reports involving individual WECS connected with

10/23/12  
11:36

Riverside County LMS  
CONDITIONS OF APPROVAL

Page: 46

SURFACE MINING PERMIT Case #: SMP00162R5

Parcel: 519-200-005

90. PRIOR TO BLDG FINAL INSPECTION

90.PLANNING. 4 WCS - WECS IDENTIFICATION (cont.)

RECOMMND

this commercial WECS permit.

90.PLANNING. 5 WCS - COLOR OF WECS

RECOMMND

PRIOR TO FINAL BUILDING INSPECTION APPROVAL of each WECS and tower, the coloration of all exterior components and towers allowed by this permit shall be off-white, including blades; notwithstanding the previous statement, the final selection of WECS and tower coloration shall be approved by the Planning Department based on the intent and purpose of this condition. The finish of all WECS exterior components allowed by this permit shall be flat, matte or galvanized. The finish of all WECS shall weather within a six (6) month period, beginning from the point in time the WECS produces electrical powere, to a lusterless condition. The approved coloration and finish shall be maintained, as required herein, throughout the life of this permit.

90.PLANNING. 6 WCS - UNDERGROUND LINES

RECOMM

PRIOR TO FINAL BUILDING INSPECTION APPROVAL of each WECS and tower, as applicable, and, for the entire WECS array, at the last WECS and tower, electrical collection lines or cables on the site shall be underground up to the low voltage side of the utility interface point of the on-site transformer, excepting a portion of the cable that will travel overhead adjacent to the existing mine, and be returned underground to the step down transformer, and continue underground to the point of interconnection, as approved by the Department of Building and Safety.

All on-site electrical transformers shall be pad-mounted.

90.PLANNING. 7 WCS - WARNING SIGNS

RECOMMND

PRIOR TO THE FINAL BUILDING INSPECTION APPROVAL of the WECS and tower, legible signs, warning of WECS electrical and other hazards, shall be posted on stationary positions of the WECS or its tower and at gated entry points to the project site, at a height of three to five feet above the ground. Warning signs shall be in English and Spanish.

90.PLANNING. 8 WCS - REQ. DRIVEWAY SURFACE

RECOMMND

PRIOR TO FINAL BUILDING INSPECTION APPROVAL for each WECS and tower, all permanent private roads, internal

FACE MINING PERMIT Case #: SMP00162R5

Parcel: 519-200-005

90. PRIOR TO BLDG FINAL INSPECTION

90.PLANNING. 8                   WCS - REQ. DRIVEWAY SURFACE (cont.)                   RECOMMND

circulation routes, parking areas, fire breaks, permanent storage areas, and substations serving that WECS and tower shall be treated with minimum one (1) inch thick gravel rock base, composed of 60 percent gravel, 40 percent crushed rock mixture and/or be treated with a South Coast Air Quality Management District (SCAQMD) best available control measure, as outlined in SCAQMD documents and maintained thereafter in accordance with the appropriate SCAQMD PM10 (dust and blowsand) abatement procedures, and, with the applicable sections of Ordinance No. 742 (Fugitive Dust/PM10 Control in Urban Areas) to the satisfaction of the Director of the Department of Building and Safety.

90.PLANNING. 9                   WCS - REMOVE TEMPORARY USES                   RECOMMND

PRIOR TO FINAL BUILDING INSPECTION APPROVAL of the last WECS and tower, all temporary storage uses and construction trash shall be removed from the project property and the temporary storage areas treated to prevent dust and blowsand, in accordance with the removal and restoration plan approved by the Planning Department.

90.PLANNING. 10                   WCS - PERIMETER FENCE                   RECOMMND

PRIOR TO FINAL BUILDING INSPECTION APPROVAL of the first WECS and tower, a six (6) foot high chain-link fence and locking portals shall be erected along the boundaries of each WECS lease area and shall be maintained in good condition so as to prevent and discourage unauthorized entry at all times during the life of this permit. Should the project be near I-10, the fence shall be setback a minimum of 400 feet from the respective highway right-of-way unless otherwise approved by the Planning Department based on security requirements. The fence shall be subject to the approval of the Department of Building and Safety.

90.PLANNING. 12                   WCS - ORD NO. 659 (DIF)                   RECOMMND

Prior to the issuance of either a certificate of occupancy or prior to building permit final inspection for the wind turbine (WECS) portion of the project, the applicant shall comply with the provisions of Riverside County Ordinance No. 659, which requires the payment of the appropriate fee set forth in the Ordinance. Riverside County Ordinance No. 659 has been established to set forth

SURFACE MINING PERMIT Case #: SMP00162R5

Parcel: 519-200-005

90. PRIOR TO BLDG FINAL INSPECTION

90.PLANNING. 12

WCS - ORD NO. 659 (DIF) (cont.)

RECOMMND

policies, regulations and fees related to the funding and installation of facilities and the acquisition of open space and habitat necessary to address the direct and cumulative environmental effects generated by new development project described and defined in this Ordinance, and it establishes the authorized uses of the fees collected.

The amount of the fee for commercial or industrial development shall be calculated on the basis of the "Project Area," as defined in the Ordinance, which shall mean the net area, measured in acres, from the adjacent road right-of-way to the limits of the project development. The Project Area for the commercial wind turbine areas has been calculated to be .01 net acres for the WECS portion of the project.

In the event Riverside County Ordinance No. 659 is rescinded, this condition will no longer be applicable. However, should Riverside County Ordinance No. 659 be rescinded and superseded by a subsequent mitigation fee ordinance, payment of the appropriate fee set forth in that ordinance shall be required.

90.PLANNING. 13

WCS - HEIGHT LIMITATIONS

RECOMMND

WECS within this permit shall not exceed 338.6 feet in height. All WECS shall comply with approved construction plans that are designed in accordance with this condition. The permit holder may be required to submit to the Planning Department a written certification from a state licensed professional that all WECS within this permit comply with the height limits indicated above. The Planning Department may require inspection by county staff to further verify compliance with this condition of approval.

90.PLANNING. 14

WCS - ALUC CLEARANCE

RECOMMND

A clearance letter from the Airport Land Use Commission shall be provided to the Riverside County Planning Department verifying compliance with the conditions of their letter dated November 7, 2011, a copy which is attached to these conditions.



FACE MINING PERMIT Case #: SMP00162R5

Parcel: 519-200-005

90. PRIOR TO BLDG FINAL INSPECTION

90.PLANNING. 15                   WCS - INDUSTRIAL HYGIENE                   RECOMMND

A clearance letter from the Department of Public Health, Office of Industrial Hygiene shall be provided to the Riverside County Planning Department verifying compliance with the conditions of their letter dated December 21, 2011, a copy which is attached to these conditions.

90.PLANNING. 16                   WCS - WECS NOISE SIGN                   RECOMMND

Prior to final building inspection approval of the two wind turbines, a legible sign (no greater than 6 square feet) with MINE OWNER CONTACT name/telephone number and COUNTY INDUSTRIAL HYGIENE DIVISION telephone number shall be placed at gated entry point of the primary mine entrance in a stationary position, at a height of three to five feet above the ground, in case any member of the public has a noise complaint about the two wind turbines.

90.PLANNING. 17                   WCS - 250' TURBINE SETBACKS                   RECOMMND

Prior to final building inspection of the two wind turbines, appropriate monuments (6 foot high poles), barricades (K rails), and/or fencing shall be placed around the mine-side 250-foot setback perimeter of the wind turbines. Whatever method of protection to be employed shall also be adorned with adequate signage to prohibit grading and mining within the perimeter of the 250-foot setback.

TRANS DEPARTMENT

90.TRANS. 1                       SMP - WRCOG TUMF                       RECOMMND

Prior to final inspection, the project proponent shall pay the Transportation Uniform Mitigation Fee (TUMF) in accordance with the fee schedule in effect at the time of issuance of the final inspection, pursuant to Ordinance No. 824.

Above mentioned TUMF condition is for two (2) one megawatt commercial wind turbines only.

90.TRANS. 2                       SMP - R-O-W DEDICATION                   RECOMMND

Sufficient right-of-way along Apache Trail (projects easterly boundary) shall be recorded for public use to provide for a 59-foot half-width dedicated right-of-way.

**Project Description**

**SMP00162R5**

**State Mine ID Number 91-33-0008**

**REVISED**

**SURFACE MINING PERMIT AND RECLAMATION  
PLAN**

**FOR**

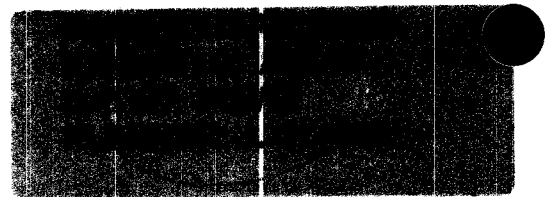
**ROBERTSON'S READY MIX**

**Prepared by:**

**Robertson's Ready Mix  
200 South Main Street, Suite 200  
(951) 685-2200**

**February 2012**

**EXHIBIT "C"**



# Table of Contents

GENERAL NOTES .....	4
SMP00162R5 Project Description .....	4
SMP00162 Overview .....	4
SMP00162S3 Project description .....	5
SMP00162S3 Summary .....	6
Vicinity Map/APN Key .....	7
Current State of Approved Mine and Reclamation Plan .....	8
Approved Mine and Reclamation Plan .....	10
Final Reclamation .....	12
SITE AND AREA CHARACTERISTICS .....	13
Access .....	13
Utilities .....	14
Existing Land Use .....	15
Visibility .....	15
Geology .....	16
Hydrology .....	17
Storm Water Runoff .....	17
Soils .....	17
Vegetation & Wildlife .....	18
Noise .....	19
Air Quality .....	19
MINING OPERATIONS .....	21
Mining Commodity .....	21
Mining Operation .....	21
Project Size and Life .....	22
Excavation .....	23
Commodity Production .....	23
Product Processing .....	23
Plant area detail .....	25
Processing Plant Flow Schematic .....	26
Production Water Data .....	27
Mine Wastes .....	27
Imported Wastes .....	27
Erosion and Sedimentation Control .....	28
Blasting .....	28
Operating Hours .....	28

Safety .....	28
Rail and Truck Traffic .....	29
<b>RECLAMATION .....</b>	<b>31</b>
Subsequent Uses .....	31
Reclamation Schedule.....	31
Future Mining .....	32
Public Safety .....	32
Post Reclamation .....	32
Drainage and Erosion.....	33
Slopes And Treatment.....	33
Pit Area Reclamation .....	33
Ponds, Reservoirs, Tailings, Wastes .....	34
Cleanup .....	34
Contaminants .....	35
Soils and Fine-Textured Wastes .....	35
Revegetation .....	35
Monitoring and Maintenance.....	35
Bonding.....	36
<b>Figure 1 - Assessor Parcel Number Index and Vicinity Map .....</b>	<b>7</b>
<b>Figure 2 - Processing Plant Layout.....</b>	<b>25</b>
<b>Figure 3 - Processing Plant Flow Schematic .....</b>	<b>26</b>
<b>Table 1 - Project Life and Size by Source and Use.....</b>	<b>22</b>
<b>Table 2 - Slope Configuration.....</b>	<b>23</b>
<b>Table 3 - Truck Traffic.....</b>	<b>29</b>

**APPENDICES – Supplemental Exhibits**

1. Approved Conditions
2. U.S.G.S. Map
3. Geotechnical Reports
4. Scour / Sedimentation / Head-cutting Analysis
5. Scour / Levee Monitoring Program
6. Cooperative Agreement
7. Additional Seepage / Slope Stability Analysis
8. Updated Biological Survey
9. Updated Noise Study
10. Updated Air Quality Analysis
11. Mine Phase Schedule
12. Revegetation Schedule
13. Financial Assurance Bond Amount Determination

## GENERAL NOTES

The following body of the report consists of approvals already in place. The County of Riverside requested corrections be made to clarify text that was ambiguous (double underline denotes text added for SMP00162R5) and remove text that was eliminated or modified during the approval of the SMP revisions (text in ~~strike through~~-format). These clarifications simplify the record and clarify the evolution of the mine and permits that control it. Terms originally used to assist in the readers understanding of an application (such as phases named "current") over time can confuse those unfamiliar with the many phases and changes the mine had experienced over its lifetime. Robertson's made the changes in the format recommended by staff and left much of the text in its original state to avoid losing continuity and preserve the integrity of the documents. Conditions and the approved reclamation plan should govern the overall mine plan and inconsistencies in terminology (IE, current phase, changes proposed) should be viewed as part of the history of the document.

## SMP00162R5 PROJECT DESCRIPTION

This revision (SMP00162R5) provides for the addition of two wind turbines on-site to provide electrical power for site operations. The wind turbines will be placed along the southern boundary of the mine site as indicated in exhibit A2 of the accompanying site plan document). The wind turbines will be a maximum of 338.6 feet high and have a combined maximum output of 2.0 megawatts. A variance is requested to increase the turbine height from 105 feet to 338.6 feet in the W-2-10 zone. All mining and reclamation activities previously approved in SMP00162R2 and SMP00162S3 are still in effect. This exhibit references a Supplemental Exhibit SMP00162R5 prepared during preparation of previous surface mining plan revisions. The Supplemental Exhibit includes: Approved Conditions, Geotechnical Report, Scour/Sedimentation/Head Cutting Analysis, Scour/Levee Monitoring Program, Cooperative Agreement, Additional Seepage/Slope Stability Analysis, Biological Survey, Noise Study, Air Quality Analysis, Mine Phase Schedule, Revegetation Schedule, Financial Bond Security.

## SMP 162 OVERVIEW

The existing surface mining operation was originally approved in 1964 and subsequently renewed in July of 1974 by the County of Riverside as Conditional Use Permit No. 1648 C. On June 23, 1987, an application for Surface Mining Permit No. 162 was submitted to the Riverside County Planning Department. A Notice of Preparation of an Environmental Impact Report was issued for SMP. No. 162 on July 14, 1987. Surface Mining Permit No. 162 was approved and Environmental Impact Report No. 238 (SCH) was certified by the Riverside County Board of

Supervisors on January 22, 1991.

In December, 1998 the original permittee (Beaumont Concrete Company "BCC") was purchased by Robertson's Ready Mix (RRM). BCC had made application for a revision to SMP 162 in February 1998 to allow certain expansions of mining on the site, as well as the addition of rail shipment from the site. RRM subsequently modified the scope of this application to include only the rail site, so that a Substantial Conformance could be granted.

In August 2000, RRM made application to the County to expand the mining operations within RRM's holdings. There were Conditions for the original permit which needed to be completed prior to the County processing the new application, which are now complete. With the completion of these Conditions, this application was renewed September 2004.

The County determined that, in a letter dated November 16, 2004, the proposed revisions fall under the definition of a "Revised Plan". RRM is the applicant for the revised Surface Mining Permit SMP 162(R1).

On October 17, 2006, the County approved a revised application SMP 162(R2) to achieve the following: (1) expand RRM current mining and reclamation plans to include additional property to the south of the current mining operation across the San Gorgonio River; (2) increase the maximum production rate from 1.5 million tons per year to 4.5 million tons per year; (3) transport the majority of the sand and aggregate from the site using adjacent rail facilities instead of trucks; (4) increase the life of the current permit from 2011 to 2041; and (5) bring the existing conditions into compliance with current standards.

In February 2009, an asphalt batch plant to be operated by Matich Corporation was approved as a separate CUP (#03574) located within the boundaries of RRM mining operation, approximately 6.5 acres of parcel #519-170-007.

The site has been continuously mined since 1964. A USGS map is shown in Appendix "1". The revised ownership map is shown in Figure 1.

### **SMP00162S3 PROJECT DESCRIPTION**

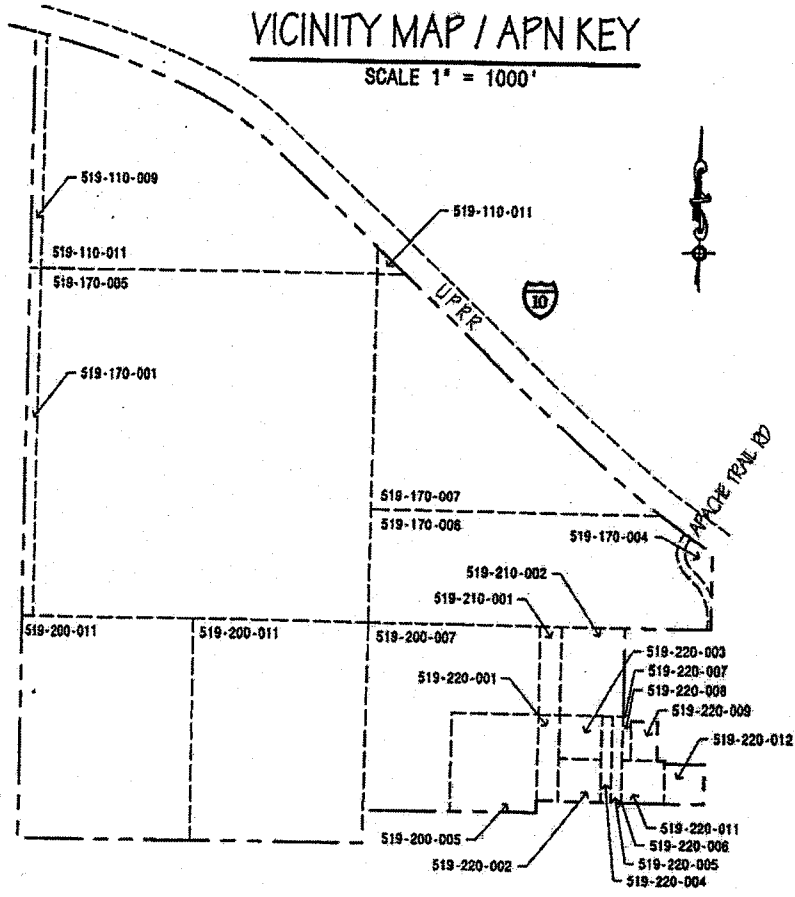
The purpose of SM00162S3 was to update the mining and reclamation plan for SMP00162 to reflect existing improvements Permitted and/or Conditioned under existing entitlements (CUP03574 and SMP00162R2) within the mining boundary as follows:

1. To reflect existing CUP 03574 (Matich Corporation Asphalt Plant approved by the Riverside County Board of Supervisors on July 15, 2008) on the mining plan.

2. To reflect existing Apache Trail re-alignment at mine entrance as conditioned by CUP 03574 (Transportation condition 80.TRANS 002 and 90.TRANS 009 (EA 41584) on the mining and reclamation plan.
3. To show the constructed drainage channel as conditioned by SMP00162R2 (Flood Control condition 10.FloodR1.2 NOD July 12, 2006) on the mining and reclamation plan. Note: Flood control conditioned RRM to install the channel prior to "Phase II" of the approved SMP00162R2 but advanced the construction timing as a condition to approve the Match CUP03574 (Condition 10.Flood R1001, 60.Flood R1, 80.FloodR1001 and 90.Flood R1001). Channel approval by Riverside County Flood Control letter dated May 6, 2009 from Donald Delgadillo to Alan French at Riverside County Transportation Department has been included for reference purposes.
4. To reflect the silt pond relocation required by Match CUP 03574.

#### **SMP00162S3 SUMMARY**

No new actions or approvals were sought under SMP00162S3. Conditional Use Permit 03574 for Match, (Condition 10.Planning 051) required RRM to amend/update exhibits for SMP00162 pursuant to SMARA. SMP00162S3 updates requirements and reflects completion/satisfaction of conditioned improvements to SMP00162R2 and other site improvements required/conditioned by CUP03574 as they exist at the date of this submittal.



ASSESSOR'S PARCEL NUMBER	AREA (ACRE)
519 - 110 - 009	4.07
519 - 110 - 011	0.84
519 - 110 - 015	80.10
519 - 170 - 001	6.07
519 - 170 - 004	0.74
519 - 170 - 005	158.48
519 - 170 - 006	43.34
519 - 170 - 007	55.44
519 - 200 - 005	10.83
519 - 200 - 007	30.76
519 - 200 - 009	49.59
519 - 200 - 011	52.68
519 - 210 - 001	2.50
519 - 210 - 002	7.50
519 - 220 - 001	2.50
519 - 220 - 002	2.50
519 - 220 - 003	2.50
519 - 220 - 004	1.21
519 - 220 - 005	1.21
519 - 220 - 006	0.08
519 - 220 - 007	0.01
519 - 220 - 008	0.50
519 - 220 - 009	1.37
519 - 220 - 011	2.50
519 - 220 - 012	1.90
<b>TOTAL</b>	<b>517.32</b>

**Figure 1 – Assessor Parcel Number Index and Vicinity Map**



### Approved Mine and Reclamation Plan

January, 1990

August, 1999(S1)

December 2000(S2)

March, 2001(R2) withdrawn

September, 2004 (R1)

August, 2006 (R2)

August, 2009 (S3)

R3 was withdrawn and R4 is void-issued in error

### Current State of Approved Mine and Reclamation Plan

Since the approval of the Mine and Reclamation Plan, certain portions of the approved Mine and Reclamation Plan have been completed in Phase I.

- Current Phase (52 acres total, 22 acres mining) has been completed as originally proposed, except for final slope reclamation.
- River Phase (68 acres total, 62 acres mining) has been completed with the following modifications:

A Scour Analysis prepared for the Levee design revealed that toe-down elevations and maximum flood elevations required modifications to the proposed levee configuration. This resulted in excavation depths from 8-ft to 25-ft.

The channel invert was expanded to 410-ft rather than 435-ft.

No construction of the channel and levee took place off-site, RE Morongo Indian Reservation.

A perpetual maintenance agreement, going with the land, was established with Riverside County Flood Control which includes the following elements:

A sinking fund established over the life of the project to provide funds for routine maintenance and premium payments for an insurance policy to cover liability and reconstruction of the levee and upstream structures in the event of failure of the levee system.

A perpetual monitoring program of the levee system to provide early warning to Caltrans in the event of catastrophic failure and possible damage to the I-10 Freeway.

An access easement to Flood Control.

- Middle Phase (48 acres total, 42 acres mining) was temporarily removed from the mine reserves until the Condition requiring the relocation or abandonment of the 30-in intercontinental natural gas pipeline located on the north side of said phase has been met.

North Phase (96 acres total, 96 acres mining,) is the current active mine site. The site has been

cleared and approximately 40 acres is being mined to a depth of 50-ft. The processing plant was moved from the "Current" phase location to the southeast corner of this site. The rail car loading facility has been added to the processing plant. The following modifications and additions have been made:

A well site leased by the Coachella Valley Water District is located in the southeast corner of this phase.

The processing plant and storage areas were moved from the "Current" phase location to the southeast corner of this phase.

The rail car loading facility has been added to the processing plant adjacent to UPRR right-of-way along the east side of the site extending from the northern end of the site to Apache Trail Road. The rail system includes the following elements: 1) product storage piles with tunnel conveyers, 2) a loading station with feed belt mounted over private rail spur, 3) an emergency surge pile and feeder, 4) a cross-over spur to connect to the private spur to the UPRR main line, 5) an engine turn-around track, and 6) a railcar maintenance spur. In addition, two (2) rail bridges were added to the private spur to direct run-off from adjacent property to the excavation.

The concrete batch plant located in the original processing plant area was moved to the southeast corner of this phase. The batch plant includes the truck scales and truck loading station.

"Ten Year Lease" is an area south of the process water lake to be used for temporary material storage from earlier operations. The accumulated piles are "to be removed and graded to resemble original contours".

The processing plant has been moved to the southeast corner of the "North Phase" along with the shops and scale house. The remaining equipment, foundations, piping and buildings are being salvaged.

The concrete access road remains unchanged, except trucks are now diverted at the front entrance adjacent to Apache Trail Road to the new load-out facilities in the "North Phase". A portion of the access road at the entrance has been modified and realigned in order to improve the geometrics as part of the conditions set forth by CUP 03574.

The process water lake has been abandoned and partially reclaimed.

A concrete lined drainage channel has been constructed as part of the conditions of CUP 03574.

The 8-ft berm and topping decorative wall has been completed.

The vegetated berm has been completed. A portion of the berm was replaced by an elevated section of the private rail spur. Trees and hydro-seeding is complete.

The corporate offices and operation center were never built and has been eliminated from the mine/reclamation plan.

The Asphalt batch plant was approved and finalized in 2009, EA41584 CUP 03574.

### **Approved Mine and Reclamation Plan**

The following describes amendments approved in 2006 under Revised Mining Permit SMP00162R2 and in 2009 under SMP00162S3 reflects the currently approved mining and reclamation plan for this site:

- Processing Plant (25 acres) - The approved annual production increased from 1.5 million tons per year to 4.5 million tons per year.
- Rail car Loading (16 acres) - Specific rail car loading facility detail was added to the Mine Plan. Two (2) 44-car unit trains are loaded daily (7 days per week).
- Mine Expansion (248 acres) - To maximize the reserves the following Phasing was added to the Mine Plan:
- Phase I includes the River, Current and North mining areas. The North area is still being mined as of September 2011.
- Phase II is the expansion of the "Current" phase ("Southeast Quarry") and properties to the west of the San Gorgonio River ("the River"), but south of the pipelines located in the middle of the site ("Southwest Quarry"). These areas will be mined to a depth of 230 ft. This also requires the extension of the levee on both sides of the River.
- Phase III assumes the relocation and/or removal of the three (3) pipelines crossing the site. The areas to the north of the pipe lines on both sides of the River will be mined to a depth of 230 ft. ("Northeast Quarry" and "Northwest Quarry").
- Phase IV will mine the remaining East and West Basins to a depth of 350-ft and mine the "Plant Area" for final reclamation.

- Condition No 3 - Modified wording to reflect revised mining plan.
- Condition No 4 - Bond amount revised to ~~\$133,000~~ \$624,496 (Note: this is dependent on successful review of financial assurance analysis).
- Condition No 12 - Fence description changed to "4 strand wire with No Trespassing signs attached at 100-ft intervals".
- Condition No 24 - Deleted (no grading on Morongo Indian Reservation).
- Condition No 31a - Changed to "Onsite surface mining and plant operation hours shall be 24 hours per day, 7 days per week as long as noise levels from the facility do not exceed any County of Riverside Ordinance value.
- Condition No 31b - Deleted.
- Condition No 31c - Changed to "Transportation and rail loading operation shall be 24 hours per day, 7 days per week as long as noise levels from the facility do not exceed any County of Riverside Ordinance value.
- Condition No 31d - Deleted.
- Condition No 31e - Deleted.
- Condition No 37 - Changed to "This Permit shall become null and void sixty-five (65) years after the date the modified permit becomes effective.
- Condition No 41 - Added "unless properly fenced."
- Condition No 42c - Deleted.

### **Final Reclamation**

All the elements of reclamation described in the approved reclamation plan will be included in the additional phasing. The wind turbines approved in this revision (SMP00162R5) shall be removed from the site within 20 years of final construction of the units and the reserves mined out as previously approved. Reclamation of this area will be implemented upon completion of mining.

Reclamation of the permanent slope configuration of the mined pits will be an integral part of the mining operations and be based upon sound mining practices, recommendations of an engineering geologist, and within the parameters established by Riverside County Ordinance 555 and those of the State Surface Mining and Reclamation Act of 1975.

