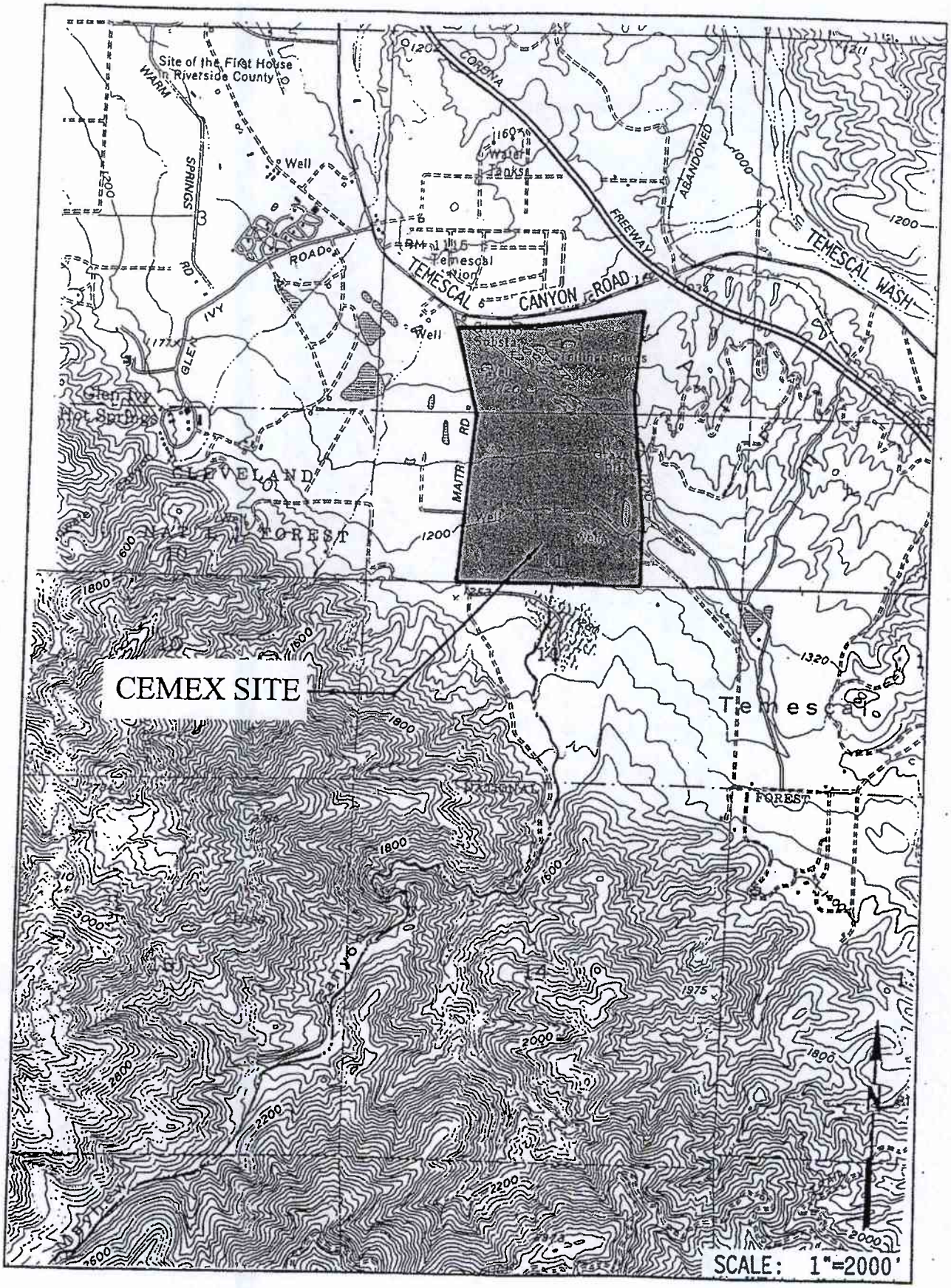
Site of the First House in Riverside County
WARM SPRINGS RD.
Well
CORONA FREEWAY
ABANDONED
Water Tanks
TEMESCAL CANYON ROAD
Temescal Division
S. TEMESCAL WASH
Well
GLEN IVY ROAD
Glen Ivy Hot Springs
MAITRI RD.
CLEVELAND NATIONAL FOREST
CEMEX SITE
Temescal
NATIONAL FOREST
SCALE: 1"=2000'

CEMEX CONSTRUCTION MATERIALS, INC.
426 North 44th St., N250
Phoenix, AZ 85008

Bank of America

64-1278/611 GA

Check Date: 09/29/05 Check Number: 01455485

VOID AFTER 90 DAYS

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PAY FIVE HUNDRED DOLLARS 00/100 ONLY *

AMOUNT $ *******500.00

PAY TO THE ORDER OF:

REGIONAL WATER QUALITY CONTROL BOARD
SANTA ANA REGION
3737 Main street #500
Riverside,CA 92502

CEMEX INC.

Bank of America, N.A.
Atlanta, Dekalb County, Georgia
Member Federal Deposit Insurance Corporation

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Company: CEMEX CONSTRUCTION MATERIALS, INC.
Vendor Code: 15246959

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Name: REGIONAL WATER QUALITY CONTROL BOARD

Invoice No.	Invoice Date	NPD	Amount	Deductions	Invoice Net	Document No.
SEP05	09/09/05	020			500.00	5365

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HABITAT MITIGATION AND MONITORING PLAN

CEMEX CORONA PLANT

RIVERSIDE COUNTY, CALIFORNIA

Prepared for:

Ms. Christine Jones
Cemex Construction Materials, L.P.
430 North Vineyard Avenue, Suite 500
Post Office Box 4120
Ontario, California 91764-4463
(909) 974-5471

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LSA Project No. CMX0601

LSA

January 2007

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1.0 INTRODUCTION

This Habitat Mitigation and Monitoring Plan (HMMP) presents guidelines and specifications for establishing a five-year mitigation monitoring plan for the Cemex sand and gravel plant south of Corona, in an unincorporated area of Riverside County, California.

Mitigation is proposed on-site in order to satisfy the requirements of the California Department of Fish and Game (CDFG Streambed Alteration Agreement 5-066-97), the Regional Water Quality Control Board (RWQCB), Santa Ana Region, and the U.S. Army Corps of Engineers (Corps File #96-00236-SDM). The mitigation consists of on-site restoration of 9.7 acres of riparian habitat. The mitigation site will be restored as mule fat plant community. The restoration site is located north of the project's development area and will be preserved as a habitat conservation area. The primary goal is to replace riparian scrub habitat and provide biological water quality treatment of nuisance and "first-flush" runoff prior to discharge into Temescal Creek.

This HMMP provides guidelines, procedures, and recommendations for site preparation, planting, maintenance, monitoring activities, and reporting requirements to document the effort. Detailed descriptions of the objectives, strategies, and performance criteria for the habitat restoration process follow.

2.0 PROJECT DESCRIPTION