## **Section I**

### **Site and Area Characteristics**

There may be continued use of the site for rail purposes after the completion of mining. Those uses and approvals of those uses are not the subject of SMP00162R5.

## SITE AND AREA CHARACTERISTICS

### Access

*Access* - The project site is located in Cabazon, southerly of and adjacent to the I-10 Freeway and west of Apache Trail. The access road has been realigned and tied-in at 90 degrees with Apache Trail and has been constructed with 24' AC pavement as per the requirements of CUP 03574. Access to the turbines will be through existing mining haul roads and easements.

*Rail Access* - the site is served by Union Pacific Rail Road. A crossover track exits the UPRR main on the westerly end of the site. This connects to a spur located along the northerly boundary of the site. There is a rail car loading station in the middle of the spur. There is a rail car maintenance spur off the load-out spur. Material is moved by conveyor belt to the load-out station.

## Utilities

Serving utilities are as follows and are currently available to the site:

1. Electrical: Southern California Edison Co.  
1700 Tahquitz McCallum Way  
Palm Springs, CA 92262  
(909)324-4691
2. Gas: Southern California Gas Co.  
3700 Central Avenue  
Riverside, CA 92506  
(909) 781-6123
3. Sewer: Onsite Disposal System
4. Water: Cabazon County Water District  
P.O. Box 297  
Cabazon, CA 92230  
(909) 849-4442

And Onsite Private Well(s)

5. Telephone: General Telephone Co.  
15 Redlands Plaza  
Redlands, CA 92373  
(909) 794-8111



### Land Use

The site is currently operated as a sand and gravel mining pit, aggregate processing plant, concrete batch plant, asphalt plant (operated by Matich Corp.), material loading systems, and related maintenance and administrative facilities to support these uses. The site is bounded by scattered low-density residential adjacent to the east side of the property, San Gorgonio River and Smith Creek on the south side, vacant land used for cattle grazing on the west side and the UPRR main, Interstate 10 and the Cabazon Outlet Center on the northerly edge of the site. The San Gorgonio River bisects the site. A concrete-lined levee extends along the right (east) bank of the river. This revision consists of the addition of two wind turbines on-site to provide electrical power for site operations only.

### Visibility

Features of the operation visible to surrounding properties and the I10 corridor are the conveyors, rail car load-out station and the private spur. Intermittently, parked rail cars are also visible. The processing plant, storage piles and concrete batch plant are located 50-ft below the natural surface and behind the raised spur, and as such only small portions of the highest points are visible. The old processing plant in the southern portion of the site would be removed before Phase II commences.

The subsurface nature of the excavation, in conjunction with the fact that most vantage points to the site are at essentially the same elevation as, or only slightly higher than, the natural ground elevation of the site, precludes most of the view of the excavation. As a mitigation to any remaining visual impact, a contour-graded and tree-planted berm has been constructed along the northeasterly edge of the site, paralleling the I-10 Freeway.

A berm with 6-ft concrete wall at the top has also been constructed along the west side of Apache Trail, and west from Apache Trail at Pipeline Road and at Bonita Avenue. The berms were constructed with topsoil and overburden generated by the Phase I activities. The berm also serves the purpose of topsoil banks required by the revegetation plan.

The three bladed 339 feet wind turbines will be visible from the I-10 corridor, the Morongo Casino, Outlet Shopping Center and Cabazon. The turbine will be located inside the confines of an existing active mine and behind the existing aggregate process plant. Visual impacts have been reduced by locating the turbines deep within the existing mine site. The turbines are to be located over 1/2 mile from interstate 10.

## Geology

Data contained in this section is taken from Gary S. Rasmussen and Associates Report dated 10/26/84 titled "Engineering Geology Investigation of The Proposed Expansion of The Sand and Gravel Mining Operation Located Immediately South of Interstate 10, Portion of Section 7 and 18, T3S, R2E S.B.B.M.". (Supplemental Exhibit Page 329)

Data contained in this section is supplemented from C.H.J. Incorporated dated 02/22/1999 title "Geotechnical / Geologic Investigation Report - Proposed San Gorgonio River Levee Improvement East Side of the San Gorgonio River and North of Smith Creek Located in Banning Area, Riverside County, California". (Supplemental Exhibit Page 255)

Most of the site is underlain by alluvium deposits consisting of silts, sands, gravels, cobbles and boulders. Inspection of the existing pit indicated clasts composed of a variety of metamorphic and plutonic rock types. Mineable materials exist from the ground surface to at least 500 feet below the surface and most likely deeper.

A very small portion of the site is located within an Alquist-Priolo Special Studies Zone. Geologic field reconnaissance of the site and review of aerial photographs show no faulting evident within the site. However, due to its proximity to the San Andreas Fault Zone, severe seismic shaking can be expected within the next 100 years. The slope stability was analyzed by Dr. Robert Pyke in 1984, and re-analyzed using current protocol by CHJ Laboratories in 2000. All three documents are included in Appendix "3".

Groundwater elevations throughout the site have historically been and are expected to be more than 400 feet below the natural ground surface. Shallow groundwater may occur within, and immediately next to the San Gorgonio River and Smith Creek. This would occur only on a seasonal basis, thus posing only a temporary potential for liquefaction in those areas. The rest of the site is not considered to have a significant potential for liquefaction.

The alluvial materials on the site are not considered susceptible to differential settlement. No collapsible soils are anticipated on the site. The site does not appear susceptible to earthquake induced flooding since there are no above-ground reservoirs in the vicinity which could cause inundation. The site is subject to periods of blowing sand and has a potential for minor denudation, as the does the entire local vicinity.

The historic groundwater elevations throughout the site have historically been and are expected to be more than 400ft below the natural ground surface. The wind turbines will be built utilizing a 30 feet deep pier foundation. The foundation will be built from the natural ground surface and therefore will have any effect on the quantity, quality, or depths to the groundwater.

## **Hydrology**

The site lies adjacent to the northeast branch of the San Gorgonio River. The mine areas are subject to inundation during major storm events.

The channel floor was extended to a width of 417-ft during the "River" phase. The right bank (easterly) side of the channel is lined with a concrete face with a topping of rip-rap, extending from the northern property line to the confluence of Smith Creek. An analysis by W. M. McKeever Company and West Consultants established the top and bottom elevation of this lining to allow for adequate freeboard and degradation protection along this reach. In addition, a head-cutting analysis was completed by West Consultants to determine the extent of head-cutting should there be a breach in the levee (see Appendix "4").

This analysis concluded that there is some potential that inundation and head-cutting could cause damage to Interstate 10 bridges crossing the River, an electronic monitoring and warning system has been tied into the Caltrans "Scour 2000" system fair warning if the bridges become compromised (see Appendix "5"). There are provisions for perpetual maintenance of the levee and monitoring system (see Appendix "6").

In addition, CHJ, Incorporated prepared additional seepage analysis studies, and an analysis of the slope stability for the rail storage area. These reports are included in Appendix "7". (Supplemental Exhibit Page 255)

## **Storm Water Runoff**

There is an area northerly of the site of approximately 720 acres that drains into the site by way of existing culverts under the I-10 Freeway and UPRR main line. Two existing bridges under the private spur direct water to a proposed channel paralleling the spur within the 100-ft setback along the northerly side of the site. The channels are concrete-lined.

The concrete channel was completed and approved by Riverside County Flood Control in a letter dated May 6, 2009. Flows at Apache Trail are directed into a box culvert, which transport flows to the south border of the site and into the River. There is an energy dissipater at the outflow. Flood control approved the channel drawings and construction in May 2009.

Run-off originating on-site is collected for percolation within the excavated areas or directed to Smith Creek and the River. There is one active municipal well and two (1) private wells located on the site. The wells are protected by appropriate fencing.

## **Soils**

The Soils Survey of Western Riverside Area indicates that the site is composed of predominantly Gorgonio gravelly loamy fine sand (GmC) and Hanford coarse sandy loam (HcC).

The overburden on the site is 5 ft to 6 ft thick. A typical 60 inch profile for the GmD soils indicates that the surface layer (0-1 inch) is a dark grayish brown gravelly loamy fine sand of medium acidity. From 1 to 29 inches lies brown gravelly loamy fine sand of medium acidity. Below (29-44 inches) lies brown gravelly loamy sand of medium acidity. Finally from 44-60 inches and deeper soils are composed of brown stratified gravelly loamy sand, again of medium acidity.

Permeability of these soils is rapid while runoff is slow to medium and the erosion hazard is slight to moderate. Such soils are generally a fair to good source of sand and gravel.

A typical 60 inch profile of HcC soils from 0 to 8 inches of grayish brown coarse sandy loam, being slightly acidic. From 8-18 inches the profile is very similar but of a slightly darker color. Below at 18 to 40 inches lies brown coarse sandy loam, slightly acidic. At 40 to 60 inches and deeper soil is brown loamy sand, again slightly acidic. Such soils exhibit moderately rapid permeability and present only slight to moderate erosion hazard. Usually they have a fair capability as a source for sand and gravel.

Additionally, the site is traversed by a narrow bank of Riverwash series (RsC) composed of sandy gravelly and cobbly materials. There are also isolated pockets of Soboba series (SrE) composed of mostly coarse fragments of cobblestones. Both these series are good sources of gravel and coarse aggregate material.

### Vegetation & Wildlife

On December 5 and 11, 1998, a Biological Survey of the site was performed by Megan Tommerup and a report prepared dated December 13, 1998, which states "There are no sensitive plant or animal species detected during the survey of the project area". The report, including a Found Species list, can be found in Appendix updated Biological Survey is attached. (Supplemental Exhibit Page 314)

The existing Cabazon Mine is within the area addressed by the Coachella Valley Multiple Species Habitat Conservation Plan (CVMSHCP), which seeks to conserve fluvial sand transport through the area and to maintain function of the San Gorgonio River for wildlife movement. Earlier analyses performed and complete site disturbance analysed in the following documents approved and adopted;

- Environmental Impact report No 238 for Beaumont Concrete Company Surface Mine permit No. 162 dated July 1990 (SCH#87122129)
- Environmental Assessment No. 39969 for SMP No. 162, Revision 2 dated June 28, 2006
- Environmental Assessment No. 41584 for CUP No 03574 dated June 3, 2008.

EA 41584 Indicated the following findings of fact in regards to CVMSHCP (Section 6 page 9) No take allocation is required (CVAG letter dated December 14, 2007). In addition, no listed threatened or endangered plants or animals were found at the site. Based upon habitat and

geographic ranges, no listed species or special status species meeting CEQA guidelines for a mandatory finding of significance is likely to occur. Although desert tortoise is noted to be extremely rare in the area mitigation measures already in place for the facility include searching under equipment that has been stationary overnight for the species. The entire site has been analysed for disturbance previously as the entire site is approved for mining.

### **Noise**

Noise data from the original EIR was re-analyzed February 29, 2000 to reflect the revisions to the permit. The report was prepared by Mestre Greve Associates and can be found in Appendix "9". The study concluded "no mitigation is required for [rail car loading] operations under the revised site plan".

Noise from Turbines is approximately 45 Dba at the base of towers. Existing, ambient noise levels from Industrial operations are up to 75 Dba and the wind towers fall within or below ambient noise levels.

### **Air Quality**

Air quality analysis from the original EIR was re-analyzed March 29, 2000 to reflect the revisions to the permit. The report was prepared by Justice and Associates and is shown in Appendix "10". The report states that the "modified site plan would not involve an increase in emissions from the plant [and] ... [t]he revised site plan does not require any mitigation."

Wind turbines will have no effect on existing air quality conditions.

**SECTION II**

**Mining**

## MINING OPERATIONS

### Mining Commodity

The commodity mined is rock, gravel and sand.

### Mining Operation

*Clearing* - The top 4-6 ft of material is of low quality and permeated with vegetation and roots. The active mine area is cleared with a CAT D8 bulldozer. The removed material is be pushed up in a series of perimeter berms for later recovery during reclamation for seed bank.

*Extraction* - Material is removed in a series of 25 to 30-ft benches (see *Slope Excavation* below) using a CAT 5130 shovel. The material is loaded into a CAT 777 haul truck (100 ton capacity) for transport to the primary crusher and surge pile.

*Phasing* - There are four (4) phases to the mining operation. A detailed schedule for phasing in shown in *Project Size and Life by Source and Use* below:

Phase I - This is the current operating phase. This was originally broken into the "Current", "River", "Middle", and "North" subphases. Mining in the first two subphases are complete and the "North" subphase is being actively mined to a depth of 230-ft. The "Middle" subphase was dropped from the original mine plan during the approval process.

Phase II - This is the expansion of the "Current" subphase of Phase I (Southeast) and the development of the southern portion of the area to the west of the River (Southwest) to a depth of 230-ft. A levee system along the left (westerly) bank of the river and the right (north) bank of Smith Creek and the extension of the right bank levee to past the confluence of the two streams will be constructed prior to excavation in the Southwest Quarry. The mine will add two wind turbines for renewable on-site electricity use. The wind turbines will be connected to two separate meters and substations and will operate 24 hours per day when the wind resources is sufficient to generate electricity.

Phase III - This will complete the "Middle" phase on the west and east sides of the River, the Northwest Quarry and Northeast Quarry, respectively. This area is located between three (3) gas and oil lines running east/west on the site. The pipe lines would have to by removed or relocated to complete this phase to a depth of 230ft.

Phase IV - Upon completion of Phase III, there would remain the West Basin

and the East Basin. Both of these quarries would be mined to a depth of 350-ft. Towards the end of this Phase, the processing plant equipment would be moved and the plant area would be mined to a depth of 350-ft.

**Project Size and Life**

The term of the mining approval (SMP00162R2/S3) is for the permit to become null and void Sixty-five (65) years after the effective date of the revised permit (by year 2071). The remainder of the reserves are shown in Table 1. The life is calculated using both a maximum and average production rate. A detailed schedule by phases is shown in Appendix "11".

SOURCE		AREA	MAXIMUM PRODUCTION RATE		AVERAGE PRODUCTION RATE			
RRM PROPERTIES LTD.		517.32			4.50	MTPY		
OTHER		--			2.50	MTPY		
TOTAL		517.32						
USE	AREA <sup>1</sup> ACRES	MAX DEPTH	YIELD		COMPLETED <sup>2</sup> 1000 TONS	LIFE		
			VOLUME 1000 CY	RESERVES 1000 TONS		AT MAX RATE	AT AVG RATE	
MINING								
PHASE I								
	"RIVER" <sup>3</sup>	61.66	15	1,420	--	2,272	--	--
	"CURRENT" <sup>3</sup>	46.55	160	1,988	--	3,180	--	--
	"NORTH" <sup>3</sup>	97.35	230	21,200	25,800	8,120	5.7	10.3
PHASE II								
	SOUTHEAST	49.49	230	18,924	30,278	--	6.7	12.1
	WEST	104.23	12	1,084	1,734	--	0.4	0.7
	SMITH CREEK	64.24	--	--	--	--	--	--
PHASE III								
	MIDDLE	39.82	230	<del>14,489</del> 10,113	<del>23,182</del> 16,182	--	<del>5.2</del> 3.6	<del>9.3</del> 6.5
PHASE IV								
	DEPTH EAST	--	400	16,217	25,947	--	5.8	10.4
	PLANT AREA	11.15	400	<del>9,525</del> 13,900	<del>15,240</del> 22,240	--	<del>3.4</del> 7.0	<del>6.1</del> 12.6
	CONCRETE BATCH PLANT	1.07	--	--	--	--	--	--
	RAIL SIDING/CHANNELS	15.5	--	--	--	--	--	--
	OPEN SPACE	26.26	--	--	--	--	--	--
	<b>TOTAL</b>	<b>517.32</b>		<b>84,846</b>	<b>122,181</b>	<b>13,572</b>	<b>29.2</b>	<b>52.6</b>

<sup>1</sup>AREA AFFECTED BY ACTIVITIES (NEWLY DISTURBED)  
<sup>2</sup>AS OF 07/31/05  
<sup>3</sup>PERMITTED "ORIGINAL PHASE NAME"



**Table 2 - Slope Configuration**

**Excavation**

The maximum depth of excavation is anticipated to be 350 feet. Excavated areas would encompass approximately 517 acres. A geotechnical study by Gary Rasmussen and Associates, commissioned by the owner, indicated that vertical cuts of 25 feet or cuts made at a 0.50:1 slope would be allowable during mining operations. Permanent slopes would be graded to varying slopes in a manner as shown in Table 2. Exhibit "A" shows Slope Development for each phase.

Depth from Surface				Slope		
				Hor	:	Vert
0	-	25	ft	2.00	:	1
25	-	50	ft	1.75	:	1
50	-	75	ft	1.50	:	1
75	-	100	ft	1.25	:	1
100	-	350	ft	1.00	:	1

No benching is recommended, as studies conducted by Dr. Robert Pyke indicate that benches can be the focal point of slope failure due to seismic amplification. Exhibit "A" of this Plan includes a typical section of this slope configuration. It is not anticipated that blasting of any kind would be required to accomplish the removal of material. This analysis was brought current by CHJ Laboratories using current practices and is attached, along with the other reports, in Appendix "3".

Both studies recommend a setback distance of 50 feet from any habitable structures or pipelines to the closest point of pit excavation.

**Commodity Production**

The excavated material is expected to yield 1.6 tons per cubic yard of salable material -- this number adjusts for silt, bulking and oversized material. The reserves under this plan as of April, 2004 are 191 million tons. The maximum annual demand for material could reach 4.5 million tons (equivalent to 2.8 million cubic yards). Average production would be 3 million tons per year. At these rates, the life of the project is 42 to 64 years, respectively as shown in Table 1. It is intended that no mine wastes (i.e. all silts & clays be utilized as product)

**Product Processing**

Production processing can be broken down into 1) primary processing of raw materials, 2) secondary crushing and screening and 3) storage and shipment. A schematic of the processing plant is shown in Figure 2 and the process flow diagram in Figure 3.

*Primary Processing* - Raw materials (36-in maximum size) excavated from the quarry are transported by off-road haul trucks to a grizzly screen and primary jaw crusher which crushes material down to a maximum size of 6-in. The primary-crushed material is stored in a surge pile where it is recovered by a vibrating feeder and tunnel conveyor. Production rate for this

operation is 2,000 tons per hour. For annual production hours of 2,340 (7.5 x 6 x 52) per year this amounts to 4.68 million tons per year (4.50 million tons of salable material).

*Secondary Crushing and Screening* - The recovered raw material passes through a primary screen to scalp off oversize material, coarse aggregate meeting specification and sand. The oversize material is passed to a cone crusher and return to the primary screen as a circulation load. Sized material and sand is passed through a secondary screen to further classify the material as well as wash the material with water to separate out the fines and clays adhering to the aggregate. The sized material is scalped off and sent to storage piles. The silt-laden sand is processed with a sand washer or screw to remove the silt. The washed sand is "de-watered" on special screens and sent to the storage piles.

Production rate for this operation is 1,000 tons per hour. For annual production hours of 4,680 (15 x 6 x 52) per year this amounts to 4.68 million tons per year (4.50 million tons of salable material).

The silt-laden water from the sand screws and de-watering screen is sent to a "thickener". Chemicals are used to force the silt to coagulate and drop to the bottom of the tank, where they are sent in concentrated form to silt ponds for drying and eventual recovery. Water from the thickener is recycled through the processing plant (see *Production Water Data* below).

*Storage and Shipment* - All processed material is stored in a series of conical piles - each pile sized to a particular specification. The material is recovered with a tunnel conveyor. The recovered material is directed to either the rail car loading station or the truck loading station.

Material to be shipped by rail is transported by conveyor belt to a surge bin where the material is "metered" into the slowly moving rail cars beneath the surge bin. Once the 44-car unit train is loaded and given a "clear" signal the cars are moved off the siding onto the main line. Shipments by rail would be 4120 tons per day x 2 unit trains x 7 x 52 days per year or 3.0 million tons per year.

Material to be shipped by truck is moved by conveyor belt to a series of surge hoppers which straddle truck scales. The trucks are weighed as they are loaded. The concrete batch plant is also fed from the scale surge hoppers (See *Truck Traffic* below).

Figure 2 - Processing Plant Layout

PLANT AREA - DETAIL

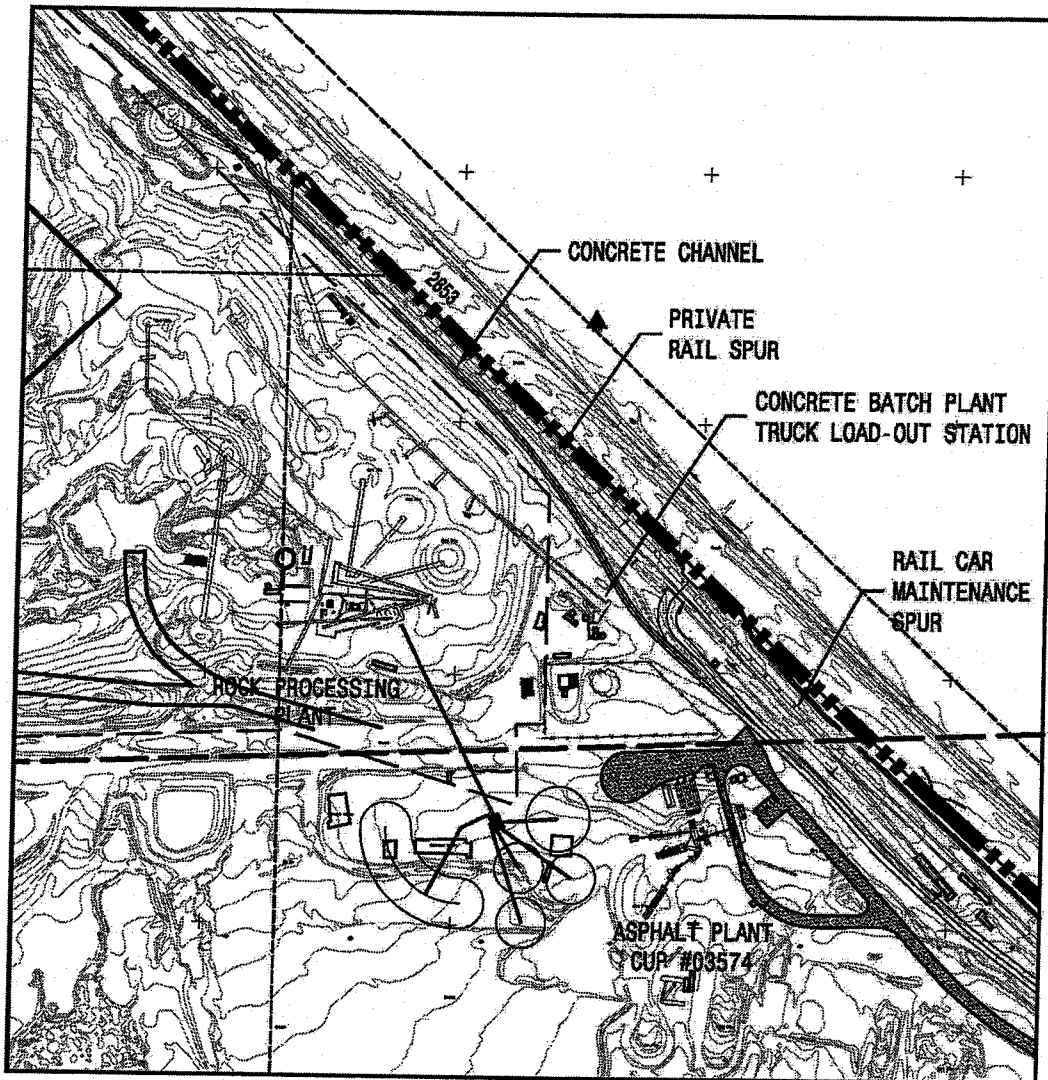
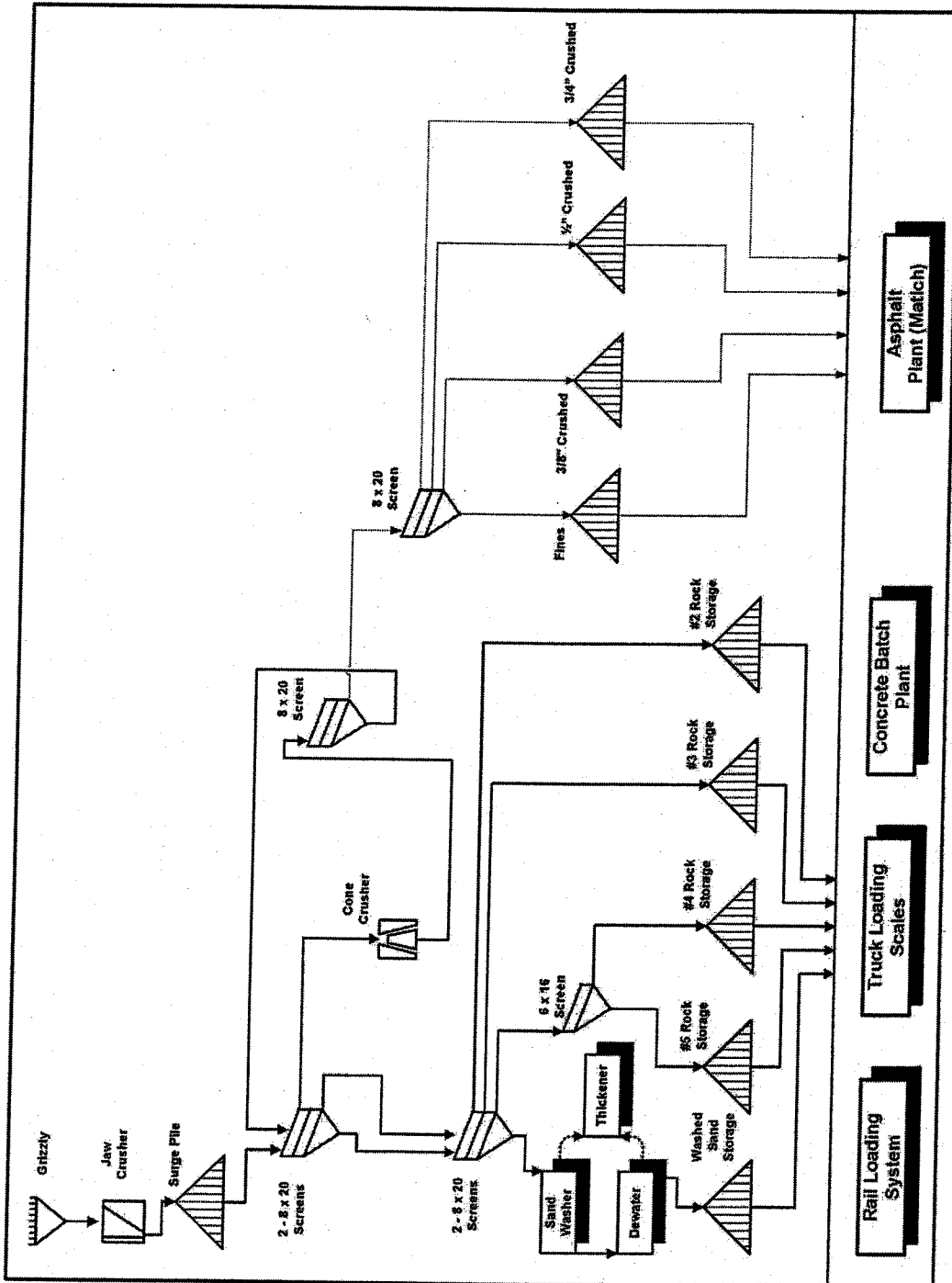


Figure 3 – Processing Plant Flow Schematic



### Production Water Data

Production water for aggregate washing during processing is derived from on-site captured run-off, two (2) private wells and a production well owned by the Cabazon County Water District (located within an easement area just east of the plant area). Required process water is 90 gallons per production ton ("gpt") or 1500 gpm for 1000 tons per hour production. This is made up of 66 gpt which has been recycled from the thickener and 24 gpt "make-up" water. The total maximum annual water consumption is 1243 acre feet and the maximum is 1500 gpm at the maximum hourly daily production rate of 1000 ton per hour.

Of the 24 gpt of makeup water, 11 gpt is left in the processed material, 2 gpt is evaporated or spilled and 11 gpt is used to transport silt to the silt ponds. At the average production rate, 72.0 million gallons (220 acre-feet) per year is required for make-up water. Forty-six (46) percent of the make-up water (101 acre-feet) percolates back into the ground water table (recharge).

Chemicals (flocclulates) used in the thickener process are biodegradable.

### Mine Wastes

*Overburden* - Overburden would be pushed up into perimeter berms to be used for safety and visibility barriers during the life of the excavation and for a seed and topsoil bank during reclamation and revegetation. Assuming 2-ft of overburden over the entire excavated site, approximately 1.5 million cubic yards would be generated over the life of the project.

*Oversize* - Material over 36-in diameter cannot be processed without resizing primary crushing equipment. It is anticipated that 0.5% of the excavated material meets that criteria. This material can be used on site for flood control structures, screening, and safety berms. This would amount to 1.0 million tons over the life of the project. It may be economically feasible to process this material for quantities greater than this.

*Silts and Clay* - Silts and fines would be collected from drying ponds. This material can be mixed with other graded material for use in Class II base. Assuming 3% silts and clays in excavated material less than 36-inches in diameter, approximately 5.7 million tons would be generated over the life of the project.

It is intended that no mine wastes (i.e. all silts & clays be utilized as product)

### Imported Wastes

On occasion certain wastes such as chips from highway resurfacing, broken concrete, leftover concrete would be delivered to the site for processing and recycling. This type of material is stockpiled for relatively short periods of time. A portable crusher is used to process the material into Class II base. The County would receive credits for the recycle material per ABA 939. The

addition of the wind turbine will not add to the above mentioned mine wastes which will be recycled.

### **Erosion and Sedimentation Control**

Surface runoff within the site is directed back on the property. Runoff from flows directed to the River and Smith Creek would carry a normal silt load since the flows are not diverted from these channels. Erosion on site would be limited with appropriate vegetation on the finished slopes. Erosion of non-finished slopes would be directed back to the site since no flows from the excavated areas leave the site as surface runoff. Adjacent properties would not be impacted by any discharges, inasmuch as they are all retained onsite. Material stockpiles contain residual moisture from processing which would help to prevent their erosion by wind. Material inventory is cycled rather quickly, therefore evaporation of this moisture before the materials are sold and removed is only a minor consideration. Generally, only the sand stockpiles would have any susceptibility to wind erosion, gravel being protected due to its much greater particular weight individual particle weight and reduced surface area.

All loaded trucks and rail cars leaving the property would be properly trimmed so as to prevent spillage onto the public roadway or along rail right-of-way.

### **Blasting**

There is no blasting required or expected for the mining operation.

### **Operating Hours**

Existing Asphalt plant hours of operation were extended to 24 hours/7 days per week (CUP03574R1) on 7-12-2011. Hours of operation vary depending on demand and fluctuate for Air Quality compliance during times of high winds which frequently occurs in Cabazon. On-site operating hours, other than maintenance or emergencies, shall be limited to the hours between 6 A.M. and 10 P.M., Monday through Sunday. Operations shall be prohibited on Sundays and Federally recognized holidays; however loading and transportation may occur outside these hours. The hours of operation for the wind turbine will be 24 hours/7 days per week. The wind speed will determine if the wind turbine is producing electricity. The wind turbine produce electricity from 4 m/s – 25 m/s.

### **Safety**

Mining operations and practices shall comply with, at a minimum, the safety requirements of MSHA, OSHA, the State Division of Industrial Safety, and California Mine Safety Orders.

**Rail and Truck Traffic**

Both truck and rail traffic occur at the site. The rail operation is described above. Up to 3,000,000 tons of material per year are shipped by rail to various locations and the remainder of the approved tonnage is shipped by truck for local consumption or used on-site for ready-mixed concrete.

Two (2) unit trains leave the site approximately twice per day, seven (7) days per week. The train uses the private spur on the applicant's property to access U.P.R.R. main line. The unit train arrives from the west and leaves to the west. No public streets are blocked during the transfer or loading operations.

Truck traffic is similar to that described in the original project description. However, the number of truck trips per day vary depending on the local market. The original CEQA document assumed an average load per truck of 25.0 tons. So that local truck traffic does not increase from that analyzed in the original CEQA document, the shipments are limited to 1.5 million tons per year. A certain portion of the aggregate leaves the site in concrete trucks. In addition, cement trucks bring portland cement onto the site. Table 3 summarizes anticipated truck traffic.

**Table 3 - Truck Traffic**

	Aggregate Ship	1,500,000	tn/year		
	Concrete Ship	1,000	cy/day		
	Original	Current			
	Total Trips	Concrete	Cement	Aggregate in Concrete	Aggregate in Truck
Truck Capacity (tons)	25.00	20.25	28.50		29.00
			11%	80%	
Ship Days/week	5.5	6.0	6.0		6.5
Ship weeks/year	52	52	52		52
Annual Ship (tons)	1,500,000	631,800	70,200	505,323	994,677
ADT	209	100	7		101
			Total ADT	208	OK

209 trucks per day (418 trip ends) would exit the plant and access the freeway from Apache Trail to Interstate 10 with 50% traveling eastbound and 50% traveling westbound.

**Section III  
Reclamation**



## RECLAMATION

### Subsequent Uses

Although the reclamation plan is designed to accommodate retention and percolation basins as a final use, the owners suggest that there are several uses of the site which are consistent with this reclamation, especially considering the extended life of this project.

Areas not developed for mining can be developed for any acceptable use within a W-2, MSC, W2M or other Industrial / Manufacturing Zones, if compatible with the physical constraints of the site. Most probably these might include a railroad maintenance facility, a railroad truck intermodal terminal, masonry manufacturing or supply facility, food packaging plant or a storage yard for trailers or boats, to name a few.

Uses for Excavated areas are somewhat limited due to soils suitability and the topography of the site after mining. The east and west basins, with proper inlet structures, could serve as retention basins for excess runoff generated by the San Gorgonio River and Smith Creek during periods of peak flows. The pits, with proper contouring, could also serve as recreation areas, including fishing ponds, golf driving ranges, skeet shooting, water slides, "sand boarding", "paint balling" and the like. Final reclamation of the site shall be suitable for the intended end use.

Ultimately, any future land use decisions would have to be based on the commercial, economic and political climate prevailing at the time of cessation of mining operations and will require further CEQA analysis and land use entitlement before the use is implemented.

### Reclamation Schedule

Reclamation of the mined slopes are an ongoing operation. When each lift of 30 feet in depth is reached at the ultimate pit perimeter, slopes are graded to their ultimate (horizontal to vertical) grade and appropriate slope treatment undertaken. The schedule of this reclamation activity is dependent upon when excavation reaches the perimeter.

All reclamation shall be in accordance with the "Reclamation Plan" included as Exhibit "B" of this application.

The purpose of ongoing reclamation is to ensure slopes stability and reestablishment of vegetation at the earliest opportunity. Undertaking reclamation in this manner also has several

managerial benefits. Areas being reclaimed at one given time are relatively small. Maintenance can be handled with minimal, if any, increase in manpower or equipment. Costs of reclamation can be more easily budgeted and monitored. Such a program eliminates the need for a large scale allocation of man power and capital at a time when the mining operation would have ceased and no longer be generating an income stream to finance such a massive undertaking. Financial Assurances for Reclamation are discussed below in "Bonding".

### **Future Mining**

It is expected that the mining operation would continue until such time that materials are either exhausted or no longer economically feasible to extract. Revegetation is superficial and should not interfere with future mining activities. The levee and channel system are necessary for public safety, will remain post-reclamation and would only enhance future activities on and off-site.

### **Public Safety**

The most prominent detriment to public safety would be a rupture of the natural gas pipelines traversing the site. With the completion of Phase II, these lines will be removed and no longer be a source of concern. The other likely threat to upstream structures would be collapse of the mined slopes during a seismic event. The ultimate slope configuration proposed is in conformance with the slope stability recommendation of the Rasmussen, Pyke and CHJ Laboratories geological reports prepared for this project, providing for an adequate safety factor against such slope collapse.

Inundation and collapse of the levee during a storm event has the potential of damage upstream structures, such as pipelines, railroad structures and bridges over Interstate 10. An extensive monitoring system of the levee and upstream structures would assure that an early warning of failure is made to authorities who can curtail public activity in the area. An agreement with Riverside County for perpetual maintenance of the levee and monitoring system, and the repair or replacement of damaged structures has been made to limit liability to the County (see Appendix "6").

To deter personal injury to the general public, the entire site is fenced and warning signs posted at intervals of 100 feet. The levees and paved channels are fenced on the pit side to deter access by the public.

Upon reclamation, all equipment, derelict machinery, wind turbines, and buildings shall be removed from the site and recycled where applicable.

### **Post Reclamation**

Upon reclamation, the pits will present a very unobtrusive appearance. Slopes will have been graded to a variable configuration with the top of slope contour graded to present a rolling appearance. Planting, when established, will resemble existing vegetation. Most all visual vantage points to the site are at a level close to that of the original ground elevation. Therefore,

anyone viewing the reclaimed areas would perceive little, if any of the excavation. In addition, screening berms would mask most vantage points of the excavations. Stockpiles will have been removed or spread on the pit floors. All processing equipment, wind turbines, infrastructure to support the wind turbine, buildings, power poles, wires, etc. will be dismantled and removed from the site.

### **Drainage and Erosion**

Post-reclamation drainage will have little difference from that during the mining operation. Major offsite flows will be confined to the channel system shown on the mining plan "Exhibit A" and Exhibit "B". Drainage from off-site will not be curtailed, but redirected to the channel system for eventual outfall to the River south of the site.

Any precipitation that falls on the reclaimed pit areas will remain within the pit area. Per the Riverside County Flood Control and Waste Conversation District's hydrology manual, the precipitation expected over 24 hours during a 2 year storm event is 2.25". Given the high degree of permeability present in the soils within the site, any storm water flows that accumulate within the pit areas would percolate back into the ground water table.

Any erosion and sedimentation which may take place will be confined within the site. Erosion features (PROVIDE SPECIFIC PARAMETERS – eg. 12 INCHES WIDE BY 50 FEET LONG) shall be repaired as soon as practical by filling and recompacting.)

### **Slopes And Treatment**

The maximum depth of excavation is anticipated to be 350 feet. Excavated areas would encompass approximately 517 acres. A geotechnical study by Gary Rasmussen and Associates, indicated that vertical cuts of 25 feet or cuts made at a 0.50:1 slope would be allowable during mining operations. Permanent slopes would be graded to varying slopes from 2(V) to 1(V) : 1(H) in a manner as shown in Table 2. Exhibit "A" shows Slope Development for each phase.

No benching is recommended, as studies conducted by Dr. Robert Pyke indicate that benches can be the focal point of slope failure due to seismic amplification. Exhibit "A" of this Plan includes a typical section of this slope configuration. This analysis was verified by CHJ Laboratories using current practices and is attached, along with the other reports, in Appendix "3".

### **Pit Area Reclamation**

The following items are included in the Reclamation Plan.

1. Perform final grading and contouring of existing slopes. Twenty-five (25) acres are assumed to be disturbed to a depth of 30 feet at any one time.
2. Scarify all areas which have been compacted as a result of equipment activity, staging, etc. According to the Mine and Reclamation Plan, all areas including the haul/access

road will be scarified. A portion of the haul/access road will be preserved to provide access to the basins.

3. Spread stockpiled topsoil over areas to be revegetated including the rim of the pit, the reclaimed haul/access road portion, and all slopes, except the bottom 20 feet of the slope and the pit floor in areas to be reclaimed as a percolation basin.
4. All areas to be revegetated will be tilled to aid in the accumulation of seeds and moisture.
5. Trash, debris, and scrap material will be loaded into a 6-wheel end-dump truck and disposed at an approved disposal facility. Cleared and grubbed vegetation will be used on-site for mulch or seed bank where appropriate.
6. Seed will be broadcast spread over approximately 5 acres of slopes in any one year. Seeds will be covered by dragging a chain or sheep's-foot across the surface. Transplanting of specific types and sizes of plants as determined by the project biologist prior to winter precipitation.
7. Revegetation success criteria is discussed in (Supplemental Exhibit Page 242 titled: *Revegetation Protocols for Reclamation at the Robertson's Ready Mix San Gorgonio River Site*, prepared by: *Tierra Madre Consultants, Inc. 159 North Iowa Avenue, Riverside CA 93507, Telephone: 800-838-7727 FAX: 619-477-5380*) and (Supplemental Exhibit Page 246 titled: *Contingency Revegetation Plan*, prepared by: *Tom Dodson and Associates 463 North Sierra Way, San Bernardino CA 92410*)
8. Pit floor crusher, processing plant, and certain portions of the rail equipment will be demolished and removed from the site. Stockpiles will be spread on site where appropriate.
9. Wind turbine will be demolished and removed from the site approximately 2032 after its useful life of the machine. After removal of the wind turbine Robertson Ready Mix will mine the out the location of the wind turbine.

#### **Ponds, Reservoirs, Tailings, Wastes**

There would be two large basins left at the end of the project. The floors of these basins will be left in a state conducive to percolation of any trapped run-off (see previous). Waste will be limited to oversized material and silts/clays. The former is large boulders which will be left in place for contouring the basin floors. The silts/clays will be processed and removed from the site. The levee will remain intact and be maintained in perpetuity.

#### **Cleanup**

Once mining and processing operations have ceased, all processing equipment will be dismantled and removed from the site. Concrete foundations will be demolished, crushed and used on-site for fill or off-site for road base. Scrap iron and other debris will be removed from

the site to an approved recycling facility. Stockpiles will be spread to ensure that there is no blockage of storm water flows.

The rail load-out facility will be dismantled and disposed as other mining equipment. Rail within the rail right-of-way will be abandoned to the rail purveyor. Rail on-site will be removed, if there are no uses for it.

Wind turbine will be demolished and removed from the site approximately 2032 after its useful life of the machine. After removal of the wind turbine Robertson Ready Mix will mine the out the location of the wind turbine.

### **Contaminants**

There are no significant contaminants introduced into the site either by mining or processing. No contamination of either downstream drainage nor the adjacent groundwater table is likely to occur. There is some possibility of contamination from petroleum products used in transportation and mining equipment in the form of spills. There is a Hazardous Material Business Emergency Plan and Chemical Inventory Form filed with the County, along with a spill prevention plan that will be employed in the event of a spill

### **Soils and Fine-Textured Wastes**

Soils profiles indicate that the existing topsoil layer is very thin and in some cases non-existent due to denudation. However, every attempt will be made to carefully remove what topsoil exists and stockpile it prior to commencing new excavation. This will provide a source of topsoil for reclamation, and it will serve to retain for future use those seed materials which the topsoil contains. These materials will augment revegetation.

The major source for topsoil for the reclamation plan would be silts which can be readily obtained from the sediments discharged into the settling ponds. At the time of their application on the slopes, the landscape architect will make recommendations as to any soil amendments which might be necessary to encourage revegetation.

Soils and sediments will be collected in silt pond areas. Silts/clays not used for topsoil will be processed and removed from the site.

### **Revegetation**

Protocols have been developed from previous test sites to allow for soils salvage, substrate contouring, hydro-seeding with a representative seed mix, scheduling, weed removal and success criteria. (Supplemental Exhibit Page 242 titled: *Revegetation Protocols for Reclamation at the Robertson's Ready Mix San Gorgonio River Site*, prepared by: *Tierra Madre Consultants, Inc. 159 North Iowa Avenue, Riverside CA 93507, Telephone: 800-838-7727 FAX: 619-477-5380*) and (Supplemental Exhibit Page 246 titled: *Contingency Revegetation Plan*, prepared by: *Tom Dodson and Associates 463 North Sierra Way, San Bernardino CA 92410*)

### Monitoring and Maintenance

Aerial photographs and topographic mapping were initially prepared of the site in February of 1984. Subsequent aerial photos were taken in September of 1984 and August of 1987, and one each year from 1991 through 2004 2007, to further monitor work on the site. From this information and production data maintained by the operator, a reasonably accurate physical design of ultimate excavation was generated. Periodic updating by means of additional aerial photography will serve as an excellent method to monitor gross progression of mining excavation, ongoing reclamation and observable changes in drainage patterns.

Additional monitoring of reclamation will be provided by County inspectors as stipulated in County Ordinance 555.

Maintenance of reclamation will be conducted by the operator. Inasmuch as reclamation will be occurring concurrently with continuing mining operations, man power and equipment will be onsite to provide necessary maintenance in a timely manner.

Additional monitoring of the revegetation success criteria will be conducted by the County inspectors. Maintenance of the revegetation will be conducted by the operator. Inspectors and operators will depend on protocols have been developed from previous test sites to allow for soils salvage, substrate contouring, hydro-seeding with a representative seed mix, scheduling, weed removal and success criteria. (Supplemental Exhibit Page 242 titled: *Revegetation Protocols for Reclamation at the Robertson's Ready Mix San Gorgonio River Site*, prepared by: *Tierra Madre Consultants, Inc. 159 North Iowa Avenue, Riverside CA 93507, Telephone: 800-838-7727 FAX: 619-477-5380*) and (Supplemental Exhibit Page 246 titled: *Contingency Revegetation Plan*, prepared by: *Tom Dodson and Associates 463 North Sierra Way, San Bernardino CA 92410*)

### Bonding

A bond in the amount of \$624,496 or other appropriate security has been filed with the Building and Safety Director by the surface mining operator or land owner to cover the cost of the Reclamation Plan, or as otherwise approved by the Planning Director. This bond shall include, but not necessarily be limited to the removal of equipment and derelict machinery, wind turbines, waste materials and scraps, soil revegetation and landscaping stabilization of slopes, land restoration compatible with the topography and general environment of surrounding property in accordance with the Reclamation and Mining Plans (See Appendix "13"). The bond shall be held for a period of Seventy (70) years and shall be released only by the Building and Safety Director.

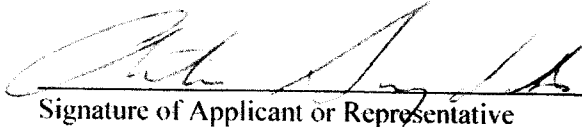
In addition, an Agreement with the County to provide perpetual maintenance of the levee system and early warning monitoring, as well as, insurance for replacement costs of damaged structures has been prepared (see Appendix "6").

## **Exhibit "C" Appendices**

1. U.S.G.S. Map
2. Approved Conditions
3. Geotechnical Reports
4. Scour / Sedimentation / Head-cutting Analysis
5. Scour / Levee Monitoring Program
6. Cooperative Agreement
7. Additional Seepage / Slope Stability Analysis
8. Updated Biological Survey
9. Updated Noise Study
10. Updated Air Quality Analysis
11. Mine Phase Schedule
12. Revegetation Schedule
13. Financial Assurance Bond Amount Determination

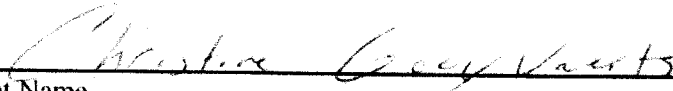
**STATEMENT OF RESPONSIBILITY**

*I certify that the information provided in this Mining and Reclamation Plan application is correct to the best of my knowledge and that all of the owners of 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.*



Executed on Feb 29, 2012

Signature of Applicant or Representative

  
Print Name





**DATE:** December 21, 2011

**TO:** Jay T. Olivas, Project Planner  
P.O. Box 1409  
Riverside, CA 92502-1409  
(951) 955-1195

**FROM:** Steven D. Hinde, REHS, CIH, <sup>SD</sup>  
Senior Industrial Hygienist / Office of Industrial Hygiene  
Riverside County Department of Public Health  
P.O. Box 7600, Riverside, CA 92513-7600



**PROJECT REVIEWED:** Commercial SMP No. 162, Revised Permit No. 5  
EA42458  
Project Location: Sec. 3, T3S, R3E Riverside County.

Proposal to add two (2) one and half megawatt (MW) G.E. 1.5-77 commercial wind turbines with 100 percent of the wind generated power to be used for on-site consumption of the existing Robertson Ready Mix mine.

**REFERENCE NUMBER:** 96896

**APPLICANT:** Foundation Windpower  
Attention: Matt Wilson  
505 Sansome Street  
San Francisco, CA 94115  
Phone: (415) 320-9342

**ACOUSTICAL CONSULTANT:** Channel Islands Acoustics  
676 West Highland Drive  
Camarillo CA 93010

**INFORMATION SUBMITTED:** "Noise Impact Analysis For Proposed Two Turbine Wind Energy Installation Robertson Ready-Mix Site, Riverside County, CA" dated November 4, 2011.

Project blue lines.

### CHARACTERISTICS OF PROPOSED TURBINES:

The applicant proposes to install Two (2), "G.E. 1.5-77, 1.5 MW" wind turbines at the site. The turbine characteristics are listed below:

TURBINE CHARACTERISTIC	TURBINE MODEL: 1.5 - 77
Hub Height (meters)	65
Rotor Diameter (meters)	77
kW output	1500 kW
Pure Tone Output	No
Effective A-weighted Sound Power Level (SPL) at Varying Wind Speeds (meters per second, or "m/s")	96.6 dB @ 6 m/s 99.8 dB @ 7 m/s 102.7 dB @ 8 m/s ≤104.0 dB @ 9 m/s – cut out

### FINDINGS:

1. The G.E. 1.5-77, 1.5 MW turbines complies with the County's design requirements of "in accordance with good engineering practices".
2. The consultant applied the correct acoustical modeling methodology pursuant to the requirements of Riverside County Ordinance 348, sec. 18.41 (resolution # 99-404).
3. A Composite Aerial Photo / Map Showing Residential Figure 1 - 1,200 and 1,800 feet of the project site verified that the information presented in the acoustical report regarding site lay-out and sensitive receiver location was accurate.
4. Anticipated noise levels: *At nearest residence:* Existing and proposed turbine worst-case (wind speed of 9 m/s) noise at nearest resident: **45 -50 dB(A)**; *At project property line boundary:* The 55 dB (A) noise contour lies within the project's property line boundary.

### CONCLUSIONS:

SMP No. 162, Revised Permit No. 5, using the G.E. 1.5-77, commercial wind turbines 1.5 MW turbines, will be in compliance with Riverside County Riverside Ordinance 348, sec. 18.41 governing wind turbine noise.

### RECOMMENDATIONS:

1. Whenever a construction site is within one-quarter (1/4) of a mile of an occupied residence or residences, no construction activities shall be undertaken between the hours of 6:00 p.m. and 7:30 a.m. during the weekdays. No person, while engaged

in construction, remodeling, digging, grading, demolition or any other related building activity, shall operate any tool, equipment or machine in a manner that produces loud noise that disturbs a person of normal sensitivity who works or resides in the vicinity, or a peace officer, on any weekend day or any federal holiday. Exceptions to these standards shall be allowed only with the written consent of the building official.

2. All construction vehicles, equipment fixed or mobile shall be equipped with properly operating and maintained mufflers and in proper tune per manufacturer's specifications.
3. The use of horns, whistles, electronic alarms, sirens or alarm bells should be for safety warning purpose only.
4. In order to minimize noise effects due to blasting (if any) during construction grading, blasting should be restricted to the hours between 9:00 AM and 6:00 PM, Monday through Saturday.
5. Wind turbines used for this project should not be significantly noisier than the G.E. 1.5-77 wind turbines analyzed in this report.
6. Wind turbines should be properly maintained so that tonal noise from, drive trains or generators, and blade noise do not significantly increase over the project life.
7. Commercial SMP No. 162, Revised Permit No. 5 shall enroll in the County's Wind Implementation Monitoring Plan (WIMP). This will require the applicant to pay monitoring fees, notify residents in the area about the County's WIMP complaint monitoring program / complaint reporting system and coordinate monitoring activities with our office.

We recommend that we conduct a baseline noise monitoring assessment as soon as the project becomes operational.

**LAND DEVELOPMENT COMMITTEE**  
**2nd CASE TRANSMITTAL**  
**RIVERSIDE COUNTY PLANNING DEPARTMENT - RIVERSIDE**  
**P.O. Box 1409**  
**Riverside, CA 92502-1409**

AIRCRAFT AND USE CONSIDERATION  
Received  
MAY 08 2012

DATE: March 6, 2012

**TO:**

Riv. Co. Transportation Dept. – Palm Desert  
Riv. Co. Environmental Health Dept.  
Riv. Co. Public Health – Industrial Hygiene  
Riv. Co. Flood Control District  
Riv. Co. Fire Department-Palm Desert  
Riv. Co. Building & Safety – S. Gonzalez  
Riv. Co. Building & Safety – T. Jakeway  
Riv. Co. Building & Safety – R. Klaarenbeek

Regional Parks & Open Space District  
Riv. Co. Environmental Programs Dept.  
P.D. Geology Section-D. Jones  
P.D. Archaeology Section-L. Mouriquand  
Riv. Co. Surveyor- Bob Robinson  
~~Riv. Co. ALUC - J. Guerin~~  
Banning Municipal Airport-General Manager  
5th District Supervisor

5th District Planning Commissioner  
Southern California Edison  
CALTRANS Dist. #8  
CALTRANS Div. of Aeronautics  
City of Banning  
Cabazon Factory Outlet Stores-Chelsea Realty  
Morongo Band of Indians

**SURFACE MINING PERMIT NO. 162, REVISED PERMIT NO. 5 – EA42458 – Applicant:** c/o Foundation Wind Power (Matt Wilson) for Robertson's Ready Mix – **Engineer/Representative:** Craig Cook, RCE - Fifth Supervisorial District – The Pass & Desert Zoning District – The Pass Area Plan: Rural: Rural Desert (R-RD) & Rural Residential (R-RR), Community Development: Light Industrial(CD-LI) & Commercial Retail (CD-CR) – **Location:** South of I-10, east of Fields Road and north of Bonita Avenue – 517.32 Gross Acres – **Zoning:** Controlled Development Area with 10-Acre Minimum (W-2-10), Controlled Development Area with 5-Acre Minimum (W-2-5), Controlled Development Area (W-2), General Commercial (C1-CP) and Manufacturing – Service Commercial (M-SC) - **REQUEST: Existing Surface Mine with production rate of 4.5 million tons of material per year proposes addition of two (2) one megawatt (MW) commercial wind turbines at 338.6 feet in height.** APN's: 519-210-001, 002, 519-220-001, 002, 003, 004, 005, 006, 007, 008, 009, 010, 011, 012, 519-110-007, 009, 011, 015, 519-170-004, 005, 006, 007, 519-200-005, 006, 007, 008, 009, 010, 011- **Related Cases:** SMP00162, SMP00162R1, SMP00162R2, SMP00162S1, SMP00162S2, SMP00162S3

Please review the attached **Amended** map(s) and/or exhibit(s) for the above-mentioned project. Any further comments, recommendations, and/or conditions are requested prior to the pending **April 5, 2012 LDC Comment Agenda** deadline, in order that they may be incorporated in the staff report package for this project.

Should you have any questions regarding this item, please do not hesitate to contact **Jay Olivas, Project Planner** at (951) 955-1195, Project Planner, or e-mail at **JOLIVAS@rctlma.org / MAILSTOP #: 1070**

*COMMENTS: This project was reviewed by ALUC pursuant to ALUC Case No. ZAP1009 BA II. A copy of the consistency finding, with applicable letters and exhibits, is attached. No further ALUC review is required unless the height, elevation, locational coordinates, or other attributes of the wind turbines and towers are further modified, in comparison to the project as reviewed by the FAA.*

DATE: March 22, 2012 SIGNATURE: John J. Guerin

PLEASE PRINT NAME AND TITLE: John J. Guerin, Principal Planner

TELEPHONE: (951) 955-0982

*If you do not include this transmittal in your response, please include a reference to the case number and project planner's name. Thank you.*

# AIRPORT LAND USE COMMISSION RIVERSIDE COUNTY

Riverside County  
Airport Land Use Commission



November 7, 2011

Jay Olivas, Planner IV  
Riverside County Planning Department  
4080 Lemon Street, 12<sup>th</sup> Floor  
Riverside, CA 92501

**RE: AIRPORT LAND USE COMMISSION (ALUC) DEVELOPMENT REVIEW**

File No.: ZAP1009BA11  
Related File No.: SMP00162R5 (Revised Surface Mining Permit)  
APN: 519-200-005; 519-200-007

Dear Mr. Olivas:

Under the delegation of the Riverside County Airport Land Use Commission (ALUC), staff reviewed the above-referenced proposal to construct and operate two wind energy conversion systems (also referenced in these conditions as "WECS") within the 517-acre Robertson's Ready Mix aggregate mining facility located westerly of Apache Trail and southwesterly of Interstate 10 in the unincorporated community of Cabazon, easterly of Banning Municipal Airport. The project is located just outside the boundaries of the Banning Municipal Airport Influence Area, but, as the towers exceed 200 feet in height (with top of blade at 12 o'clock position), Federal Aviation Administration (FAA) review through the Form 7460-1 process was required and has been completed. The project differs from a "commercial wind energy conversion system" in that all power generated therefrom will be utilized for on-site operations only.

As ALUC Director, I hereby find the above-referenced project **CONSISTENT** with the Countywide Policies of the 2004 Riverside County Airport Land Use Compatibility Plan, subject to the following conditions:

**CONDITIONS:**

1. Each of the two WECS shall be marked and lighted in accordance with FAA Advisory Circular 70/7460-1 K, Change 2, Obstruction Marking and Lighting, white paint/synchronized red lights – Chapters 4, 12, & 13 (Turbines). The required obstruction lights shall be installed and operational once the structure has reached the height for which lights are required and shall be maintained in an operable condition whether or not the turbine is operational.
2. Within five (5) days after the construction reaches its greatest height, FAA Form 7460-2, Notice of Actual Construction or Alteration, shall be completed by the project proponent or his/her designee and submitted to the Federal Aviation Administration Southwest Regional Office Obstruction Evaluation Group, 2601 Meacham Blvd., Fort Worth TX 76137. This

**CHAIR**  
Simon Housman  
Rancho Mirage

**VICE CHAIRMAN**  
Rod Ballance  
Riverside

**COMMISSIONERS**

Arthur Butler  
Riverside

John Lyon  
Riverside

Glen Holmes  
Hemet

Greg Pettis  
Cathedral City

Richard Stewart  
Moreno Valley

**STAFF**

Director  
Ed Cooper

John Guerin  
Russell Brady  
Barbara Santos

County Administrative Center  
4080 Lemon St., 14th Floor.  
Riverside, CA 92501  
(951) 955-5132

[www.rcaluc.org](http://www.rcaluc.org)

requirement is also applicable in the event the project is abandoned.

3. The specific coordinates, heights, and power shall not be amended without further review by the Airport Land Use Commission and the Federal Aviation Administration; provided, however, that reduction in height shall not require further review by the Airport Land Use Commission.
4. Each wind turbine shall be painted in a bright white color for daytime conspicuity.
5. Any failure or malfunction that lasts more than thirty (30) minutes and affects a top light or flashing obstruction light, regardless of its position, shall be reported immediately to (877) 487-6867 so a Notice to Airmen (NOTAM) can be issued. As soon as the normal operation is restored, notify the same number.
6. The maximum height of any WECS and tower shall not exceed 340 feet to top of blade at 12 o'clock position.
7. Temporary construction equipment used during actual construction of the WECS shall not exceed the height of the WECS, unless separate notice is provided to the Federal Aviation Administration through the Form 7460-1 process.
8. The proposed WECS shall not generate electrical interference that may be detrimental to the operation of aircraft and/or aircraft instrumentation.
9. Other than FAA-approved lighting and marking as specified above, no lighting shall be installed that would direct a steady light or flashing light of red, white, green, or amber colors associated with aircraft operations toward an aircraft engaged in an initial straight climb during takeoff or toward an aircraft engaged in a straight final approach toward a landing at an airport.
10. Rotor blades shall utilize a flat or matte (non-glossy) finish so as to minimize the reflection of sunlight towards an aircraft engaged in an initial straight climb during takeoff or towards an aircraft engaged in a straight final approach toward a landing at an airport.
11. The WECS and any accessory uses shall not generate smoke or water vapor and shall be designed so as not to attract large concentrations of birds.
12. The maximum elevation of the southerly wind turbine (at top of blade at 12 o'clock position) shall not exceed 2,215 feet above mean sea level.
13. The maximum elevation of the northerly wind turbine (at top of blade at 12 o'clock position) shall not exceed 2,230 feet above mean sea level.

Should you have any questions regarding this action, please contact Russell Brady, ALUC Contract Planner, at (951) 955-0549 or John Guerin, ALUC Principal Planner, at (951) 955-0982.

Sincerely,  
RIVERSIDE COUNTY AIRPORT LAND USE COMMISSION



Edward C. Cooper, Director

Cc: ALUC Staff  
Matt Wilson, Foundation Windpower, LLC  
Robertson's Ready Mix/RRM Prop. Ltd. – Attn.: Christine Goeysvaerts  
Banning Municipal Airport

Enclosures: FAA Determinations of No Hazard to Air Navigation:  
Aeronautical Study Nos. 2011-WTW-11710-OE and 2011-WTW-11711-OE

Y:\ALUC\Airport Case Files\Banning\ZAP1009BA11.LTR.doc



Mail Processing Center  
Federal Aviation Administration  
Southwest Regional Office  
Obstruction Evaluation Group  
2601 Meacham Boulevard  
Fort Worth, TX 76137

Aeronautical Study No.  
2011-WTW-11710-OE  
Prior Study No.  
2011-WTW-6360-OE

Issued Date: 11/02/2011

Matt Wilson  
Foundation Windpower  
505 Sansome Street  
San Francisco, CA 94111

**\*\* DETERMINATION OF NO HAZARD TO AIR NAVIGATION \*\***

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure: Wind Turbine RRM GE  
Location: Cabazon, CA  
Latitude: 33-54-52.04N NAD 83  
Longitude: 116-48-41.18W  
Heights: 1875 feet site elevation (SE)  
340 feet above ground level (AGL)  
2215 feet above mean sea level (AMSL)

This aeronautical study revealed that the structure does not exceed obstruction standards and would not be a hazard to air navigation provided the following condition(s), if any, is(are) met:

As a condition to this Determination, the structure is marked/lighted in accordance with FAA Advisory circular 70/7460-1 K Change 2, Obstruction Marking and Lighting, white paint/synchronized red lights - Chapters 4,12&13(Turbines).

It is required that FAA Form 7460-2, Notice of Actual Construction or Alteration, be completed and returned to this office any time the project is abandoned or:

- At least 10 days prior to start of construction (7460-2, Part I)  
 Within 5 days after the construction reaches its greatest height (7460-2, Part II)

**See attachment for additional condition(s) or information.**

This determination expires on 05/02/2013 unless:

- (a) extended, revised or terminated by the issuing office.
- (b) the construction is subject to the licensing authority of the Federal Communications Commission (FCC) and an application for a construction permit has been filed, as required by the FCC, within 6 months of the date of this determination. In such case, the determination expires on the date prescribed by the FCC for completion of construction, or the date the FCC denies the application.



NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THE DETERMINATION MUST BE E-FILED AT LEAST 15 DAYS PRIOR TO THE EXPIRATION DATE. AFTER RE-EVALUATION OF CURRENT OPERATIONS IN THE AREA OF THE STRUCTURE TO DETERMINE THAT NO SIGNIFICANT AERONAUTICAL CHANGES HAVE OCCURRED, YOUR DETERMINATION MAY BE ELIGIBLE FOR ONE EXTENSION OF THE EFFECTIVE PERIOD.

Additional wind turbines or met towers proposed in the future may cause a cumulative effect on the national airspace system. This determination is based, in part, on the foregoing description which includes specific coordinates and heights. Any changes in coordinates will void this determination. Any future construction or alteration requires separate notice to the FAA.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

Any failure or malfunction that lasts more than thirty (30) minutes and affects a top light or flashing obstruction light, regardless of its position, should be reported immediately to (877) 487-6867 so a Notice to Airmen (NOTAM) can be issued. As soon as the normal operation is restored, notify the same number.

If we can be of further assistance, please contact our office at (816) 329-2525. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2011-WTW-11710-OE.

**Signature Control No: 151907559-152990989**

Donna O'Neill  
Specialist

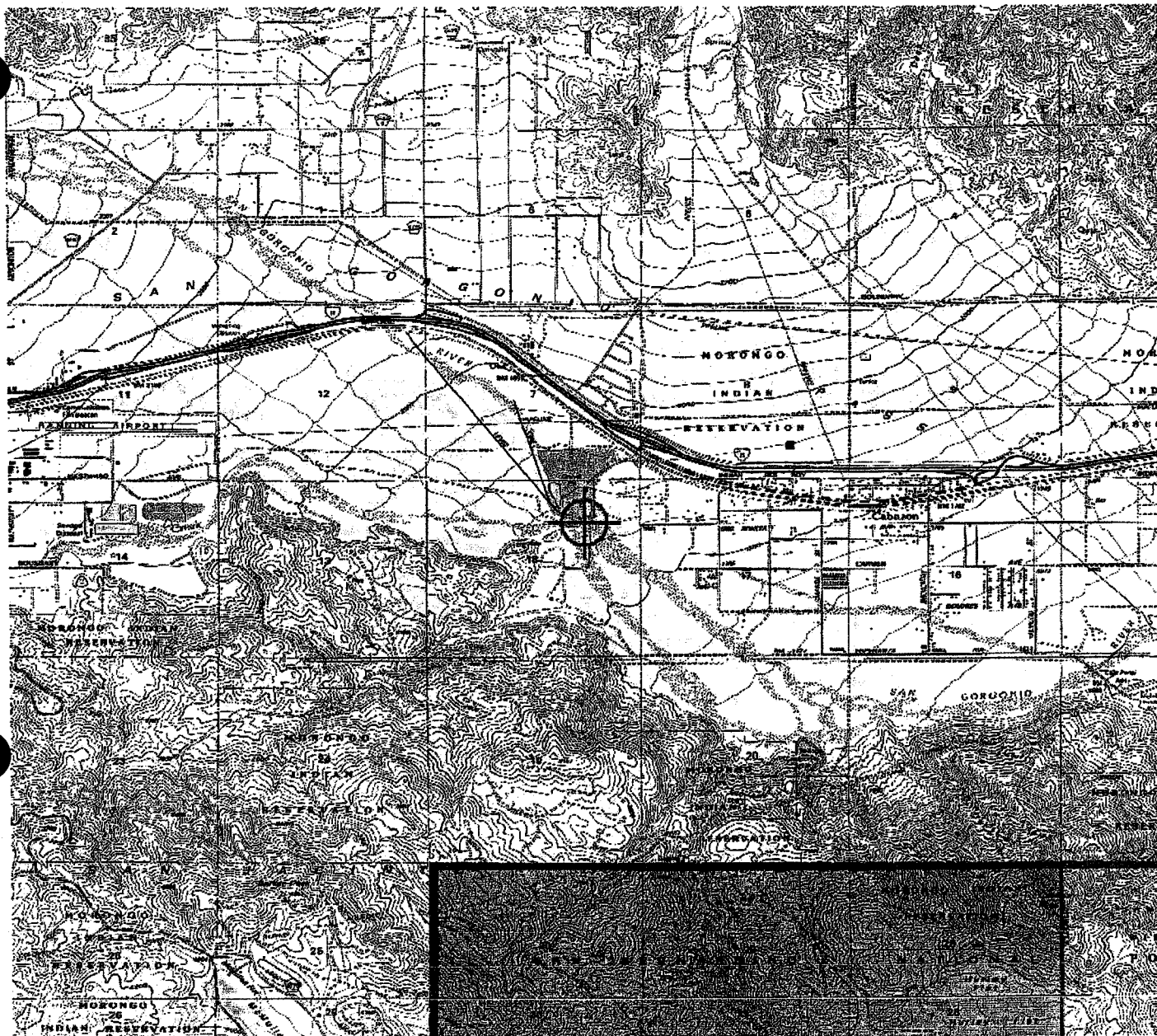
( DNE -WT )

Attachment(s)

Additional Information

Map(s)

Obstruction lights should be installed and operational once the structure has reached the height for which lights are required. Lights Out NOTAMs (Notices to Airmen) are not intended to be a substitution for operational lighting during project construction.





Mail Processing Center  
 Federal Aviation Administration  
 Southwest Regional Office  
 Obstruction Evaluation Group  
 2601 Meacham Boulevard  
 Fort Worth, TX 76137

Aeronautical Study No.  
 2011-WTW-11711-OE  
 Prior Study No.  
 2011-WTW-6359-OE

Issued Date: 11/02/2011

Matt Wilson  
 Foundation Windpower  
 505 Sansome Street  
 San Francisco, CA 94111

**\*\* DETERMINATION OF NO HAZARD TO AIR NAVIGATION \*\***

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure: Wind Turbine RRM GE  
 Location: Cabazon, CA  
 Latitude: 33-55-02.02N NAD 83  
 Longitude: 116-48-54.22W  
 Heights: 1890 feet site elevation (SE)  
 340 feet above ground level (AGL)  
 2230 feet above mean sea level (AMSL)

This aeronautical study revealed that the structure does not exceed obstruction standards and would not be a hazard to air navigation provided the following condition(s), if any, is(are) met:

As a condition to this Determination, the structure is marked/lighted in accordance with FAA Advisory circular 70/7460-1 K Change 2, Obstruction Marking and Lighting, white paint/synchronized red lights - Chapters 4,12&13(Turbines).

It is required that FAA Form 7460-2, Notice of Actual Construction or Alteration, be completed and returned to this office any time the project is abandoned or:

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- Within 5 days after the construction reaches its greatest height (7460-2, Part II)

**See attachment for additional condition(s) or information.**

This determination expires on 05/02/2013 unless:

- (a) extended, revised or terminated by the issuing office.
- (b) the construction is subject to the licensing authority of the Federal Communications Commission (FCC) and an application for a construction permit has been filed, as required by the FCC, within 6 months of the date of this determination. In such case, the determination expires on the date prescribed by the FCC for completion of construction, or the date the FCC denies the application.

NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE E-FILED AT LEAST 15 DAYS BEFORE OR TO THE EXPIRATION DATE. AFTER RE-EVALUATION OF CURRENT OPERATIONS IN THE AREA OF THE STRUCTURE TO DETERMINE THAT NO SIGNIFICANT AERONAUTICAL CHANGES HAVE OCCURRED, YOUR DETERMINATION MAY BE ELIGIBLE FOR ONE EXTENSION OF THE EFFECTIVE PERIOD.

Additional wind turbines or met towers proposed in the future may cause a cumulative effect on the national airspace system. This determination is based, in part, on the foregoing description which includes specific coordinates and heights. Any changes in coordinates will void this determination. Any future construction or alteration requires separate notice to the FAA.

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This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

Any failure or malfunction that lasts more than thirty (30) minutes and affects a top light or flashing obstruction light, regardless of its position, should be reported immediately to (877) 487-6867 so a Notice to Airmen (NOTAM) can be issued. As soon as the normal operation is restored, notify the same number.

If we can be of further assistance, please contact our office at (816) 329-2525. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2011-WTW-11711-OE.

**Signature Control No: 151907849-152993762**

(DNE -WT)

Donna O'Neill

Specialist

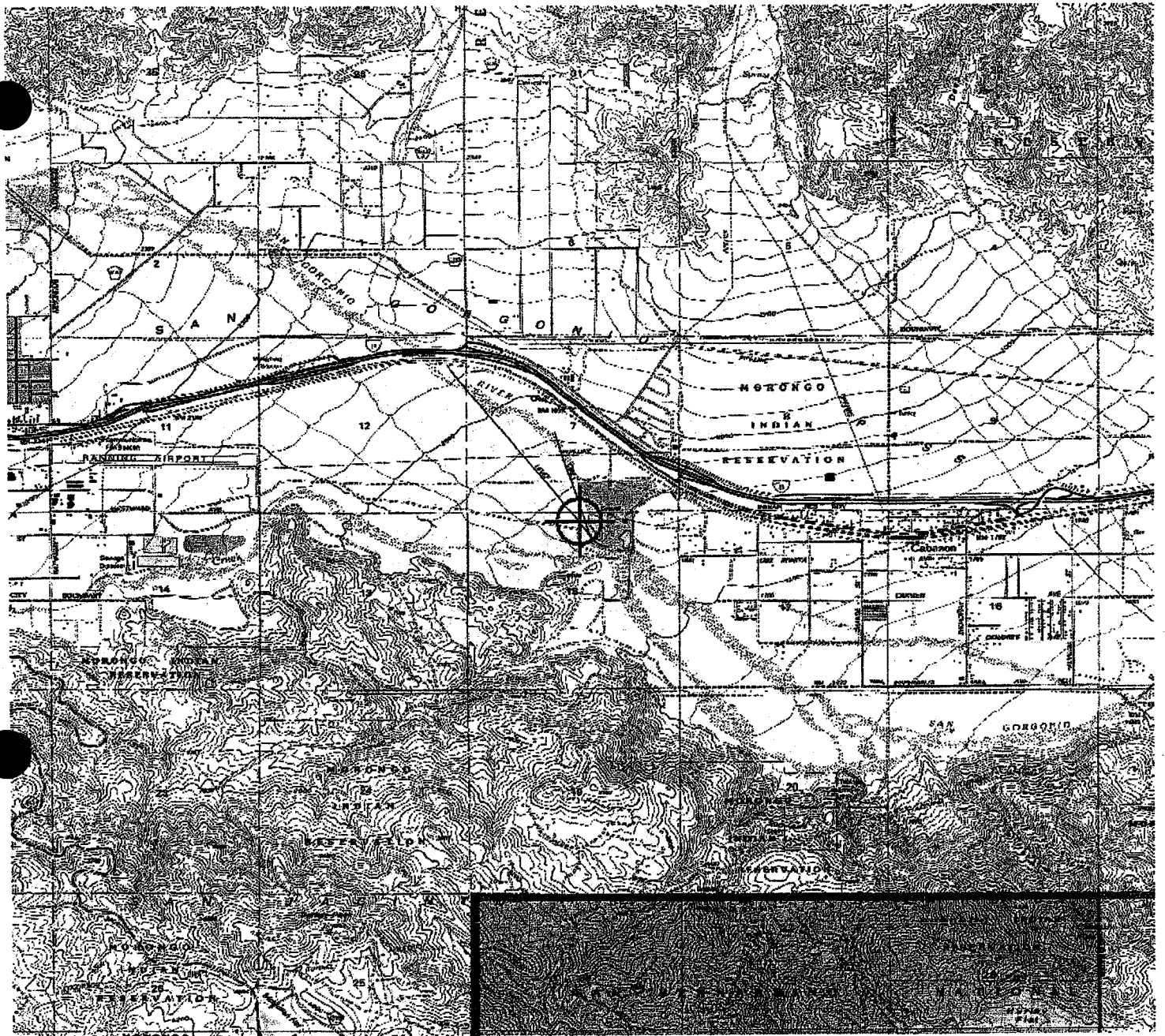
Attachment(s)

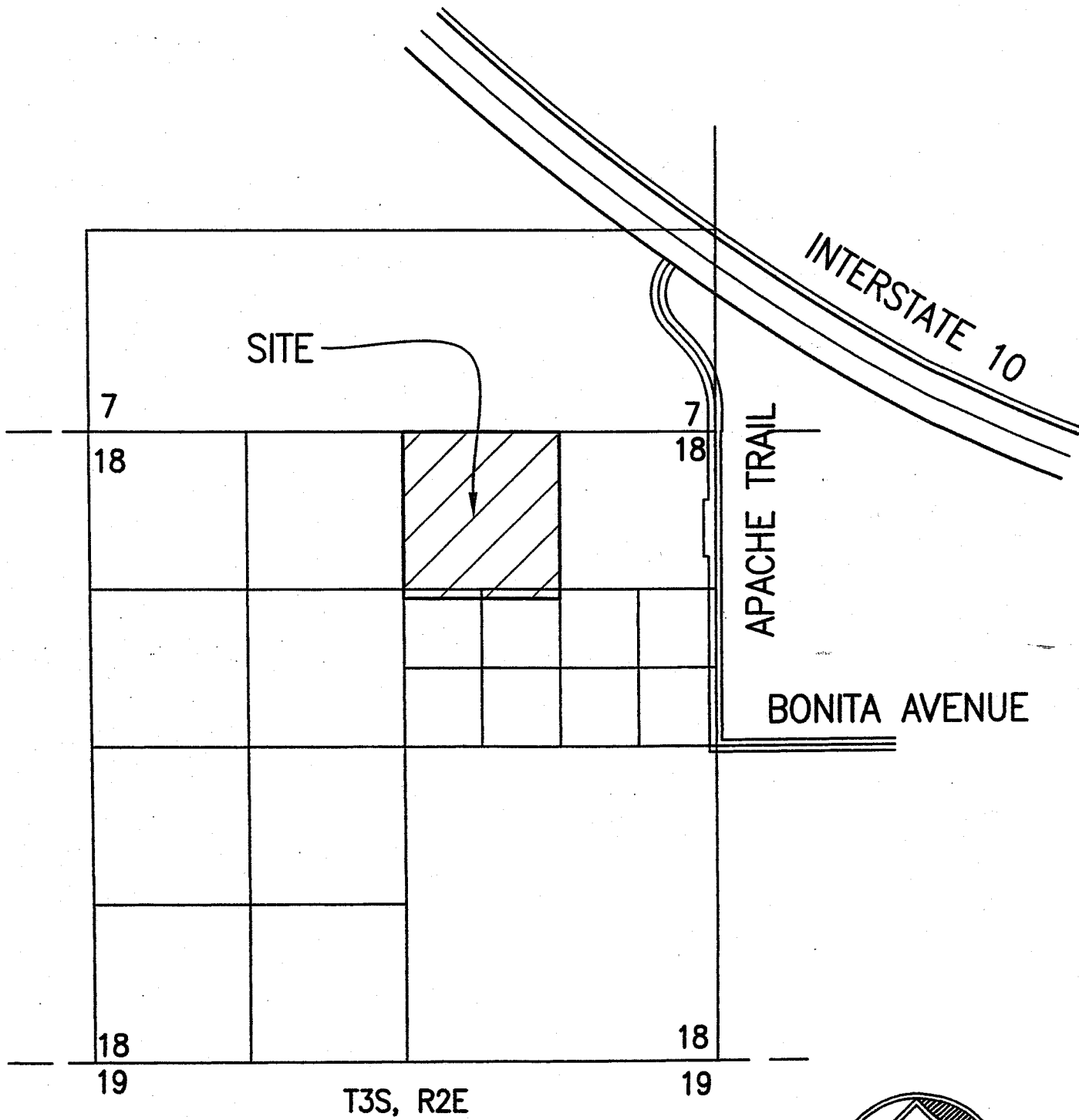
Additional Information

Map(s)

**Additional information for ASN 2011-WTW-11711-OE**

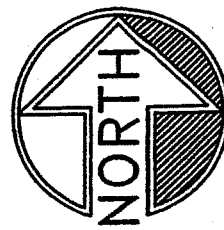
Obstruction lights should be installed and operational once the structure has reached the height for which lights are required. Lights Out NOTAMs (Notices to Airmen) are not intended to be a substitution for operational lighting during project construction.





# VINICITY MAP

NO SCALE





**DEPARTMENT OF TRANSPORTATION**

DISTRICT 8

PLANNING

64 WEST 4th STREET, 6th FLOOR, MS 725

SAN BERNARDINO, CA 92401-1400

PHONE (909) 383-4557

FAX (909) 383-5936

TTY (909) 383-6300

*Flex your power!  
Be energy efficient!*

November 17, 2011

Riverside County Planning Department  
Land Development Committee  
Mr. Jay Olivas  
P. O. Box 1409  
Riverside, CA 92502-1409

Dear Mr. Olivas:

Surface Mining Permit No. 165 Revised Permit No. 5, SMP00162R5  
Assessor Parcel 519-200-005, 519-200-007  
08-RIV 10, PM 17.652

The California Department of Transportation reviewed the Revised Surface Mining Permit and Reclamation Plan for Robertson's Ready Mix. The existing mine is located south of Interstate 10 (I-10), north of Bonita Avenue, and west of Apache Trail. Access to the site will be through existing mining roads and easements. The project proposes to add two, 1-megawatt commercial wind turbines for on-site power consumption for the existing mine.

Whereas no conflicts appear evident with the proposal as shown, it was not mentioned on how the wind turbine components will be transported to the site. If I-10 is to be used we have the following comments for your consideration:

**Permits**

Caltrans has the discretionary authority to issue special permits for the movement of vehicles/loads exceeding statutory limitations on the size, weight, and loading of vehicles contained in Division 15 of the California Vehicle Code. Requests for such special permits require the completion of an application for a Transportation Permit.

Information regarding Transportation Permit application for travel entering the State may be obtained on our web page at: <http://www.dot.ca.gov/hq/traffops/permits/contact.htm>

To facilitate continual thru flow traffic at the Apache Trail roundabouts, we recommend that signage and flaggers be utilized to minimize delays or backup on the I-10 mainline.

Mr. Jay Olivas  
November 17, 2011  
Page 2

If you have any question regarding developmental review procedures or other issues, please contact me at (909) 383-4557 for assistance.

Sincerely,

A handwritten signature in black ink, appearing to read "Daniel Kopulsky". The signature is fluid and cursive, with the first name "Daniel" being more prominent than the last name "Kopulsky".

DANIEL KOPULSKY  
Office Chief  
Community Planning/Local Development Review

**MORONGO  
BAND OF  
MISSION  
INDIANS**



A SOVEREIGN NATION

October 17, 2011

Jay Olivas, Project Planner  
Riverside County Planning Department  
P.O. Box 1409  
Riverside, CA 92502-1409

**SUBJECT: Surface Mining Permit No. 162  
Revised Permit No. 5  
E.A. 42458**

Dear Mr. Olivas:

Thank you for contacting the Morongo Band of Mission Indians regarding the above referenced project. The Tribe greatly appreciates the opportunity to review the project and, respectfully, offer the following comments.

The project is outside of the Tribe's current reservation boundaries but within an area that may be considered a traditional use area or one in which the Tribe has cultural ties (e.g. Cahuilla/Serrano territory). Because the project involves revisions to an Existing Surface Mine with a production rate of 4.5 million tons of material per year proposing the addition of two (2) megawatt (MW) Mitsubishi MWT-1000A commercial wind turbines at 327 feet in height with 100% of the wind generated power to be used for on-site consumption the Morongo Band of Mission Indians asks that you impose specific conditions regarding cultural and/or archaeological resources and buried cultural materials on any development plans or entitlement applications as follows:

- If human remains are encountered during grading and other construction excavation, work in the immediate vicinity shall cease and the County Coroner shall be contacted pursuant to State Health and Safety Code §7050.5.
- In the event that Native American cultural resources are discovered during project development/construction, all work in the immediate vicinity of the find shall cease and a qualified archaeologist meeting Secretary of Interior standards shall be hired to assess the find. Work on the overall project may continue during this assessment period.

If significant Native American cultural resources are discovered, for which a Treatment Plan must be prepared, the developer or his archaeologist shall contact the Morongo Band of Mission Indians

("Tribe")<sup>1</sup>. If requested by the Tribe, the developer or the project archaeologist shall, in good faith, consult on the discovery and its disposition (e.g. avoidance, preservation, return of artifacts to tribe, etc.).

If I may be of further assistance with regard to this matter, please do not hesitate to contact me at your convenience.

Very truly yours,

MORONGO BAND OF MISSION INDIANS



Franklin A. Dancy,  
Director of Planning

---

<sup>1</sup> The Morongo Band of Mission Indians realizes that there may be additional tribes claiming cultural affiliation to the area; however, Morongo can only speak for itself. The Tribe has no objection if the archaeologist wishes to consult with other tribes and if the city wishes to revise the condition to recognize other tribes.

September 10, 2012

Attn: Jay Olivas, Planner  
County of Riverside Planning Department  
P.O. Box 1409  
4080 Lemon Street, 12<sup>th</sup> Floor  
Riverside, CA 92502-1409

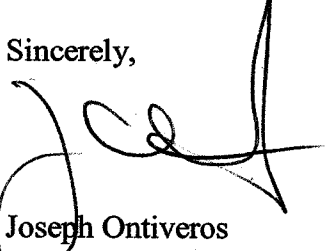


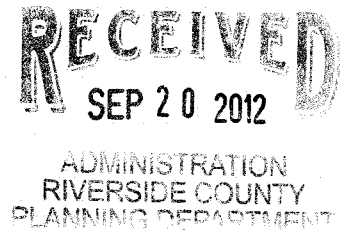
**Re: Intent to Adopt a Mitigated Negative Declaration for  
Surface Mining Permit No. 162, Revised Permit No. 5/Variance Case No. 1883  
Wind turbines located at 13990 Apache Trail**

The Soboba Band of Luiseño Indians appreciates your observance of Tribal Cultural Resources and their preservation in your project. The information provided to us on said project(s) has been assessed through our Cultural Resource Department, where it was concluded that although it is outside the existing reservation, the project area does fall within the bounds of our Tribal Traditional Use Areas. At this time the Soboba Band does not have any specific concerns regarding this project, but wishes to defer to the Morongo Band of Mission Indians. The tribe requests notification of any inadvertent discoveries that may be discovered during the course of the project.

[SPECIAL NOTE (for projects other than cell towers): *If* this project is associated with a city or county specific plan or general plan action it is subject to the provisions of SB18-Traditional Tribal Cultural Places (law became effective January 1, 2005) and will require the city or county to participate in **formal, government-to-government** consultation with the Tribe. If the city or county are your client, you may wish to make them aware of this requirement. By law, they are required to contact the Tribe.

Sincerely,

  
Joseph Ontiveros  
Soboba Cultural Resource Department  
P.O. Box 487  
San Jacinto, CA 92581  
Phone (951) 654-5544 ext. 4137  
Cell (951) 663-5279  
[jontiveros@soboba-nsn.gov](mailto:jontiveros@soboba-nsn.gov)



## MINUTES

MEETING DATE APRIL 19, 2012

### SAN GORGONIO PASS MUNICIPAL ADVISORY COUNCIL

San Gorgonio Pass Water Agency (Board of Directors Chamber)

1210 Beaumont Ave. Beaumont CA 92223

#### MINUTES

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1. Call to Order: Meeting was called to order by Chairman Ray Morris
2. Pledge of Allegiance: Allegiance was led by John Benfield
3. Roll Call: Ray Morris, John Covington, Mary Daniel, Stella Parks (Patsy Reeley absent) Cabazon: Steven Thomas, Angela Ritchie, and Debbie Peterson
4. Approval of Agenda & Minutes: Approval of Minutes/Agenda
5. New Business: None
6. Staff Reports & Updates:
  - Water Quality Control Board Report—Report was given by Mike Perez (RWCQB Staff) related to the UCR Report dated February 03, 2012, some questions were raised.
  - Surface Mining Permit NO> 161, Revised Permit NO.5—EA42458—Guest Speaker John Pimental gave a brief presentation related to the wind turbines to be installed at the Robertson's plant in Cabazon. All in favor and no problems with this project.
7. Public Comment/Board Member Report: No reports were given. Public comments were addressed from the West Desert MAC, and concerned citizens in Cabazon related to the Robertson's wind turbine project.
8. Items for Future Agenda: None
9. Announcements: (I have no notes on this)
10. Adjournment: Meeting was adjourned at 1:00 pm.

Submitted by Vice Chairman, John Covington



EDMUND G. BROWN JR.  
GOVERNOR

STATE OF CALIFORNIA  
GOVERNOR'S OFFICE *of* PLANNING AND RESEARCH  
STATE CLEARINGHOUSE AND PLANNING UNIT



KEN ALEX  
DIRECTOR

September 20, 2012

Jay Olivas  
Riverside County Planning Dept.  
4080 Lemon Street, 12th Floor  
P.O. Box 1409  
Riverside, CA 92502-1409

RECEIVED  
SEP 24 2012  
ADMINISTRATION  
RIVERSIDE COUNTY  
PLANNING DEPARTMENT

Subject: EA No. 42458 / Surface Mining Permit No. 162, Revised Permit No. 5 / Variance No. 1883 /  
Robertson's  
SCH#: 2012081053

Dear Jay Olivas:

The State Clearinghouse submitted the above named Mitigated Negative Declaration to selected state agencies for review. The review period closed on September 19, 2012, and no state agencies submitted comments by that date. This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act.

Please call the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process. If you have a question about the above-named project, please refer to the ten-digit State Clearinghouse number when contacting this office.

Sincerely,

Scott Morgan  
Director, State Clearinghouse

**Document Details Report  
State Clearinghouse Data Base**

**SCH#** 2012081053  
**Project Title** EA No. 42458 / Surface Mining Permit No. 162, Revised Permit No. 5 / Variance No. 1883 /  
**Lead Agency** Robertson's  
Riverside County

---

**Type** **MND** Mitigated Negative Declaration  
**Description** Existing Surface Mine with production rate of up to 4.5 million tons of material per year proposes addition of two 1 megawatt commercial wind turbines at 338.6 feet in height with proposed variance to increase height limits of the Controlled Development Area -10 Acre Minimum (W-2-10) zone from 105 feet to 338.6 feet to accommodate the proposed commercial wind turbines.

---

**Lead Agency Contact**

**Name** Jay Olivas  
**Agency** Riverside County Planning Dept.  
**Phone** 951 955 1195 **Fax**  
**email**  
**Address** 4080 Lemon Street, 12th Floor  
P.O. Box 1409  
**City** Riverside **State** CA **Zip** 92502-1409

---

**Project Location**

**County** Riverside  
**City**  
**Region**  
**Lat / Long** 33° 54' 55" N / 116° 48' 55" W  
**Cross Streets** South of I-10 between Apache Trail and Fields Road  
**Parcel No.** 519-200-005  
**Township** 3S **Range** 2E **Section** 18 **Base** SBB&M

---

**Proximity to:**

**Highways** I-10  
**Airports** Banning  
**Railways** UPRR  
**Waterways** Whitewater River  
**Schools** Banning USD  
**Land Use** Active Surface Mine/Controlled Development Areas/Rural & Community Development

---

**Project Issues** Aesthetic/Visual; Air Quality; Archaeologic-Historic; Biological Resources; Drainage/Absorption; Economics/Jobs; Fiscal Impacts; Geologic/Seismic; Noise; Public Services; Septic System; Soil Erosion/Compaction/Grading; Traffic/Circulation; Vegetation; Water Quality; Water Supply; Landuse; Cumulative Effects

---

**Reviewing Agencies** Resources Agency; Department of Conservation; Department of Fish and Game, Region 5; Department of Parks and Recreation; Department of Water Resources; Resources, Recycling and Recovery; Caltrans, Division of Aeronautics; California Highway Patrol; Caltrans, District 7; Air Resources Board, Major Industrial Projects; Regional Water Quality Control Board, Region 7; California Energy Commission; Native American Heritage Commission; Public Utilities Commission; State Lands Commission

---

**Date Received** 08/20/2012 **Start of Review** 08/21/2012 **End of Review** 09/19/2012





# DEPARTMENT OF CONSERVATION

*Managing California's Working Lands*

## OFFICE OF MINE RECLAMATION

801 K STREET • MS 09-06 • SACRAMENTO, CALIFORNIA 95814

PHONE 916 / 323-9198 • FAX 916 / 445-6066 • TDD 916 / 324-2555 • WEBSITE [conservation.ca.gov](http://conservation.ca.gov)

October 16, 2012

**VIA EMAIL: [dljones@rctlma.org](mailto:dljones@rctlma.org)**  
**ORIGINAL SENT BY MAIL**

David Jones  
Riverside County Planning Department  
PO Box 1409  
Riverside, CA 92502-1409

Dear Mr. Jones:

REVISED SURFACE MINING PERMIT AND RECLAMATION PLAN FOR ROBERTSON'S  
READY MIX - CABAZON QUARRY-SUPPLEMENTAL SLOPE ANALYSIS  
CALIFORNIA MINE ID# 91-33-0008, SMP# 162R5

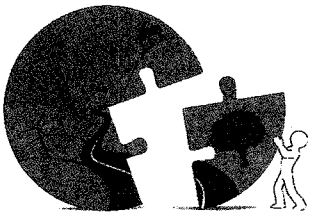
The Department of Conservation's Office of Mine Reclamation (OMR) has reviewed the supplemental geotechnical report, dated September 4, 2012, that was prepared by CHJ Consultants to ensure that the slope design approved by the County in 2006 would meet the required factor of safety for the surface mining operation if analyzed using current engineering technology. The applicant, Robertson's Ready Mix, is proposing to continue mining aggregate on a 517-acre project site. The purpose of the revision is to allow for the addition of two wind turbines to provide electrical power for site operations.

OMR has no comment on the current submittal for SMP# 162R5 at this time. Please provide OMR with a complete copy of the final approved reclamation plan for our mine file. If you have any questions or require any assistance with other mine reclamation issues, please contact me at (916) 445-6175.

Sincerely,

A handwritten signature in black ink, appearing to read "Beth Hendrickson".

Beth Hendrickson, Manager  
Reclamation Unit



# RIVERSIDE COUNTY PLANNING DEPARTMENT

Carolyn Syms Luna  
Director

September 11, 2012

Mr. James Pompy  
California Department of Conservation  
Office of Mine Reclamation  
801 K St. MS 09-06  
Sacramento, CA 95814

RE: OMR's 30-Day Review  
Supplemental Slope Analysis Report  
Revised Surface Mining Permit and Amended Reclamation Plan  
SMP00162R5 - Cabazon Quarry  
(CA Mine ID# 91-33-0008)

The above referenced supplemental report is enclosed for the Office of Mine Reclamation's (OMR) 30-day review. This report was necessary to ensure the slope design approved previously meets the required safety factor under current analysis methods. The conclusion is yes, the slopes do meet the required safety factor for this mining operation based on methodology currently in practice. The rest of the required review package was sent to OMR March 6, 2012 and comments were received from OMR on that submittal March 19, 2012.

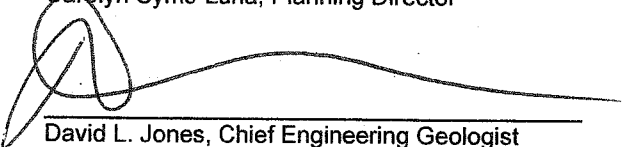
This letter shall also serve as a summary of the September 6, 2012 telephone conversation between me and Beth Hendrickson regarding the County's former processing of the SMP00162R2 permit and reclamation plan amendment. Based on that conversation, it is my understanding that OMR is satisfied with the County's explanation of circumstances surrounding that process and that OMR is in support of moving forward with the SMP00162R5 amendment. We greatly appreciate OMR's consideration and support with regard to this matter.

Please note; the SMP00162R5 application is still scheduled for public hearing before the County's Planning Commission **October 17, 2012** at 9:00 a.m. or as soon as possible thereafter, as described in our August 28, 2012 letter to you. County staff's recommendation will be for approval of the revised reclamation plan.

Again, we greatly appreciate OMR's consideration and support. Please call me at (951) 955-6863 if you have any questions.

Sincerely,

RIVERSIDE COUNTY PLANNING DEPARTMENT  
Carolyn Syms-Luna, Planning Director



David L. Jones, Chief Engineering Geologist  
TLMA-PLANNING

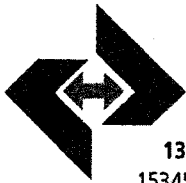
Enc. CHJ Consultants, September 4, 2012, Response to Riverside County Planning Department Review

cc: Applicant: Matthew B. Wilson, Foundation Windpower, LLC, Fax: (415) 320-9342  
Owner Rep.: Christine Goeyvaerts, Robertson's Realty, Inc., Fax: (951) 280-1424  
OMR: Beth Hendrickson, Reclamation Unit, Manager

Y:\Planning Case Files-Riverside office\SMP00162R5\Letter and Correspondence\Agency Letters\OMR Supplemental Report Letter 9-11-12.docx

Riverside Office · 4080 Lemon Street, 12th Floor  
P.O. Box 1409, Riverside, California 92502-1409  
(951) 955-6892 · Fax (951) 955-1811

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



# CHJ Consultants

1355 E. Cooley Drive, Suite C, Colton, CA 92324 ♦ Phone (909) 824-7311 ♦ Fax (909) 503-1136  
15345 Anacapa Road, Suite D, Victorville, CA 92392 ♦ Phone (760) 243-0506 ♦ Fax (760) 243-1225  
77-564A Country Club Drive, Suite 122, Palm Desert, CA 92211 ♦ Phone (760) 772-8234 ♦ Fax (909) 503-1136

September 4, 2012

Robertson's  
200 South Main Street, Suite 200  
Corona, California 92882  
Attention: Ms. Christine Goeyvaerts

Job No. 12343-3

Subject: Response to Riverside County Planning Department Review  
E-mail Dated August 29, 2012  
County Geologic Report No. 2282  
Geotechnical Engineering Report by Earth Systems Global  
Wind Turbines at Robertson's Cabazon Quarry  
Riverside County, California

References: See Attached List

Dear Ms. Goeyvaerts:

In accordance with your request and authorization, we have prepared this response to the above-referenced email from the Riverside County Geologist to you regarding County Geologic Report No. 2282. County Geologic Report No. 2282 was prepared by Earth Systems Global (ESG) to address proposed wind energy turbines to be located at your Cabazon quarry. Conditions associated with the turbines have since eliminated any cause for concern related to mine slope stability associated with the wind energy project.

This firm was not a party to any of the ESG investigation or response to comments by the County. However, data included within the ESG documentation resulted in the County's conclusion in their review comments that "brings into question the potential stability of other mine slopes located on this site", referring to proposed reclaimed mine slopes investigated by C.H.J., Incorporated (CHJ) in 2005. Our referenced response dated August 10, 2012, refuted all of the ESG data pertinent to mine slope stability. We further indicated that ESG's seismic analysis was inappropriately applied to the mine slopes on the site.



We understand that the County is requesting seismic slope stability calculations using standards applicable to current practice (see attached email dated August 29, 2012). This request apparently seeks an update to a project approved in 2005, where no changes to the approved mine slopes are contemplated. We question the fairness of requiring an update for this or any other approved project where no changes to the approved condition are requested. Such a requirement could result in unlimited and ongoing analyses and changes to approved projects at this site or thousands of other sites in the county.

If current seismic practice were to be applied to this project approved in 2005, a  $k$  of 0.20 would be reasonable. This represents a 33 percent increase above the California minimum of 0.15 and accounts for potential ground motions from the nearby San Gorgonio Pass fault and segments of the San Andreas fault.

We calculated the stability of the proposed mine slopes utilizing the same slope geometry, strength and density as in the 2005 CHJ report, using the same program (Rocscience's Slide). We utilized the Spencer method, which is commonly used in slope stability analyses. The following table summarizes the calculations from the 2005 report and from this report:

<b>Slope Stability Calculations</b> <b>H=396 feet – Reclaimed Mine Slope (Overall 1.25h:1v)</b>				
<b>Report</b>	<b>Method</b>	<b>Static Factor of Safety</b>	<b>Seismic Coefficient</b>	<b>Seismic Factor of Safety</b>
CHJ 2005	Janbu	1.51	0.15	1.16
This Report	Spencer	1.56	0.20	1.14

The Janbu method was utilized in the 2005 report; the Janbu method yields more conservative results than the Spencer method in this case. Use of the higher seismic coefficient (0.20) yields acceptable "code" minima for static and pseudostatic factors of safety due to the change in analysis method from



Janbu to Spencer. Static calculations were included for completeness. Graphical output from the Spencer method calculations are attached for the static and seismic case.

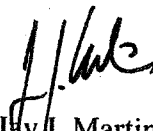
Conclusions

If current seismic practice were to be applied to this project, approved in 2005, a k of 0.20 would be reasonable. Use of the higher seismic coefficient (0.20) yields acceptable current standard of practice minima for static and pseudostatic factors of safety.

Closure

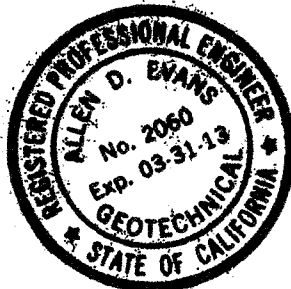
We trust this information is sufficient for your needs at this time. If you should have questions, please contact this firm at your convenience.

Respectfully submitted,  
CHI CONSULTANTS

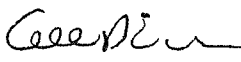
  
Jay J. Martin, E.G. 1529  
Vice President



9/4/12



9/4/12

  
Allen D. Evans, G.E. 2060  
Vice President

JJM:jm/lb

Enclosures: Static and Seismic Slope Stability Calculations – 2 Sheets  
E-mail Dated August 29, 2012

Distribution: Robertson's (6)  
JMBM (electronic)

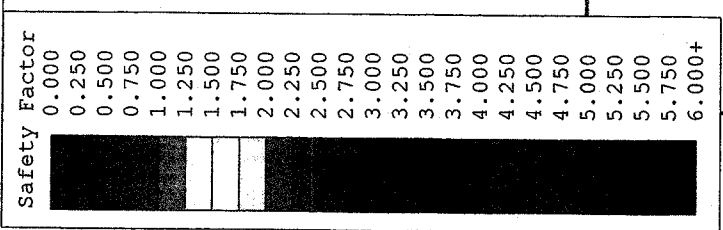


**REFERENCES**

CHJ Consultants, Inc., August 10, 2012, Response to Riverside County Planning Department Review, Review Comments No. 3, Dated July 16, 2012, to Geologic Report No. 2282, Geotechnical Engineering Report by Earth Systems Global, Wind Turbines at Robertson's Cabazon Quarry, Riverside County, California, Job No. 12343-3.

C.H.J., Incorporated, November 11, 2005, Slope Stability Investigation, Proposed Cabazon Quarry Reclamation, Banning Area, Riverside County, California, Prepared for Robertson's Ready Mix, Job Number 05590-3.

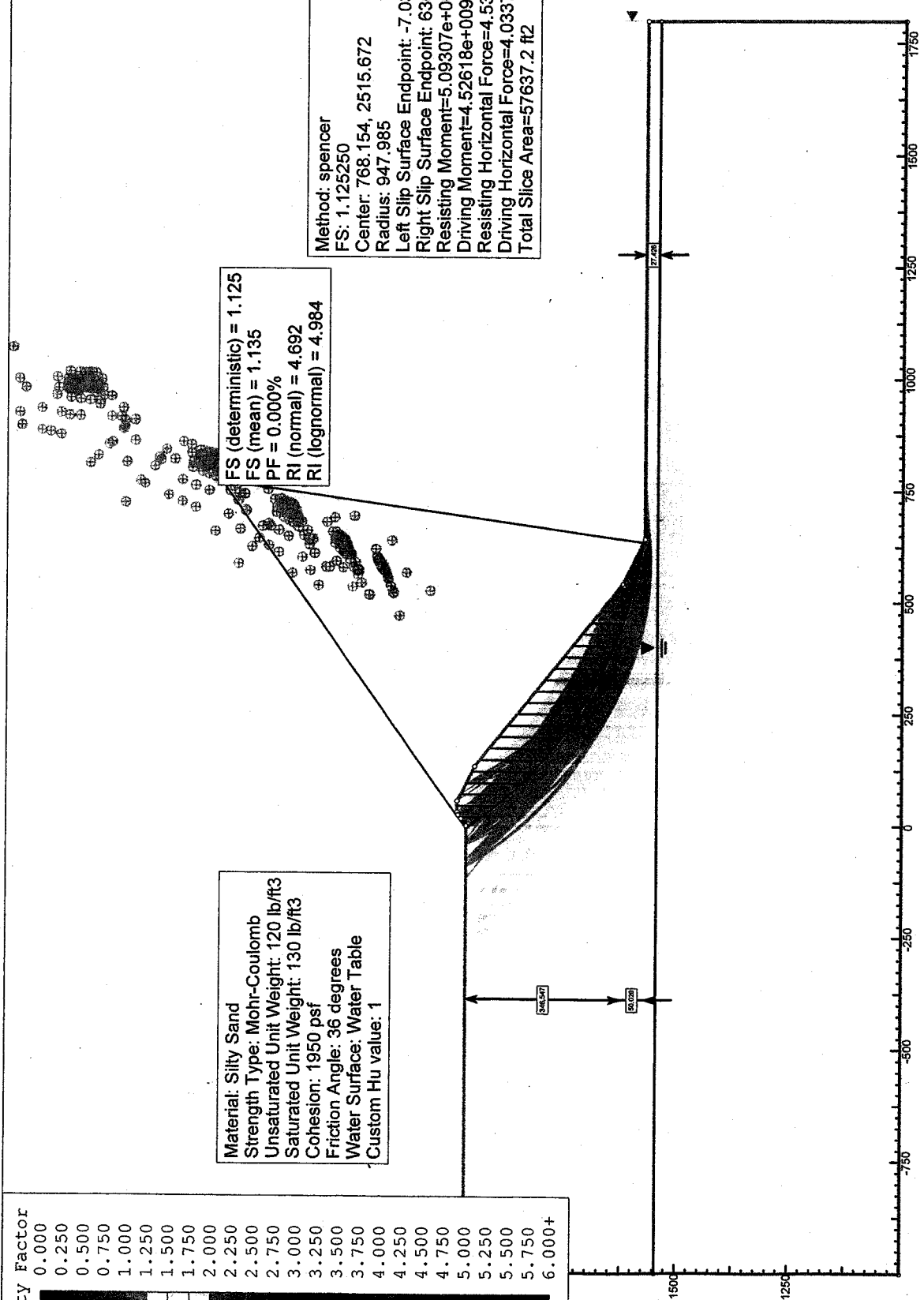




Material: Silty Sand  
 Strength Type: Mohr-Coulomb  
 Unsaturated Unit Weight: 120 lb/ft<sup>3</sup>  
 Saturated Unit Weight: 130 lb/ft<sup>3</sup>  
 Cohesion: 1950 psf  
 Friction Angle: 36 degrees  
 Water Surface: Water Table  
 Custom Hu value: 1

FS (deterministic) = 1.125  
 FS (mean) = 1.135  
 PF = 0.000%  
 RI (normal) = 4.692  
 RI (lognormal) = 4.984

Method: spencer  
 FS: 1.125250  
 Center: 768.154, 2515.672  
 Radius: 947.985  
 Left Slip Surface Endpoint: -7.030, 1969.993  
 Right Slip Surface Endpoint: 636.228, 1576.911  
 Resisting Moment=5.09307e+009 lb-ft  
 Driving Moment=4.52618e+009 lb-ft  
 Resisting Horizontal Force=4.53899e+006 lb  
 Driving Horizontal Force=4.03377e+006 lb  
 Total Slice Area=57637.2 ft<sup>2</sup>



<b>Section B-B'</b>	
<b>SLIDE - An Interactive Slope Stability Program</b>	
Project	
Analysis Description	
Drawn By	CHJ Consultants
Author	JMC
Date	8/7/2012
File Name	BB 36_k020_asrch.slim
Scale	1:3918
Enclosure	2



## Jay Martin

---

**From:** Christine Goeyvaerts <Christineg@rrmca.com>  
**Sent:** Wednesday, August 29, 2012 3:46 PM  
**To:** Jay Martin; Shapiro, Kerry  
**Cc:** Mike Orozco  
**Subject:** FW: Cabazon Seismic Coefficient

Jay;  
Please provide the report asap.

Thanks,  
Christine

---

**From:** Jones, David [<mailto:DLJONES@rctlma.org>]  
**Sent:** Wednesday, August 29, 2012 12:37 PM  
**To:** Christine Goeyvaerts  
**Cc:** Perez, Juan; Syms Luna, Carolyn; Clack, Shellie; 'James Knowlton and Carolyn Batiste'  
**Subject:** Cabazon Seismic Coefficient

Christine,

It was a pleasure speaking with you this morning and, as we discussed, we do need input from your consultant relative to the seismic coefficient that should be applied to slope stability analysis at this site today (i.e. today's standard practice). Also, as we discussed, if the consultant has performed the calculations and concludes a 0.15 is appropriate and the letter they send us regarding this matter is signed by both a PE and a CEG, we will accept it. Likewise, if the consultant concludes 0.20 is appropriate and the letter they send us regarding this matter is signed by both a PE and a CEG, we will accept that too. We do need the consultant to include their calculations along with their letter for our records.

Also, it is my understanding CHJ has performed calculations with a 0.20 seismic coefficient and concluded the slopes are stable.

Please let me know if you have any questions and I look forward to a speedy resolution to this issue. The SMP00162R5 application is being scheduled for the next available Planning Commission (October 17, 2012). I have sent the necessary notification to OMR and staff has the other notices regarding the hearing date change well in hand.

David L. Jones  
Chief Engineering Geologist  
TLMA- Planning

09/06/12  
13:20

Riverside County LMS  
CONDITIONS OF APPROVAL

Page: 1

SURFACE MINING PERMIT Case #: SMP00162R5

Parcel: 519-200-005

10. GENERAL CONDITIONS

PLANNING DEPARTMENT

10.PLANNING. 87

SMP\*- COMPLY W/ ORD./EXHIBITS

RECOMMND

County Geologic Report (GEO) No. 2282 submitted for this project (SMP00162R5) was prepared by Earth Systems Global, Inc. (ESG) and is entitled: "Geotechnical Engineering Report, Proposed Wind Turbines, Ready Mix Facility, Cabazon, Riverside County, California", dated August 19, 2011. In addition, ESG prepared the following:

"Engineering Design and Analysis of the P&H Tensionless Pier Foundation, Robertson's Ready Mix Facility, Cabazon, Riverside, CA, 2 - GE Wind 1.5sle on 64.7-m HH Towers", dated September 20, 2011.

"Proposed Wind Turbines, Roberson's Ready Mix Facility, Cabazon, Riverside County, California, Addendum to Geotechnical Report", dated November 11, 2011.

"Response to County Comments (GEO02282) to Geotechnical Report", dated December 13, 2011.

"Response #2 to County Comments (GEO02282) to Geotechnical Report", dated May 1, 2011.

"Response #2 to County Comments (GEO02282) to Geotechnical Report", dated June 13, 2011.

CHJ prepared the following:

"Response to Riverside County Planning Department Review, Review Comments No. 3, Dated July 16, 2012, to Geologic Report No. 2282, Geotechnical Engineering Report by Earth Systems Global, Wind Turbines at Robertson's Cabazon Quarry, Riverside County, California", dated August 10, 2012

"Response to Riverside County Planning Department Review, E-mail Dated August 29, 2012, County Geologic Report No. 2282, Geotechnical Engineering Report by Earth Systems Global, Wind Turbines at Robertson's Cabazon Quarry, Riverside County, California", dated September 4, 2012

These documents are herein incorporated as a part of GEO02282.

GEO02282 concluded:

SURFACE MINING PERMIT Case #: SMP00162R5

Parcel: 519-200-005

10. GENERAL CONDITIONS

10.PLANNING. 87

SMP\*- COMPLY W/ ORD./EXHIBITS (cont.)

RECOMMND

(ESG)

- 1.The primary risk at the site is a potential earthquake along the San Andreas (San Gorgonio Pass - Garnet Fault) that is about 2.4 miles from the wind turbine site.
- 2.The most significant geologic hazard to the project is severe seismic shaking from earthquakes.
- 3.There are no active faults in the immediate proximity of the proposed turbines. No faults were observed suggesting an overall absence of faulting in the quarry area.
- 4.The potential for surface rupture at these sites is very low.
- 5.The potential for liquefaction to occur at this site is low.
- 6.No future slopes are proposed within 250 feet of the turbine locations as long as the turbines are present.
- 7.The potential for seismically induced slope instability is remote.
- 8.The expected settlement of partially saturated soils at this site is less than 0.5 inch.
- 9.The potential for scour to occur at the tower locations is low.
- 10.Both turbine sites are a minimum of 50 feet from existing adjacent descending slopes that range in height from approximately 30 feet (north site) to 10 feet (south site).
- 11.The upper soils were found to generally consist of dense to very dense, granular soils derived from river deposited soils. The soils can provide suitable bearing and lateral support for the P&H pier type or gravity spread foundations.

CHJ

- 1.The proposed reclaimed mine slopes meet "code" minima for factors of safety and are considered stable at their proposed configuration. \* CHJ's report conclusions or

SURFACE MINING PERMIT Case #: SMP00162R5

Parcel: 519-200-005

10. GENERAL CONDITIONS

10. PLANNING. 87 SMP\*- COMPLY W/ ORD./EXHIBITS (cont.) (cont.) RECOMMND

recommendations are not intended to apply to any propose wind energy turbines or to any use other than the proposed reclaimed mine slopes.

2. The strength parameters utilized by ESG are not representative of the conditions at the site and are unrealistically conservative. Application of these unrealistic strengths resulted in unrealistically low static stability.

3. The ESG report does not include any justifiable information to question the public health and safety related to these mine slopes.

4. If current seismic practice were to be applied to this project, approved in 2005, a k of 0.20 would be reasonable. Use of the higher seismic coefficient (0.20) yields acceptable current standard of practice minima for static and pseudostatic factors of safety.

GEO02282 recommended:

1. Structures should be designed in accordance with the values and parameters given within the 2010 California Building Code and ASCE 7-05. Seismic loading may be higher than extreme wind loads and may govern structural design.

2. No grading or mining that substantially modifies existing conditions in the immediate vicinity of the proposed turbines be allowed within 250 feet of the turbine locations unless the turbines are relocated or decommissioned.

GEO No. 2282 satisfies the requirement for a geologic/geotechnical study for Planning/CEQA purposes for the wind turbine amendment of this mining permit (SMP00162R5). GEO No. 2282 is hereby accepted for Planning purposes for the wind turbines. Engineering and other Uniform Building Code parameters were not included as a part of this review or approval. This approval is not intended and should not be misconstrued as approval for grading permit. Engineering and other building code parameters will be reviewed and additional comments and/or conditions may be imposed by the Building and Safety Department upon application for grading and/or building permits.

# ROBERTSON'S

ROCK ▪ SAND ▪ BASE MATERIALS  
READY MIX CONCRETE

August 13, 2012

Mr. David L. Jones  
Chief Engineering Geologist, TLMA-Planning  
Riverside County Planning Department  
P.O. Box 1049  
Riverside, California 92502-1409

Dear Mr. Jones:

Comments of Riverside County on recent geotechnical engineering data for proposed wind turbines to be located at the Robertson's Ready-Mix ("Robertson's") operation in Cabazon, Riverside County, prepared by Earth Systems Global, Inc. ("ESGI"), have raised questions regarding the potential need, based on health and safety concerns, for re-examination of the County-accepted 2005 slope stability report and County determination that the mine slopes at Robertson's Cabazon site are stable. Robertson's believes that the limited data provided in the context of the small wind turbine project does not provide any relevant new information that would call into question such prior County slope stability determination, and that it would be inappropriate for the County to now reconsider such a long-standing determination that could affect the ongoing Robertson's operation, for the reasons set forth in this letter.

1. **Limited Discretion to Re-open Prior Determinations.** Robertson's recognizes the County's apparent view that it may re-examine prior determinations and approvals in the face of potential health and safety issues. However, there is a substantial burden placed on the County, especially where business operations and facilities have been ongoing for many years in reliance on prior County approvals and determinations, to demonstrate the likelihood of a health and safety threat notwithstanding such prior determination. The County should not take lightly the substantial practical and legal burden imposed on it before re-opening prior determinations on the basis of health and safety where such determinations have been relied upon and acted upon by permittees (in this case, Robertson's). If the County were re-open prior determinations without meeting the substantial burden described above, the result would be quite unsettling to County permittees because they could never be certain that they could rely on a County determination as "final." Re-opening of such a determination in the absence of relevant new data would interfere with Robertson's on-going business, create unsettling precedent for other business operators in the County, and invite unwarranted speculation of previous County approvals. Robertson's has expended significant capital to improve the property including construction of a mile long concrete channel to comply with conditions and slope construction is well underway, making it impossible to revise the slopes without using fill materials. Match has built an asphalt plant that also uses the report that is being unjustifiably questioned. It is inappropriate to try to attempt to re-analyze existing approvals based on an error in judgment ESGI in providing information

that is neither relevant to the mine slopes, nor was authorized to be undertaken to begin with.

It is possible that prior determinations pertaining to slope stability may be re-examined by the County, but, only in the face of relevant new information that could reasonably be said to contradict the prior County determination of stability. In contrast, as explained below, and in the report of Robertson's mine engineering consultants, CHJ, attached as **Exhibit A**, the information recently offered by ESGI in connection with plans for *shallow* excavations for wind turbines is *not relevant* to the matter of the stability of mine slopes with heights up to 400 feet. Accordingly, such limited data may not reasonably be said to constitute new nor contradictory information on the matter under consideration. Therefore, the use of such data does not meet the burden imposed on the County and should not be viewed as new information pertaining to mine slope stability because it is not relevant to that issue.

In short, Robertson's is of the view that it would be an imprudent for the County to re-open its prior slope stability determination on the basis of the ESGI data. The reasons for Robertson's view that the wind turbine data submitted by ESGI is not relevant to mine slope stability is summarized below.

**2. Data Not Relevant to Mine Slope Stability.** The County comments to which Robertsons addresses this letter are found in the County's letter dated April 5, 2012, Response to Comment #4 of ESGI's May 1, 2012 response letter, and in written comments by the Planning Department dated July 11, 2012, suggesting that: (i) soil data and other analytical parameters presented in ESGI's slope stability analysis in connection with wind turbines should, in the interests of health and safety, be the occasion for a (i) general re-examination of the stability of the mine slopes; and (ii) a reconsideration of the need to apply a higher co-efficient of horizontal acceleration in connection with the pseudo-static analysis of such slopes. Notwithstanding these comments, and the well-meaning intention of their authors, they do not provide the County with data that may be said to be relevant to mine slope stability and therefore do not meet the substantial burden required to justify a re-opening of the County's now 7 year old stability determination.

We separately address the issues of soil strength and seismic coefficient:

a. **Soil Strength Parameters.** Robertsons and its mining consultants have reviewed the data utilized by ESGI in connection with its wind turbine analysis and assure the County that although such data may be useful in analyzing the stability of shallow slopes, such as those excavated in connection with the construction of wind turbine foundations, such data is of little use in analyzing the stability of slopes used and proposed in connection with mining excavations up to 400 feet in height. Please note that the data generated by ESGI were based upon test results from 2 shallow borings that were used to back-calculate the cohesion of a slope with a height of only 20 feet, producing a cohesion factor of 325 psf, whereas the data used for analysis by the County Geologist when he accepted the proposed mine slopes in 2005 (Geologic Report GEO01614) were

based on 12 much deeper borings used to back calculate the cohesion of a slope with a height of 123 feet, producing a cohesion factor of 1,950 psf.

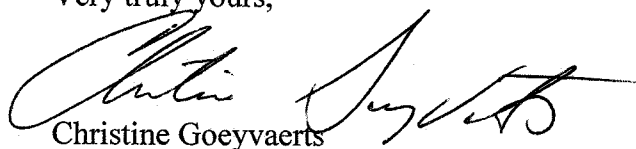
The use of an unrealistically low cohesion factor based on data from overly-shallow borings is not, in the opinion of Robertson's, technically appropriate as such use significantly understates the strength parameters of soil and produces unfounded concerns about the stability of such slopes. Reference is made to **Exhibit A** to this letter which is a geo-technical response letter from CHJ Consultants to Robertson's commenting on the County's reaction to ESGI's data. CHJ is the engineering consultant who performed the testing and analysis of the data that was before the County Geologist in 2005 when the slope stability was previously determined to be acceptable. Exhibit A contains a technical explanation why the use of such shallow-based data produces unrealistically conservative (low) results that lead to unfounded concerns over slope stability.

Robertson's stresses that because the wind turbine report data provided by ESGI are not appropriate for use in analyzing the stability of slopes considerably greater in height than the depth of such borings, such data is not relevant to the previously determined slope stability and cannot reasonably be said to bring into question previous slope analyses. The use of such data to re-open a long-standing and previously accepted determination by the County is unnecessary and would be imprudent.

b. **Co-efficient of Horizontal Acceleration.** As reported in **Exhibit A**, the co-efficient used in analyzing mine stability was and is appropriate for use with mine slopes. The much higher number generated by ESGI based on CGS Special Publication 117A may be appropriate for a building for human use or habitation conforming to building codes, but produces an unrealistic result at Cabazon for which no justification now exists.

3. **Conclusion:** For the reasons stated in this letter, and as supported by the recent CHJ analysis attached in **Exhibit A**, use of the limited data submitted by ESGI in the context of the small wind turbine project is not adequate to meet the substantial burden imposed on the County to re-open its prior determination of mine slope stability on the basis of health and safety concerns, as it does not provide any data that may reasonably be said to call such prior determination into question. Robertson's ask that the County proceed to use the data provided by ESGI for the sole purpose of analyzing issues relating to the placement of wind turbines, and not extrapolate or apply that date to the broader context of Robertson's previously analyzed mine site.

Very truly yours,



Christine Goeyvaerts

Robertson's



# CHJ Consultants

1355 E. Cooley Drive, Suite C, Colton, CA 92324 ♦ Phone (909) 824-7311 ♦ Fax (909) 503-1136  
 15345 Anacapa Road, Suite D, Victorville, CA 92392 ♦ Phone (760) 243-0506 ♦ Fax (760) 243-1225  
 77-564A Country Club Drive, Suite 122, Palm Desert, CA 92211 ♦ Phone (760) 772-8234 ♦ Fax (909) 503-1136

August 10, 2012

Robertson's  
 200 South Main Street, Suite 200  
 Corona, California 92882  
 Attention: Ms. Christine Goeyvaerts

Job No. 12343-3

**Subject:** Response to Riverside County Planning Department Review  
 Review Comments No. 3, Dated July 16, 2012, to Geologic Report No. 2282  
 Geotechnical Engineering Report by Earth Systems Global  
 Wind Turbines at Robertson's Cabazon Quarry  
 Riverside County, California

**References:** See Attached List

Dear Ms. Goeyvaerts:

In accordance with your request and authorization, we have prepared this response to the above-referenced review by the Riverside County Geologist to County Geologic Report No. 2282. County Geologic Report No. 2282 was prepared by Earth Systems Global, Inc. (ESG) to address proposed wind energy turbines to be located above the tops of slopes at your Cabazon quarry.

This firm was not a party to any of the ESG investigation or responses to comments by the County. However, data included within the ESG documentation resulted in the County's conclusion in their review comments that "brings into question the potential stability of other mine slopes located on this site", referring to proposed reclaimed mine slopes investigated by C.H.J., Incorporated (CHJ) in 2005. This report addresses the County's concerns regarding the stability of the proposed mine slopes. As shown herein, the proposed mine slopes are stable as planned.

This report addresses the data and conclusions included in ESG's Response No. 2 to County review (May 1, 2012) with respect to the proposed mine reclamation slopes at the quarry. None of the





conclusions or recommendations included in this report are intended to apply to any proposed wind energy turbines or to any intended use other than the proposed reclaimed mine slopes.

The pertinent ESG text that the County is apparently concerned with is quoted in italics below:

*Assuming a finished Phase II reclaimed slope of approximately 230 feet high with a 1.25:1 finished gradient, the static factor of safety using the back-calculated parameters ( $\phi = 34^\circ$ , Cohesion = 325 psf) is 1.2. To achieve a static Factor of Safety of 1.5 or greater, then the finished reclaimed slope needs to have a finished slope of approximately 2:1. Results of the stability analysis are included in Appendix B.*

*Based upon our analysis, the proposed finished Phase II reclaimed slope of 1.25:1 does not have the required 1.5 Factor of Safety, nor does it have the pre-requisite 1.1 pseudostatic Factor of Safety.*

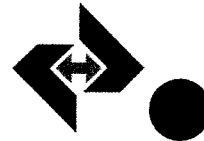
The minimum 1.5 static and 1.1 pseudostatic factors of safety that ESG refers to are applicable to California Building Code projects by established practice in the State of California. These are not necessarily the same standards applied by the Office of Mine Reclamation for SMARA mine reclamation projects.

The conclusions of ESG are not relevant to the stability of mine slopes at the site as shown by a comparison of the following two reports:

ESG: "Geotechnical Engineering Report" for California Building Code structures; specifically, shallow foundations for two wind turbines to be located on the south side of the property.

CHJ: "Slope Stability Investigation Report" for SMARA slopes up to 400 feet in height for a site that is a total of approximately 463 acres in area.

The scope of each investigation is different, as could be expected in accordance with the above-stated differing purposes. The scope of services and results from each are summarized below:



	<u>ESG</u>	<u>CHJ</u>
Number of Borings	2	12
Maximum Depth of Borings	50 Feet (±)	100.5 Feet
Number of Laboratory Shear Tests	3	4
Height of Back-Calculated Slope	20 Feet	123 Feet
Cohesion Calculated from Back Calculation	325 psf	1,950 psf
Static Factor of Safety of 230-foot slope	1.23	>1.50 <sup>1</sup>

### STATIC FACTOR OF SAFETY CONSIDERATIONS

It should be noted that CHJ found that laboratory shearing of 2.5-inch-diameter samples did not yield satisfactory strength parameters (p. 14); though not stated by ESG, they apparently concluded the same thing (p. 4-5). Both ESG and CHJ relied on the results of back calculation to obtain representative strength parameters for static and seismic slope stability calculations. Note that the back calculation technique yields only minimum strength parameters.

Review of both reports indicates that **the discrepancy between the ESG and CHJ slope stability calculations emanates exclusively from the choice of existing slope utilized by each firm for their respective back calculation of strengths.** CHJ utilized a slope of 123 feet and ESG utilized a slope of 20 feet for their back calculations. The higher the existing slope utilized, the higher the minimum strength required to obtain a calculated factor of safety of 1.0.

In our opinion, the cohesion ESG utilized from the back calculation of the 20-foot-high slope is unrealistically low and stems from two choices made by ESG: 1) the use of a very low slope (20 feet high) for back calculation and 2) extrapolation of the back-calculated data downward to 230 feet below original ground for their forward slope modeling. As a result, **ESG's factor of safety calculations are overly conservative, and any implications for public safety based on those calculations are unwarranted.**

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<sup>1</sup> CHJ included calculations for permanent slopes ranging from 311 feet to 397 feet in height, not for the 230-foot-high slope analyzed by ESG. Since the slopes analyzed by CHJ were higher than 230 feet, the 230 feet slope analyzed by ESG is considered stable.



CHJ's results are realistic given the use of the higher (123 feet) slope for back calculation. Further, CHJ obtained deeper data (undisturbed samples) from borings placed to 100.5 feet, below the maximum approximate 50-foot depth of the ESG borings.

### **SEISMIC COEFFICIENT CONSIDERATIONS**

The CHJ report was prepared in 2005. CHJ utilized a seismic coefficient (k) of 0.15, which was consistent with the standard of practice at the time. It was reviewed and approved by the County (GEO 01614), as well as CalTrans and County Flood Control. We are not aware of any codified requirements to utilize a seismic coefficient that is higher than 0.15 for any project.

ESG calculated a k of 0.29 by using the simplified procedure of Dr. Jonathan Bray that is described in CGS Special Publication 117A for habitable structures. The ESG procedure and calculation are inappropriate because there is neither data nor applicable practice requiring or even justifying the use of the techniques described in CGS Special Publication 117A in connection with mine slopes. The practices described in CGS Special Publication 117A evolved for the purpose of developing a highly conservative approach to building-code-controlled structures intended for human occupancy and, therefore, produce conservative analyses that do not have applicability to mine slopes, but rather should be used in connection with habitations, offices and other structures subject to building codes. These techniques most assuredly do not describe practices generally used in connection with open mine cuts. In fact, CGS Special Publication 117A is not intended to be used to generate seismic coefficients for mine slopes; it is a product of the Seismic Hazard Mapping Act, which does not include mines in its definition of "project". Therefore, neither the simplified procedure described in Special Publication 117A nor the application of that procedure by ESG to calculate a k of 0.29 are relevant to the mine slopes at the site.

### **CONCLUSIONS**

The strength parameters utilized by ESG were derived from a very low slope used for back calculation; the resulting minimum strengths are not representative of the conditions at the site and



are unrealistically conservative. Application of these unrealistic strengths resulted in unrealistically low static stability.

ESG calculated a k of 0.29 by using the simplified procedure of Dr. Jonathan Bray that is described in CGS Special Publication 117A for habitable structures. The ESG procedure and calculation are inappropriate because there is neither data nor applicable practice requiring or even justifying the use of the techniques described in CGS Special Publication 117A in connection with mine slopes. In fact, CGS Special Publication 117A is not intended to be used to generate seismic coefficients for mine slopes; it is a product of the Seismic Hazard Mapping Act, which does not include mines in its definition of "project".

As discussed above, the ESG report does not include any justifiable information to question the public health and safety related to these mine slopes. The proposed reclaimed mine slopes meet "code" minima for factors of safety and are considered to be stable at their proposed configuration.

### CLOSURE

We trust this information is sufficient for your needs at this time. If you should have questions, please contact this firm at your convenience.

Respectfully submitted,  
CHJ CONSULTANTS

Jay J. Martin, E.G. 1529  
Vice President



JJM:jm/lb

Distribution: Robertson's (6)  
JMBM (electronic)



**REFERENCES**

C.H.J., Incorporated, November 11, 2005, Slope Stability Investigation, Proposed Cabazon Quarry Reclamation, Banning Area, Riverside County, California, Prepared for Robertson's Ready Mix, Job Number 05590-3.

Earth Systems Global, Incorporated, May 1, 2012, Response No. 2 to County Comments (GEO02282) to Geotechnical Report, Prepared for Foundation Windpower, Job No. 30121-01.



# DEPARTMENT OF CONSERVATION

*Managing California's Working Lands*

## OFFICE OF MINE RECLAMATION

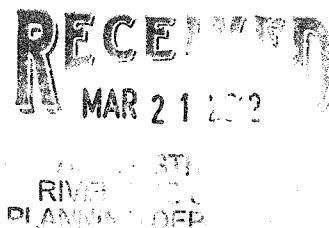
801 K STREET • MS 09-06 • SACRAMENTO, CALIFORNIA 95814

PHONE 916 / 323-9198 • FAX 916 / 445-6066 • TDD 916 / 324-2555 • WEBSITE [conservation.ca.gov](http://conservation.ca.gov)

March 19, 2012

**VIA EMAIL: [dijones@rctlma.org](mailto:dijones@rctlma.org)**  
**ORIGINAL SENT BY MAIL**

David Jones  
Riverside County Planning Department  
PO Box 1409  
Riverside, CA 92502-1409



Dear Mr. Jones:

**REVISED SURFACE MINING PERMIT AND RECLAMATION PLAN FOR ROBERTSON'S READY MIX - CABAZON QUARRY  
CALIFORNIA MINE ID# 91-33-0008, SMP# 162R5**

The Department of Conservation's Office of Mine Reclamation (OMR) has reviewed the revised reclamation plan for the Cabazon Quarry dated February 2012. The applicant, Robertson's Ready Mix (RRM), is proposing to continue mining aggregate on a 517-acre project site. The purpose of the revision is to allow for the addition of two wind turbines to provide electrical power for site operations.

The mining permit and reclamation plan were originally approved in 1991 and several revisions have been approved since then. In 2006, the County approved a revised application SMP #162R2 to expand mining across the San Geronio River, increase the depth of mining, increase production from 1.5 million to 4.5 million tons per year, and increase the life of the mine. OMR wrote a comment letter on the proposed revision R2 on March 25, 2005 (copy enclosed). The letter noted that the submittal was incomplete and did not include key information required for a meaningful review of the project. We were not able to adequately review and comment on the project prior to approval. These major changes to the approved reclamation plan would have fit the definition of a substantial deviation and triggered the requirement for an amended reclamation plan and supplemental CEQA review. Therefore, the approval of the reclamation plan was done illegally.

Additionally, the name of the project should always include the name of the mine, in this case Cabazon Quarry. The operator, Robertson's Ready Mix, has at least 13 mines in California. Since mine's are frequently sold or leased to different operators, this can lead to further confusion. Any change to a reclamation plan requires an amendment. Therefore, the name of this document should be: "Amended Surface Mining Permit and Reclamation Plan for Cabazon Quarry".

OMR has no further comments on revision SMP#162R5 at this time.

SMARA section 2774 addresses the requirements with respect to lead agency approvals of reclamation plans, plan amendments, and financial assurances. Once OMR has provided comments, a proposed response to the comments must be submitted to the Department at least 30 days prior to lead agency approval. The proposed response must describe whether you propose to adopt the comments. If you do not propose to adopt the comments, the reason(s) for not doing so must be specified in detail. At least 30 days prior notice must be provided to the Department of the time, place, and date of the hearing at which the reclamation plan is scheduled to be approved. If no hearing is required, then at least 30 days notice must be given to the Department prior to its approval. Finally, within 30 days following approval of the reclamation plan, a final response to these comments must be sent to the Department. Please ensure that your agency allows adequate time in the approval process to meet these SMARA requirements.

If you have any questions on these comments or require any assistance with other mine reclamation issues, please contact me at (916) 445-6175.

Sincerely,



Beth Hendrickson, Manager  
Reclamation Unit

Enclosure: comment letter dated March 25, 2005

cc: Ken Trott  
Reporting, Compliance, and Review Unit

Ben Shelton  
Lead Agency Review Team



# DEPARTMENT OF CONSERVATION

## OFFICE OF MINE RECLAMATION

801 K STREET • MS 09-06 • SACRAMENTO, CALIFORNIA 95814

PHONE 916 / 323-9198 • FAX 916 / 322-4862 • TDD 916 / 324-2555 • WEB SITE [conservation.ca.gov](http://conservation.ca.gov)

March 25, 2005

**VIA FAX: (951) 955-2023**  
**CONFIRMATION MAILED**

Mr. Ron Goldman  
Assistant Planning Director  
Riverside County  
9<sup>th</sup> Floor, CAC PO Box 1409  
Riverside, CA 92502-1409

Dear Mr. Goldman:

**Surface Mining Permit No 162, Revised Number 2**  
**Robertson's Ready Mix Amended Mining and Reclamation Plan**  
**California Mine ID#91-33-0008**

The Department of Conservation's Office of Mine Reclamation (OMR) received an application for a revision to a reclamation plan for Surface Mining Permit No 162, Revised Number 2 for Robertson's Ready Mix. The mining project currently operates as California Mine ID#91-33-0008.

OMR has provided comments on past expansion proposals that were not approved. The current revision would allow increased production, would add acreage to the site and proposes to mine the area to a depth of 350 feet below the ground surface. The San Gorgonio River bisects the project area, and a second levee would be constructed to further channelize intermittent river flow events through the site. Interstate 10 and a railroad border the northern site boundary and a number of pipelines traverse the site.

The Surface Mining and Reclamation Act of 1975 (SMARA) (Public Resources Code Section 2710 et seq.) and the State Mining and Geology Board regulations for surface mining and reclamation practice (California Code of Regulations (CCR) Title 14, Chapter 8, Article 1, Section 3500 et seq.; Article 9, Section 3700 et seq.) require that specific items be addressed or included in reclamation plans.

The submittal we received was incomplete and did not include key information required for a meaningful review of the project. Exhibit "C" was not included for review and apparently contains reports on slope stability, scour and sedimentation, levee management, a biological survey, a mining phase schedule, a revegetation schedule,



and a financial assurance cost estimate. We were unable to successfully reach the contact person that circulated the project to OMR, Lyn Ahrens, to request the reports. Please submit these reports in their entirety, and OMR will commence the mandatory 30-day review of the reclamation plan.

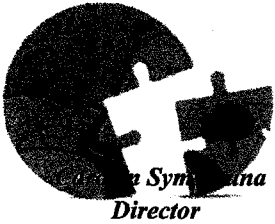
If you have any questions on these comments or require any assistance with other mine reclamation issues, please contact me at (916) 323-8565.

Sincerely,



James S. Pompy, Manager  
Reclamation Unit

for



# RIVERSIDE COUNTY PLANNING DEPARTMENT

Set ID# CC006277

## APPLICATION FOR SURFACE MINING PERMIT

CHECK ONE AS APPROPRIATE:

Surface Mining Permit       Revised SMP (Original SMP No 00162R5)      Reclamation Plan

INCOMPLETE APPLICATIONS OR INACCURATE EXHIBITS WILL NOT BE ACCEPTED.

CASE NUMBER: SMP00162R5 DATE SUBMITTED: 9-6-11

### APPLICATION INFORMATION

Applicant's Name: Matthew B. Wilson E-Mail: Matt.wilson@foundationwindpower.com

Mailing Address: 200 Middlefield Road, Suite 203  
Menlo Park CA 94025  
*City State ZIP*

Daytime Phone No: (415) 320-9342 Fax No: (415) 358-4506

Mine Operator's Name: Robertson's Ready Mix E-Mail: christineg@rrmca.com

Mailing Address: P.O. Box 3600  
Corona CA 92878-3600  
*City State ZIP*

Daytime Phone No: (951) 760-4241 Fax No: (951) 280-1424

Engineer/Representative's Name: Mike Christman-Spanda Industrial E-Mail: mikec@spandaind.com

Mailing Address: 7515 Reese Road  
Sacramento CA 95828  
*City State ZIP*

Daytime Phone No: (916) 423-1700 Fax No: (916) 423-1389

Property Owner's Name: Christine Goeyvaerts E-Mail: christineg@rrmca.com  
*RRM Prop LTD*

Mailing Address: P.O. Box 3600  
Corona CA 92878-3600  
*City State ZIP*

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

EA 42458

CFG 05

Set ID# CC006277

# APPLICATION FOR SURFACE MINING PERMIT

---

Daytime Phone No: ( 951 ) 760-4241 Fax No: ( 951 ) 280-1424

Mineral Rights Owner's Name: Robertson's Ready Mix E-Mail: christineg@rrmca.com

Mailing Address: P.O. Box 3600

Corona CA 92878-3600  
City State ZIP

Daytime Phone No: (951 ) 760-4241 Fax No: (951 ) 280-1424

Lessee's Name: Foundation Windpower, L.L.C. E-Mail: Matt.wilson@foundationwindpower.com

Mailing Address: 200 Middlefield Road, Suite 203

Menlo Park CA 94025  
City State ZIP

Daytime Phone No: (415 ) 320-9342 Fax No: ( 415 ) 358-4506

If the property is owned by more than one person, attach a separate page that references the application case number in the following manner "Surface Mining Permit No. \_\_\_\_\_" and lists 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 references the application case number in the following manner "Surface Mining Permit No. \_\_\_\_\_," and lists 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 of 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.

**APPLICATION FOR SURFACE MINING PERMIT**

Matthew Wilson

PRINTED NAME OF APPLICANT

Matthew B. Wilson

SIGNATURE OF APPLICANT

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.

RRM Properties Christine Coeyvaerts  
PRINTED NAME OF PROPERTY OWNER(S)

Christine Coeyvaerts  
SIGNATURE OF Authorized Agent

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: Robertson's

Assessor's Parcel Number(s): 519-200-007, 519-200-005

Section: 18 Township: 3 South Range: 2 East

Approximate Gross Acreage: 517

General location of Mine (nearby or cross streets): North of Pipeline Road, South of Interstate 10, East of Johnson Road, West of Apache Trail

Thomas Brothers map, edition year, page number, and coordinates: 2011, Page 722, Grid J4, 2011, Page 7

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

See attached project description.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**APPLICATION FOR SURFACE MINING PERMIT**

Related cases filed in conjunction with this request:

See attached list of permits.

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

Case No. SMP 162 (Parcel Map, Zone Change, etc.)

E.A. No. (if known) 39969 E.I.R. No. (if applicable): \_\_\_\_\_

Is the development project located within any of the following watersheds (refer to Riverside County Land Information System (RCLIS) (<http://www3.tlma.co.riverside.ca.us/pa/rclics/index.html>) for watershed location)?

Santa Ana River       Santa Margarita River       San Jacinto River      X  Whitewater River

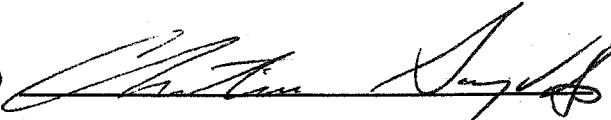
**HAZARDOUS WASTE SITE DISCLOSURE STATEMENT**

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)  Date 8/15/2011  
Owner/Representative (2) \_\_\_\_\_ Date \_\_\_\_\_



Re: Robertson's Ready Mix On-Site Wind Energy

Under a 20 year power purchase agreement Robertson's Ready Mix will purchase a 100% of the electricity generated from the two proposed wind turbines from Foundation Windpower. Foundation Windpower will not sell any of the electricity to the any other party including the Utility.

The two proposed turbines located at the Robertson's Ready Mix Cabazon Facility the turbines will be connected directly to the Robertson's Ready Mix facility to power the operations of the aggregate processing plant. The two one megawatt turbines will connect to two separate interconnection points eight feet apart that provide power to screens, conveyors, crushers log washers, coarse material washers, and dewatering screws. When the plant is running the electricity generated the wind turbine will be used instantaneously to supply part of the electricity load required by the plant. During the times when the plant is not running but the wind is blowing, the plant will send electricity to the grid through California's Net Energy Meter program, and accrue a credit which will then be drawn down by the plant against future grid electricity purchases. The California Public Utilities Commission allows customers who install solar, wind, biogas and fuel cell generation facilities (1 MW of less) to participate in the state's net metering program (Public Utility Code 2827). Net Energy Metering is an important element of the policy framework supporting direct customer investment in grid-tied distributed renewable energy generation.



Carolyn Syms Luna  
Director

# RIVERSIDE COUNTY PLANNING DEPARTMENT

## APPLICATION FOR LAND USE AND DEVELOPMENT

CHECK ONE AS APPROPRIATE:

- PLOT PLAN                       CONDITIONAL USE PERMIT     TEMPORARY USE PERMIT  
 REVISED PERMIT               PUBLIC USE PERMIT          VARIANCE

*INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED.*

CASE NUMBER: VAR1883                      DATE SUBMITTED: 2/1/12

### APPLICATION INFORMATION

Applicant's Name: Foundation Windpower                      E-Mail: matt.wilson@foundationwindpower.com

Mailing Address: 505 Sansome Street, Suite 450  
San Francisco                      CA    94115  
City                      State                      ZIP

Daytime Phone No: (415) 320-9342                      Fax No: (415) 980-3601

Engineer/Representative's Name: Spanda Industrial                      E-Mail: mikec@spandaind.com

Mailing Address: 7515 Reese Road  
Sacramento                      CA    95828  
City                      State                      ZIP

Daytime Phone No: (916) 423-1700                      Fax No: (916) 423-1389

Property Owner's Name: Christine Goeyvarts                      E-Mail: christineg@rrmca.com

Mailing Address: P.O. Box 3600  
Corona                      CA    92878-1424  
City                      State                      ZIP

Daytime Phone No: (951) 760-4241                      Fax No: (951) 280-1424

If the property is owned by more than one person, attach a separate page that reference the application case number and lists the names, mailing addresses, and phone numbers of all persons having an interest in the real property or properties involved in this application.

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'*





**APPLICATION FOR LAND USE AND DEVELOPMENT**

Interstate 10, East of Johnson Road, West of Apache Trail

Thomas Brothers map, edition year, page number, and coordinates: 2011, Page: 722 Grid J4, 2011 Page 7

Proposal (describe project, indicate the number of proposed lots/parcels, units, and the schedule of the subdivision, Vesting Map, PRD):

Proposed variance to increase height limits from 105' to 339' in W-2-10 zone for two commercial sized WECS.

Related cases filed in conjunction with this request:

SMP-000162-R5

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

If yes, provide Case No(s). SMP-162 (Parcel Map, Zone Change, etc.)

E.A. No. (if known) 39969 E.I.R. No. (if applicable):

Have any special studies or reports, such as a traffic study, biological report, archaeological report, geological or geotechnical reports, been prepared for the subject property? Yes  No

If yes, indicate the type of report(s) and provide a copy: Provided as part of the EA

Is water service available at the project site: Yes  No

If "No," how far must the water line(s) be extended to provide service? (No. of feet/miles)

Will the proposal eventually require landscaping either on-site or as part of a road improvement or other common area improvements? Yes  No

Is sewer service available at the site? Yes  No

If "No," how far must the sewer line(s) be extended to provide service? (No. of feet/miles) N/A

Will the proposal result in cut or fill slopes steeper than 2:1 or higher than 10 feet? Yes  No

How much grading is proposed for the project site?

Estimated amount of cut = cubic yards: N/A

Estimated amount of fill = cubic yards N/A

Does the project need to import or export dirt? Yes  No

**APPLICATION FOR LAND USE AND DEVELOPMENT**

Import \_\_\_\_\_ Export \_\_\_\_\_ Neither X

What is the anticipated source/destination of the import/export?  
\_\_\_\_\_

What is the anticipated route of travel for transport of the soil material?  
\_\_\_\_\_

How many anticipated truckloads? \_\_\_\_\_ truck loads.

What is the square footage of usable pad area? (area excluding all slopes) \_\_\_\_\_ sq. ft.

Is the development proposal located within 8½ miles of March Air Reserve Base? Yes  No

If yes, will any structure exceed fifty-feet (50') in height (above ground level)? Yes  No

Does the development project area exceed more than one acre in area? Yes  No

Is the development project located within any of the following watersheds (refer to Riverside County Land Information System (RCLIS) (<http://www3.tlma.co.riverside.ca.us/pa/rclis/index.html>) for watershed location)?

- Santa Ana River     Santa Margarita River     San Jacinto River     Whitewater River

**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) \_\_\_\_\_ Date \_\_\_\_\_

Owner/Representative (2) \_\_\_\_\_ Date \_\_\_\_\_



DRAFT FOR DISCUSSION PURPOSES ONLY

December 15, 2011

Jay T. Olivas, Planner IV  
Riverside County Planning Department  
4080 Lemon Street, 12<sup>th</sup> Floor  
Riverside, CA 92501

Re: Foundation Windpower Application - SMP- 00162- R5  
VARIANCE ISSUES

Dear Mr. Olivas

I am writing in response to your email from yesterday requesting our input regarding the justification for a variance respecting the height of the two wind turbines proposed to be constructed by Foundation Windpower, LLC ("Foundation") on-site at Robertson Ready Mix's ("Robertson's") Cabazon aggregate mine and processing plant (the "Plant").

The justifications for a variance could not be more clear-cut. Like most California industrial facilities and large energy consumers, Robertson's Cabazon Plant is increasingly focused on the importance of securing reliable access to clean, affordable renewable energy sources. Failure to undertake significant adoption of affordable clean energy alternatives will place the ongoing economic viability of the Plant at risk due to volatile and rising energy costs and ever more stringent state environmental regulations such as the greenhouse gas (GHG) emission limits imposed under AB 32. However, because *the Plant's particular location* lands it in an extraordinarily windy part of the County, there is excellent potential for the generation of affordable zero-emissions wind energy on-site provided the proper equipment is deployed. Unfortunately, if the County fails to grant a variance and bars the installation of the two proposed wind turbines, this potential for affordable clean energy would be forever and unnecessarily squandered and Robertson's, as compared with other landowners in this wind-rich environment, would be unable to realize the benefits of its property interest.

In that vein, we ask you to consider the following further points in support of the variance:

(1) First and foremost, unlike virtually every other industrial or commercial facility in the area, Robertson's Cabazon Plant has no viable source of on-site solar power generation. Whereas other large industrial plants in the vicinity have the option of utilizing the highly favorable photovoltaic energy in the County to generate solar power (using either rooftop or ground-mounted solar panels), Robertson's *due to its unique property configuration and surface conditions* has no such option. There are no



buildings on which to mount rooftop solar; there is no open space on which to build a solar farm since the mining operations require constant disturbance of the surface; and, in any event, the amount of dust generated by the mining operation would render any solar project highly unproductive. No other industrial facilities in the vicinity are faced with such geographic and topographic challenges. As a result, interpretation of the ordinance as barring the proposed turbines (which, due to the limited space requirements appears to be the only practical option for on-site renewable energy generation), would unfairly and discriminatorily prejudice Robertson's interest as a property owner as compared with other owners in the vicinity.

(2) A second, and related, point is that a decision barring the proposed turbines will put Robertson's in a uniquely disadvantaged position as compared with other similarly situated landowners in the vicinity in terms of access to affordable energy sources. The reason for this is that the California Legislature has put in place a Self-Generation Incentive Program ("SGIP") and the California Solar Initiative ("CSI") which provide incentive monies to support the installation of *on-site* renewable energy generation equipment. To put this in perspective, if the County fails to approve this installation, the project at Robertson's stands to forfeit \$2.7 million in SGIP subsidies (not to mention at least that much in federal investment tax credits/grants). If Robertson's, alone, is barred from using these subsidies to run a cost-effective business operation based on affordable clean energy *simply because its particular geography and topography do not support solar energy*, Robertson's will be unfairly discriminated against as a property owner as compared with the other owners in the vicinity.

(3) Third, Robertson's would be extremely prejudiced by an interpretation of the ordinance or absence of a variance that precludes the proposed wind turbines as it is literally surrounded by other structures that exceed the supposed height limitations. A simple examination of *Robertson's particular location* in the western end of the Coachella Valley region proves this out. To the immediate northeast of Robertson's, just across Interstate 10 sits a 330 foot tall casino/hotel owned and operated by the Morongo Band of Mission Indians. By comparison, the proposed wind turbine towers are 213 feet tall (339 feet inclusive of the tip of blade at the twelve o'clock position) and would be installed at a ground elevation approximately 50 feet lower than the base of the Tribe's hotel and casino, meaning that the top of the turbine tower closest to the hotel, from a relative perspective, would be less than 50% the height of the hotel. The southernmost turbine, farther away and even lower in elevation as compared with the hotel, would stand even shorter by comparison.

Directly to the east of Robertson's, just a few miles up the road, Nestle Waters North America has closed a transaction whereby it will install at least two wind turbines approximately 100 feet taller than the generators that are to be installed at Robertson's. While technically on tribal lands leased to Nestle, the anomaly of Robertson's exclusion from this obviously beneficial use of industrial lands cannot be overlooked simply by virtue of historical accidents which have landed Robertson's within the purview of the zoning ordinance. Industry in the region recognizes that doing business in this area in the



21<sup>st</sup> century will require use of renewable energy resources made available by virtue of the location of property. Based on the development of on-site wind energy in the vicinity, it should be clear that a failure to grant a variance for these two wind turbines would unfairly deprive Robertson's of one of the prime benefits of its interest in land.

(4) In our discussion on December 14, you inquired as to the availability of alternative wind turbines that would not require a variance. We have confirmed that no such commercially available technology exists. While smaller turbine technology exists, the generating capacity of such technology is a small fraction of what can be generated with the proposed turbines on 213 foot towers. To replace the production capacity of just the two wind turbines proposed, approximately 15-25 small turbines that meet the height requirements would have to be installed. Given the site constraints at the Roberston's site, this would simply be impossible. More importantly, such technology has nothing approaching the performance track record established by the GE turbines proposed for the project. Lacking that, there is no practical way to finance a project using such undersized equipment. In short, any turbine that would not require a variance is technically and financially infeasible.

By granting a Variance from the height limitation, Robertson's will be able to generate a substantial portion of its energy needs from renewable wind energy in a cost effective manner. Doing this does not preclude any neighboring property from similar use of WECS. Without the Variance, WECS development on Robertson's property would not be cost effective, and would therefore be infeasible.

To conclude, the variance should be granted because of special circumstances applicable to the Roberston's property, including but not limited to its configuration, topography, surface conditions, location and surroundings – all of which are criteria on which variances are to be granted under the express terms of the ordinance. As detailed above, the strict application of this ordinance would deprive Robertson's of privileges enjoyed by other property in the vicinity.

Sincerely,

Matthew B. Wilson  
Chief Executive Officer  
Foundation Windpower, LLC

cc: Christine Goeyvaerts, Robertson's Ready Mix  
Michael Jasberg, Robertson's Ready Mix  
Jon Troesh, Robertson's Ready Mix

**SECTION 15.2. DEVELOPMENT STANDARDS.** Where a structure is erected or a use is made in the W-2 Zone that is first specifically permitted in another zone classification, such structure or use shall meet the development standards and regulations of the zone in which such structure or use is first specifically permitted, unless such requirements are hereafter modified.

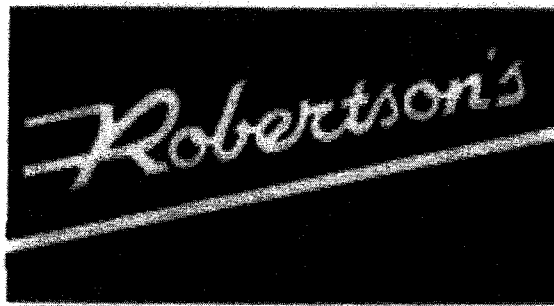
a. One family residences shall not exceed forty (40") feet in height. No other building or structure shall exceed fifty (50") feet in height, unless a greater height is approved pursuant to Section 18.34 of this ordinance. In no event, however, shall a building exceed seventy-five (75") feet in height or any other structure exceed one hundred five (105") feet in height, unless a variance is approved pursuant to Section 18.27 of this ordinance.

Amended Effective: 05-24-01 (Ord. 348.3990)
--

b. Lot size shall not be less than 20,000 square feet, with a minimum average lot width of 100 feet and a minimum average lot depth of 150 feet, unless larger minimum lot area and dimensions are specified for a particular area or use.

c. Animals are not permitted on existing substandard lots that are less than 20,000 square feet in size.

d. Automobile storage space shall be provided as required by Section 18.12 of this ordinance.



## **Robertson's Ready Mix**

13990 Apache Trail,  
Cabazon, CA

## **On-Site Wind Energy Supplement**



200 Middlefield Rd. Ste. 203  
Menlo Park, CA 94025

## Table of Contents

Project Title.....	2
Lead Agency Name and Address.....	2
Contact Person and Phone Number .....	2
Background & Overview .....	2
Project Location .....	3
Project Description .....	4
Project Sponsor's Name and Address .....	5
General Plan Designation .....	5
Zoning .....	5
Surrounding Land Use .....	5
Construction .....	5
Operation.....	6
Other Agencies Whose Approval is Required.....	7



**Project Title:** Robertson's Distributed Wind Energy Generation Supplement

**Lead Agency Name and Address:** Riverside County Planning Department  
4080 Lemon Street  
Riverside, CA 92502

**Contact Person and Phone Number:** Jay Olivas, Urban Regional Planner IV  
(951) 985-1195

**Background & Overview:** Robertson's Inc. wishes to decrease the greenhouse gas emissions from its Cabazon quarry and decrease cost in order to preserve or add jobs at the facility. A distributed wind energy project will help Robertson's achieve both of these goals.

The Project will be built on the 517 acre Robertson's quarry, with turbines being sited on APN 519-200-007 and APN 519-200-005. The facility was originally permitted for surface mining in 1964, and Robertson's has significant reserves remaining for future mining.

Energy is a large proportion of Robertson's operating costs, and the project will improve the overall energy efficiency by supplementing its existing SCE grid power with an onsite, emission-free renewable energy source to preserve jobs in uncertain economic operating environments. The project will utilize modern wind turbines to harness the energy in the air flowing over the quarry. Wind power is 100% renewable and produces no greenhouse gases during operation.

The power output of a wind turbine is a direct function of wind speed. The meteorological conditions at the Robertson's site are highly favorable to wind energy generation: the overall wind resource is among the best in the country, and is particularly strong during afternoon and evening hours for generating power to the facility. Summer afternoon hours are defined by SCE as "peak" electrical demand hours, and such a project will free up more power for other users.

The environmental benefits of the Project are significant. With the wind resource at the Robertson's site, the Project will produce 7800 Megawatt hours of electricity in an average year, enough to power 650 average American homes.<sup>1</sup>

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<sup>1</sup> Environmental Protection Agency, 2005 US data

**Project Location:**

The Project will be located on the Robertson's mine site at 13990 Apache Trail in Cabazon. The quarry site, shown below in Figure 1, is located on 517 acres, south of Interstate 10, between Apache Trail and Fields Road in the Cabazon area.

The Project, consisting of two Mitsubishi 1MW wind turbines, will be constructed on the southeast quadrant of Robertson's facility. The total land area required for the foundations, transformers and electrical panels is approximately 4,000 square feet (0.090 acre) per turbine and may be enclosed in 40' radius security fences around the base of each turbine.

The project site is currently partially devoid of vegetation, and partially covered with sporadic low-lying shrub growth.

*Figure 1: The Robertson's quarry west of Cabazon*



**Project Description:**

On behalf of Robertson's, Foundation Windpower will construct and operate two Mitsubishi 1 Megawatt wind turbines on Robertson's quarry located on Apache Trail. These wind turbines will be the first renewable energy generation system on the property. The turbines will supplement the quarry's electrical consumption from the grid with on-site, emission-free renewable generation.

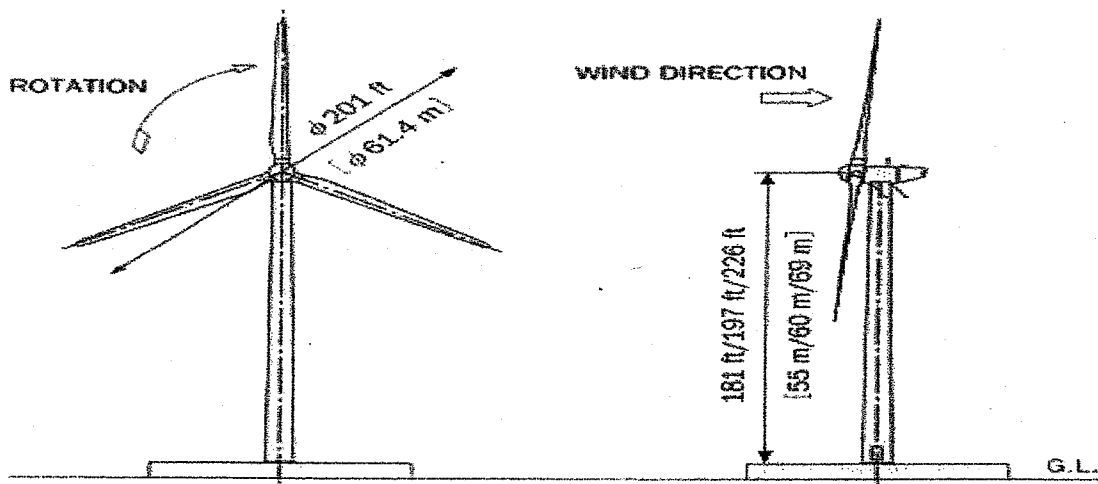
The wind turbines will be sited and deployed in accordance with Federal Aviation Administration (FAA) requirements for obstructions to navigable airspace. All relevant clearance with the FAA and Air Force will be secured prior to project construction.

The Project will consist of a two three-bladed wind turbines mounted on 69m tubular steel towers. The turbine rotors will be 61.4m in diameter. Each turbine will be deployed in conjunction with a transformer, some switchgear and a metering panel. The foundation and structural systems will be designed to meet California Building Code (CBC) for seismic zone compliance. The footprint of each wind turbine foundations will be approximately 500 sq ft (.011 acres). The wind turbines will be painted white, and include safety lighting in accordance with FAA requirements.

Approximately 4,700 ft of new electrical conductor will go between Robertson's existing substation and the turbine, with lines carried overhead by poles where appropriate.

A gravel access road may be constructed to the base of the turbine, and some existing onsite fencing may be removed and replaced to accommodate crane ingress and egress, as well as delivery of other turbine components.

**Figure 2: The Mitsubishi MWT-1000A 1MW Wind Turbine**



Source: [www.mhi.co.jp](http://www.mhi.co.jp)

**Project Sponsor's Name and Address:**

Foundation Windpower, LLC.  
200 Middlefield Rd. Ste. 203  
Menlo Park, CA 94025

**General Plan Designation:**

Land Use: Rural Desert (RD), Rural Mountainous (RM), Rural Residential (RR), and Light Industry (LI)

**Zoning:**

W-2-10 (Controlled development 10 acre minimum) and M-SC (manufacturing - service commercial)

**Surrounding Land Use:**

Vacant land to the west, south and east, commercial retail to the north

**Construction:**

The proposed project will require construction of the turbines, transmission line, transformers, electrical switchgear and access road (Figure 2) as follows:

- Approximately 4000 sq ft (.09 acres) of property will be used for the wind turbines (generators, transformers, switchgear and metering panel). The turbines may be fenced and gated depending on public access to the site.
- Approximately 4,700 ft of pole line 12.47 kV transmission line will be constructed to get the power from the wind turbines to the Robertson's substation in the quarry.

Construction of the wind turbines will require some site clearing, minimal grading and excavation. No demolition of any structures is required. Construction of the turbine foundations will require an excavation depth of up to approximately 30 ft. from the surface to construct foundations approximately 15 ft. in diameter. The subsurface soil will be prepared for the foundation and pads. The towers, rotors, nacelles and transformers will be shipped and assembled on site with the use of cranes. Foundation Windpower will implement the necessary steps to ensure compliance with the dust control plan..

The associated electrical work is performed to connect to the transformer and transmission lines. The transmission line will run overhead at a height no greater than 25 feet. Construction vehicles and equipment will be staged onsite and will not require street closures. Construction of the Proposed Project will require approximately 3 months, with most of the activity concentrated during the first two weeks (the foundation dig and pour) and the last two weeks (the turbine erections), with a foundation curing period in between. The turbine locations within Robertson's quarry are shown below in Figure 3.

**Figure 3: Site Diagram** (thick red line indicates turbine ingress path, green line indicates transmission line)



**Operation:**

The wind turbine will be owned and operated by Foundation Windpower through a long term power purchase agreement and site lease with Robertson's. Operations and maintenance functions for the wind turbine will be contracted to a private entity in the turbine operation and maintenance business. Typically this is the turbine manufacturer, or their direct representative, who is intimately familiar with the machine and guarantees uptime of >95%.

The wind turbine operates on an automatic basis whenever sufficient wind is present at a maximum 24 hours per day, seven days per week. The system is expected to have an operational lifespan of at least 20 years and may be operational for more than 30 years.

**Other Agencies Whose  
Approval is Required:**

Federal Aviation Administration

**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. 162, REVISED PERMIT NO. 5 / VARIANCE CASE NO. 1883** – Intent to Adopt Mitigated Negative Declaration – Applicant: Foundation Wind Power (Matt Wilson) for Robertson's Ready Mix – Engineer/Representative: Craig Cook, RCE - Fifth Supervisorial District – The Pass & Desert Zoning District – The Pass Area Plan: Rural: Rural Desert (R-RD), Rural Residential (R-RR), Rural Mountainous (R-RM), Community Development: Light Industrial (CD-LI) – Location: Southerly of Interstate 10 between Apache Trail and Fields Road at 13990 Apache Trail – 517 Gross Acres – Zoning: Controlled Development Areas - 10 Acre Minimum (W-2-10), Controlled Development Areas - 5 Acre Minimum (W-2-5), and Manufacturing – Service Commercial (M-SC) - REQUEST: Existing Surface Mine with production rate of up to 4.5 million tons of material per year proposes addition of two (2) one megawatt (MW) wind turbines at 338.6 feet in height for on-site power generation and for participation in California's Net Energy Meter Program, with proposed Variance to modify Section 15.2 (Development Standards) of Ordinance No. 348 (Land Use and Zoning) to increase height limits of the Controlled Development Areas -10 Acre Minimum (W-2-10) zone from 105 feet to 338.6 feet to accommodate the proposed wind turbines. (Quasi-judicial)

**TIME OF HEARING:** **9:00 AM.** or as soon as possible thereafter.  
**OCTOBER 17, 2012**  
*RIVERSIDE COUNTY ADMINISTRATIVE CENTER  
BOARD CHAMBERS, 1ST FLOOR  
4080 LEMON STREET  
RIVERSIDE, CA 92501*

For further information regarding this project, please contact Project Planner, Jay Olivas, at (951) 955-1195 or email [jolivas@rctlma.org](mailto:jolivas@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](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 Thursday, 8:30 a.m. to 5:00 p.m., at the County of Riverside Planning Department, 4080 Lemon Street, 12th Floor, Riverside, CA 92501. For further information or an appointment, contact the project planner.

Any person wishing to comment on the proposed project may do so, in writing, between the date of this notice and October 11, 2012, or appear at the public hearing 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: Jay Olivas  
P.O. Box 1409, Riverside, CA 92502-1409

**PROPERTY OWNERS CERTIFICATION FORM**

**LAD086-02**  
**SMP00162R5**

I, Stella Spadafora, certify that on  
(Print Name)  
8/27/2012 the attached property owners list  
(Date)  
was prepared by County of Riverside / GIS  
(Print Company or Individual's Name)  
Distance Buffered : 2400 Feet

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: Stella Spadafora

TITLE/REGISTRATION: GIS Analyst

ADDRESS: 4080 Lemon St. 10<sup>th</sup> Floor

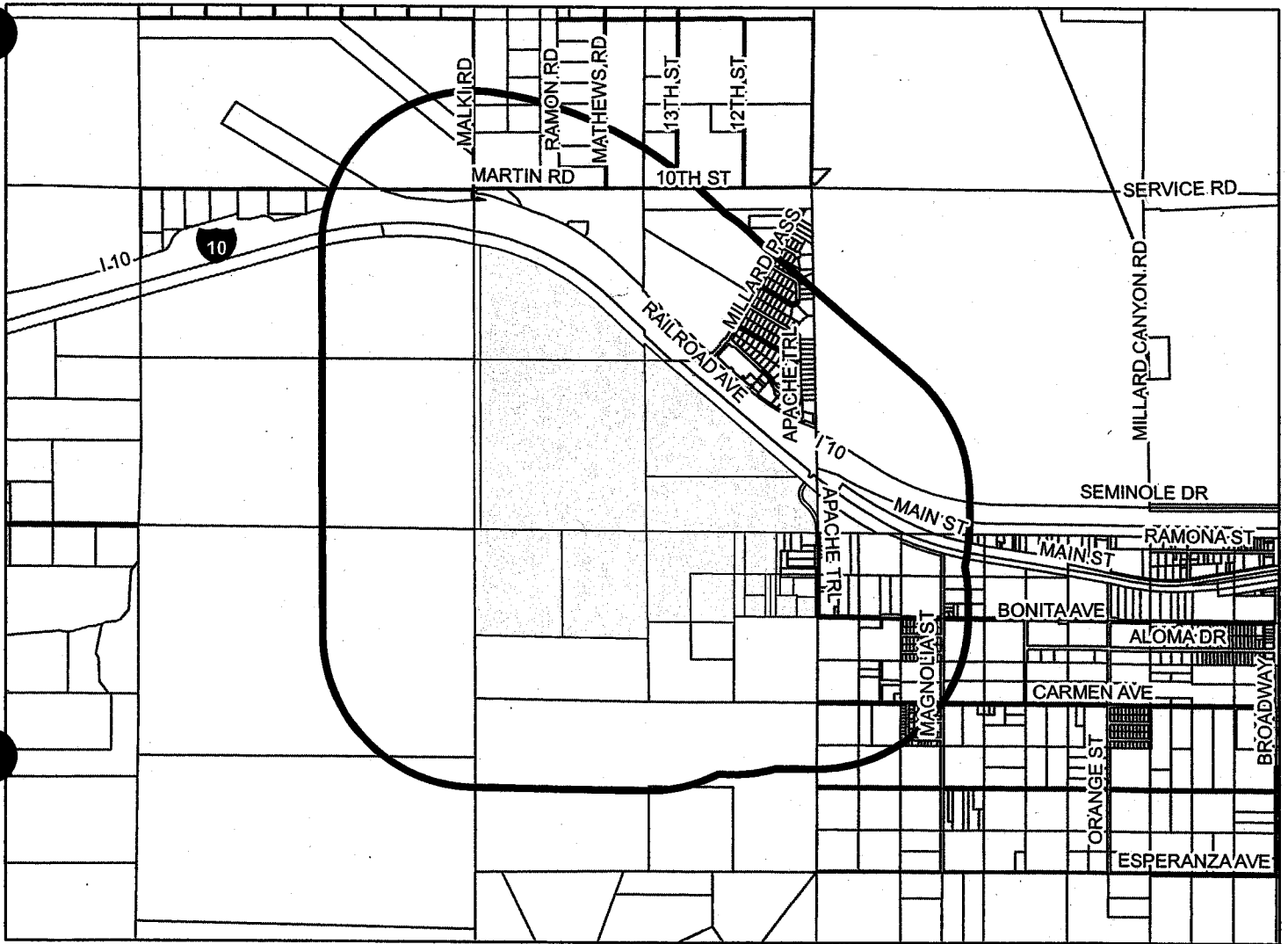
Riverside, CA 92501

TELEPHONE (8 a.m. – 5 p.m.): (951) 955-3288



# SMP00162R5

(2400 Feet Buffer)



## Selected Parcels

519-280-004	519-371-029	519-371-041	519-210-003	519-371-007	519-372-011	519-132-010	519-371-012	519-371-011	519-310-005
519-132-006	519-142-002	519-152-009	519-142-001	519-240-001	519-280-003	519-210-021	519-210-023	519-210-020	519-210-018
519-210-022	519-131-016	519-250-007	519-200-006	519-230-002	519-200-010	519-200-008	519-132-008	519-372-003	519-372-005
519-372-006	519-372-007	519-372-009	519-372-004	519-372-008	519-372-002	532-200-001	519-240-009	532-210-001	519-142-014
519-132-023	519-122-008	519-141-035	519-141-034	519-161-028	519-131-015	519-152-005	519-372-010	519-131-020	519-142-011
519-122-003	519-122-002	519-122-004	519-122-001	519-122-006	519-131-003	519-122-005	519-110-037	519-110-040	519-110-038
519-110-039	519-270-004	519-132-001	519-371-035	519-122-009	519-122-007	519-131-017	519-132-002	519-132-003	519-122-011
519-132-016	519-371-001	519-294-001	519-270-006	519-131-023	519-142-013	519-260-006	519-152-007	519-270-005	519-371-027
519-210-011	519-210-012	519-142-009	519-371-040	519-310-001	519-250-002	519-250-003	519-151-017	519-151-018	519-151-020

First 90 parcels shown



2,750 1,375 0 2,750 Feet

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.

ASMT: 519060005, APN: 519060005  
USA 519  
UNKNOWN 09-11-80

ASMT: 519110039, APN: 519110039  
CHEVRON USA INC  
C/O PROP TAX DEPT  
P O BOX 1392  
BAKERSFIELD CA 93302

ASMT: 519060015, APN: 519060015  
USA 519  
UNKNOWN 09-03-81

ASMT: 519110040, APN: 519110040  
CHELSEA GCA REALTY PARTNERSHIP  
3001 S CRODDY WAY  
SANTA ANA CA 92704

ASMT: 519060017, APN: 519060017  
USA 519  
US DEPT OF INTERIOR  
WASHINGTON DC 21401

ASMT: 519121018, APN: 519121018  
ERIKA HEYWOOD, ETAL  
67632 S NATOMA  
CATHEDRAL CY CA 92234

ASMT: 519070013, APN: 519070013  
GERALDINE IBANEZ, ETAL  
BUREAU OF INDIAN AFFAIRS US DEPT INTERIK  
P O BOX 2245  
PALM SPRINGS CA 92262

ASMT: 519121019, APN: 519121019  
RICHARD MACIAS  
1483 ADAM ST  
BANNING CA 92220

ASMT: 519110016, APN: 519110016  
SOUTHERN CALIFORNIA GAS CO  
C/O TAX DEPT  
101 ASH ST NO HW07  
SAN DIEGO CA 92101

ASMT: 519121020, APN: 519121020  
USA BIA  
C/O BUREAU OF INDIAN AFFAIRS  
1451 RESEARCH PARK DR 100  
RIVERSIDE CA 92507

ASMT: 519110035, APN: 519110035  
SYSTEM CAPITAL REAL PROP CORP, ETAL  
ONE MCDONALDS PLAZA  
OAK BROOK IL 60523

ASMT: 519121022, APN: 519121022  
SCOTT BISWELL, ETAL  
917 NASON ST  
SANTA ROSA CA 95404

ASMT: 519110038, APN: 519110038  
CHELSEA GCA REALTY PARTNERSHIP  
C/O SIMON PROP GROUP  
P O BOX 6120  
INDIANAPOLIS IN 46206

ASMT: 519121023, APN: 519121023  
USA MORONGO BAND CAHUILLA MISSION INC  
2800 COTTAGE WAY  
SACRAMENTO CA 95825

ASMT: 519122008, APN: 519122008  
BRANDON MITLO  
48922 MAUMEE LN  
CABAZON, CA. 92230

ASMT: 519131004, APN: 519131004  
ORLANDO SAMEQ, ETAL  
48917 MAUMEE LN  
CABAZON, CA. 92230

ASMT: 519122009, APN: 519122009  
BRIAN LEE, ETAL  
5233 MARYLAND AVE  
LA CRESCENTA CA 92230

ASMT: 519131005, APN: 519131005  
JAMES DOOLEN  
48905 MAUMEE LN  
CABAZON, CA. 92230

ASMT: 519122011, APN: 519122011  
DONA AUKERMAN  
417 N 3RD ST  
BANNING CA 92220

ASMT: 519131006, APN: 519131006  
MONA RODRIGUEZ  
48893 MAUMEE LN  
CABAZON, CA. 92230

ASMT: 519122012, APN: 519122012  
ROBERTO HERNANDEZ  
11 W REDLANDS BLV STE C  
REDLANDS CA 92373

ASMT: 519131007, APN: 519131007  
TONI PETERS MORENO  
48881 MAUMEE LN  
CABAZON, CA. 92230

ASMT: 519122013, APN: 519122013  
ROBERTO HUITRON  
22418 FARRAGUT AVE  
MORENO VALLEY CA 92553

ASMT: 519131008, APN: 519131008  
ZAIDA DIAZ  
P O BOX 799  
CABAZON CA 92230

ASMT: 519131001, APN: 519131001  
KEITH LEE, ETAL  
128 S CHAPEL AVE NO 8  
ALHAMBRA CA 91801

ASMT: 519131009, APN: 519131009  
SHARON MILLAGE  
48857 MAUMEE LN  
CABAZON CA 92230

ASMT: 519131003, APN: 519131003  
CHARTER MANAGEMENT SYSTEMS INC  
P O BOX 697  
BANNING CA 92220

ASMT: 519131010, APN: 519131010  
ROBERT STMARIE  
P O BOX 559  
CABAZON CA 92230

ASMT: 519131011, APN: 519131011  
 HECTOR CARDONA  
 13353 APACHE TR  
 CABAZON, CA. 92230

ASMT: 519131020, APN: 519131020  
 CAROLINE DOMINGUEZ  
 13425 APACHE TR  
 CABAZON, CA. 92230

ASMT: 519131012, APN: 519131012  
 SILVIA RODRIGUEZ, ETAL  
 13361 APACHE TR  
 CABAZON, CA. 92230

ASMT: 519131021, APN: 519131021  
 ROBIN MINOR, ETAL  
 13451 APACHE TR  
 CABAZON, CA. 92230

ASMT: 519131013, APN: 519131013  
 MARK MRAZ  
 P O BOX 1514  
 RANCHO MIRAGE CA 92270

ASMT: 519131023, APN: 519131023  
 ERROL ANTUNA  
 P O BOX 304  
 ETIWANDA CA 91739

ASMT: 519131014, APN: 519131014  
 JUNE BULLOCK, ETAL  
 3800 W WILSON ST SP 149  
 BANNING CA 92220

ASMT: 519131024, APN: 519131024  
 LORETTA HOLMES, ETAL  
 P O BOX 1971  
 BIG BEAR LAKE CA 92315

ASMT: 519131015, APN: 519131015  
 ROSA FONSECA, ETAL  
 13385 APACHE TR  
 CABAZON, CA. 92230

ASMT: 519132001, APN: 519132001  
 CONSUELO CERDA  
 9524 GUESS ST  
 ROSEMEAD CA 91770

ASMT: 519131016, APN: 519131016  
 ROSARIO FONSECA, ETAL  
 13393 APACHE TR  
 CABAZON, CA. 92230

ASMT: 519132005, APN: 519132005  
 DAVID ROMBERG, ETAL  
 P O BOX 2038  
 SOLDOTNA AK 99669

ASMT: 519131019, APN: 519131019  
 NIMFARLENE RAMSEY  
 2007 GREENBRIAR ST  
 COLTON CA 92324

ASMT: 519132007, APN: 519132007  
 BETTY LOVE, ETAL  
 951 S 12TH ST  
 BANNING CA 92230

ASMT: 519132008, APN: 519132008  
TIAN HE, ETAL  
48852 TAOS RD  
CABAZON, CA. 92230

ASMT: 519132017, APN: 519132017  
LUIS QUIROZ  
13374 APACHE TR  
CABAZON CA 92230

ASMT: 519132010, APN: 519132010  
LASHUNDA SMITH, ETAL  
48828 TAOS RD  
CABAZON, CA. 92230

ASMT: 519132018, APN: 519132018  
LUCY SANCHEZ  
P O BOX 237  
CABAZON CA 92230

ASMT: 519132012, APN: 519132012  
LILY WATAK DAVIS  
48796 TAOS RD  
CABAZON, CA. 92230

ASMT: 519132019, APN: 519132019  
MARLENE POWELL, ETAL  
11737 MCCONNEL CT  
YUCAIPA CA 92399

ASMT: 519132013, APN: 519132013  
DIANE NORMAN, ETAL  
13344 APACHE TR  
CABAZON CA 92230

ASMT: 519132023, APN: 519132023  
SOCORRO SANCHEZ, ETAL  
13424 APACHE TR  
CABAZON, CA. 92230

ASMT: 519132014, APN: 519132014  
RICHARD ESPINOZA  
13350 APACHE TR  
CABAZON, CA. 92230

ASMT: 519142002, APN: 519142002  
JOYCE COSENTINO, ETAL  
48885 TAOS RD  
CABAZON, CA. 92230

ASMT: 519132015, APN: 519132015  
JESSE SLUDER  
351 SOUTH K ST  
OXNARD CA 93030

ASMT: 519142004, APN: 519142004  
SMITH CHOI  
1805 S 2ND ST # A  
ALHAMBRA CA 91801

ASMT: 519132016, APN: 519132016  
DONNA THOMAS  
22530 COUNTRY CREST DR  
MORENO VALLEY CA 92557

ASMT: 519142005, APN: 519142005  
JEWEL SMITH  
10891 MARIAN  
GARDEN GROVE CA 92640



ASMT: 519142006, APN: 519142006  
THOMAS RITCHIE  
32876 MARIE DR  
LAKE ELSINORE CA 92530

ASMT: 519142013, APN: 519142013  
FEDERAL NATL MORTGAGE ASSN  
C/O IBM LENDER BUSINESS PROCESS SERVIC  
14523 SW MILLIKAN STE 200  
BEAVERTON OR 97005

ASMT: 519142007, APN: 519142007  
MARY BEEDON  
C/O AMALIA CALDERONE  
16646 MONTEGO WAY  
TUSTIN CA 92780

ASMT: 519142014, APN: 519142014  
AMSALE DEMISSIE, ETAL  
726 WIMBLEDON DR  
REDLANDS CA 92374

ASMT: 519142008, APN: 519142008  
MICHAEL SHIRLEY  
P O BOX 890626  
TEMECULA CA 92589

ASMT: 519151001, APN: 519151001  
EVA HANZELIK, ETAL  
48850 MOJAVE DR  
CABAZON, CA. 92230

ASMT: 519142009, APN: 519142009  
MARIA ALVAREZ, ETAL  
14944 BROADWAY  
CABAZON CA 92230

ASMT: 519151003, APN: 519151003  
STEVEN CRAIG  
4100 MACARTHUR PL STE 200  
NEWPORT BEACH CA 92660

ASMT: 519142010, APN: 519142010  
JEWEL SMITH  
10891 MARIAN DR  
GARDEN GROVE CA 92840

ASMT: 519151014, APN: 519151014  
JAMES DOERING  
P O BOX 668  
SAN GABRIEL CA 91778

ASMT: 519142011, APN: 519142011  
CHARLES FLOOD  
48812 MOJAVE DR  
BANNING, CA. 92220

ASMT: 519151015, APN: 519151015  
ROBERTO PEDROZA  
10118 JERSEY AVE  
SANTA FE SPRINGS CA 90670

ASMT: 519142012, APN: 519142012  
STEVEN CRAIG  
1 OCEAN CREST  
NEWPORT COAST CA 92657

ASMT: 519151016, APN: 519151016  
ROBERTO PEDROZA  
3930 PERRY ST  
LOS ANGELES CA 90063

ASMT: 519152004, APN: 519152004  
MARIA CASILLAS  
P O BOX 796  
CABAZON CA 92230

ASMT: 519180024, APN: 519180024  
USA 519  
59750 SEMINOLE DR  
CABAZON CA 92230

ASMT: 519152005, APN: 519152005  
CARMEN ENRIQUEZ  
13551 APACHE TR  
CABAZON, CA. 92230

ASMT: 519180025, APN: 519180025  
USA 519  
49750 SEMINOLE DR  
CABAZON CA 92230

ASMT: 519152006, APN: 519152006  
RICHARD FORNEY  
9 GUNNISON  
IRVINE CA 92612

ASMT: 519200004, APN: 519200004  
RRM PROP  
C/O ROBERTSONS READY MIX  
200 MAIN ST NO 200  
CORONA CA 92882

ASMT: 519152007, APN: 519152007  
DEBRA CASKEY, ETAL  
C/O GINGER NOLL  
8523 PLACER RD  
REDDING CA 96001

ASMT: 519210003, APN: 519210003  
ALEJANDRO AGUIRRE  
1015 WESLEY ST  
BANNING CA 92220

ASMT: 519152008, APN: 519152008  
LEANDRO LOPEZ  
P O BOX 1113  
BANNING CA 92220

ASMT: 519210004, APN: 519210004  
JERRI DOWNING  
P O BOX 433  
BANNING CA 92220

ASMT: 519161028, APN: 519161028  
CABAZON CO STORES  
1500 QUAIL ST STE 100  
NEWPORT BEACH CA 92660

ASMT: 519210012, APN: 519210012  
FRED SORGE  
11335 LA LUNA CIR  
FONTANA CA 92337

ASMT: 519162007, APN: 519162007  
WESLEY WITT  
P O BOX 12727  
PALM DESERT CA 92255

ASMT: 519210017, APN: 519210017  
ROBERT WITTE  
14040 APACHE TR  
CABAZON, CA. 92230



ASMT: 519210023, APN: 519210023  
APACHE TRAIL VENTURE  
C/O GEORGE MOORADIAN  
12912 AMBER LN  
YUCAIPA CA 92399

ASMT: 519240005, APN: 519240005  
ROSEMARY PADILLA, ETAL  
1019 W 3RD ST  
SAN BERNARDINO CA 92410

ASMT: 519220010, APN: 519220010  
NANCY FRANKS  
14145 APACHE TR  
CABAZON, CA. 92230

ASMT: 519240010, APN: 519240010  
CAROL CROSSAN, ETAL  
P O BOX 269  
CABAZON CA 92230

ASMT: 519230001, APN: 519230001  
MUIRLANDS INV  
C/O ATOMIC INV INC  
3200 HIGHLAND AVE NO B4  
NATIONAL CITY CA 91950

ASMT: 519250002, APN: 519250002  
GREGORY KUNZ  
P O BOX 16627  
BOISE ID 83715

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BAILIFF RANCH INC  
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JOSE SANCHEZ, ETAL  
1517 N DURFEE  
EL MONTE CA 91733

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13312 JASPERSON WAY  
WESTMINSTER CA 92683

ASMT: 519250007, APN: 519250007  
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23756 OAKFIELD  
HIDDEN HILLS CA 91302

ASMT: 519240003, APN: 519240003  
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HCR 1 BOX 1146  
CABAZON CA 92230

ASMT: 519260004, APN: 519260004  
BETTY SELVERA, ETAL  
37180 WILDWOOD CANYON RD  
YUCAIPA CA 92399



ASMT: 519260005, APN: 519260005  
LUIS DOLENC  
HUMBERTO PRIMO 1234 DPTO A  
BUENOS AIRES C P 1103  
ARGENTINA

ASMT: 519270004, APN: 519270004  
CONCEPTION CONDE  
P O BOX 137  
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ASMT: 519260006, APN: 519260006  
FIESTA GROUP  
2540 ONYX DR  
LOS ANGELES CA 90032

ASMT: 519270005, APN: 519270005  
FRANK CARDENAS  
720 E PEARL ST  
SAN GABRIEL CA 91776

ASMT: 519260011, APN: 519260011  
ROXANNE CARSON, ETAL  
14140 APACHE TR  
CABAZON, CA. 92230

ASMT: 519270006, APN: 519270006  
ELSIE YSIANO, ETAL  
P O BOX 803  
CABAZON CA 92230

ASMT: 519260012, APN: 519260012  
E LIBBEY, ETAL  
P O BOX 1205  
BANNING CA 92220

ASMT: 519270008, APN: 519270008  
NORMA WALKER, ETAL  
2575 WILT RD  
FALLBROOK CA 92028

ASMT: 519270001, APN: 519270001  
KYUNGHI NICOLLE, ETAL  
26231 FIR AVE  
MORENO VALLEY CA 92555

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49346 BONITA ST  
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P O BOX 364  
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ASMT: 519270003, APN: 519270003  
CELESTE HOWELL, ETAL  
P O BOX 706  
CANYONVILLE OR 97417

ASMT: 519280001, APN: 519280001  
R R M PROP  
P O BOX 3600  
CORONA CA 92878



ASMT: 519280003, APN: 519280003  
ANTHONY ROSSETTI  
635 AMERICAN AVE  
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DOLORES GUILLEN, ETAL  
14351 MAGNOLIA  
CABAZON CA 92230

ASMT: 519280004, APN: 519280004  
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9361 BEAUVIEW DR  
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ASMT: 519310006, APN: 519310006  
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2ND FLOOR ATTN REAL PROPERTIES DEPT  
2131 WALNUT GROVE AVE  
ROSEMEAD CA 91770

ASMT: 519293010, APN: 519293010  
PEGGY HOOK, ETAL  
105 S EL CAMINO REAL  
SAN CLEMENTE CA 92672

ASMT: 519310007, APN: 519310007  
SOUTHERN CALIFORNIA EDISON CO  
14799 CHESTNUT ST  
WESTMINSTER CA 92683

ASMT: 519294001, APN: 519294001  
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CABAZON CA 92230

ASMT: 519371001, APN: 519371001  
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ASMT: 519300002, APN: 519300002  
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P O BOX 9256  
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ASMT: 519371004, APN: 519371004  
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38926 KENNETH CT  
CHERRY VALLEY CA 92223

ASMT: 519371013, APN: 519371013  
KENNETH REID, ETAL  
280 S AVENIDA CABALLEROS U  
PALM SPRINGS CA 92262

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C/O WILLIAM BUI LONG  
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ASMT: 519371007, APN: 519371007  
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REFUGIO CORRAL  
P O BOX 93  
CABAZON CA 92230

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GRAND TERRACE CA 92313

ASMT: 519371010, APN: 519371010  
MARY SMITH  
P O BOX 303  
CABAZON CA 92230

ASMT: 519371032, APN: 519371032  
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ASMT: 519371035, APN: 519371035  
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ASMT: 519371036, APN: 519371036  
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SOLEDAD REYES, ETAL  
17841 ORANGEWOOD LN  
RIVERSIDE CA 92503

ASMT: 519371039, APN: 519371039  
VIRGINIA STEPHENSON, ETAL  
2948 ATCHISON ST  
RIALTO CA 92376

ASMT: 519380002, APN: 519380002  
SALLY BALDERAS, ETAL  
26200 REDLANDS BLVD APT 10  
REDLANDS CA 92373

ASMT: 519371040, APN: 519371040  
PATRICIA ALLEN, ETAL  
750 S LINCOLN AVE NO 104  
CORONA CA 92882

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ASMT: 519371041, APN: 519371041  
ALA SEHAWNEH  
600 W GLADSTONE ST NO 45  
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ASMT: 519380005, APN: 519380005  
CONST CO, ETAL  
36854 OAK VIEW RD  
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ASMT: 519372001, APN: 519372001  
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881 S STATE ST  
HEMET CA 92543

ASMT: 532080005, APN: 532080005  
USA MORONGO BAND CAHUILLA MISSION INC  
11581 POTRERO RD  
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ASMT: 519372009, APN: 519372009  
BARBARA BARNES  
27202 WEEKS RD  
WALDRON AR 72958

ASMT: 532080006, APN: 532080006  
LLOYD FIELDS  
425 CASTLE PL  
BEVERLY HILLS CA 90210

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CABAZON, CA. 92230

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C/O STEPHEN MALONE  
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SOUTHERN PACIFIC TRANSPORTATION CO  
SOUTHERN PACIFIC TRANSPORTATION CO  
1700 FARNAM ST 10TH FL S  
OMAHA NE 68102

ASMT: 532100001, APN: 532100001  
USA INDIAN RES 532  
UNKNOWN

ASMT: 532210001, APN: 532210001  
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**Owner:**  
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Robertson's Ready Mix  
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Corona, CA 92878

**Eng-Rep:**  
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**City of Banning**  
Planning Director  
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**City of Palm Springs**  
Planning Director  
3200 E Tahquitz Canyon Way  
Palm Springs, CA 92262

**Morongo Band of Mission Indians**  
Planning Director  
12700 Pumarra Road  
Banning, CA 92220

**Cabazon Outlet Stores**  
48750 Seminole Drive #100  
Cabazon, CA 92230

**Morongo Casino Administration**  
49500 Seminole Drive  
Cabazon, CA 92230

**Banning Airport Manager**  
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Banning, CA 92220

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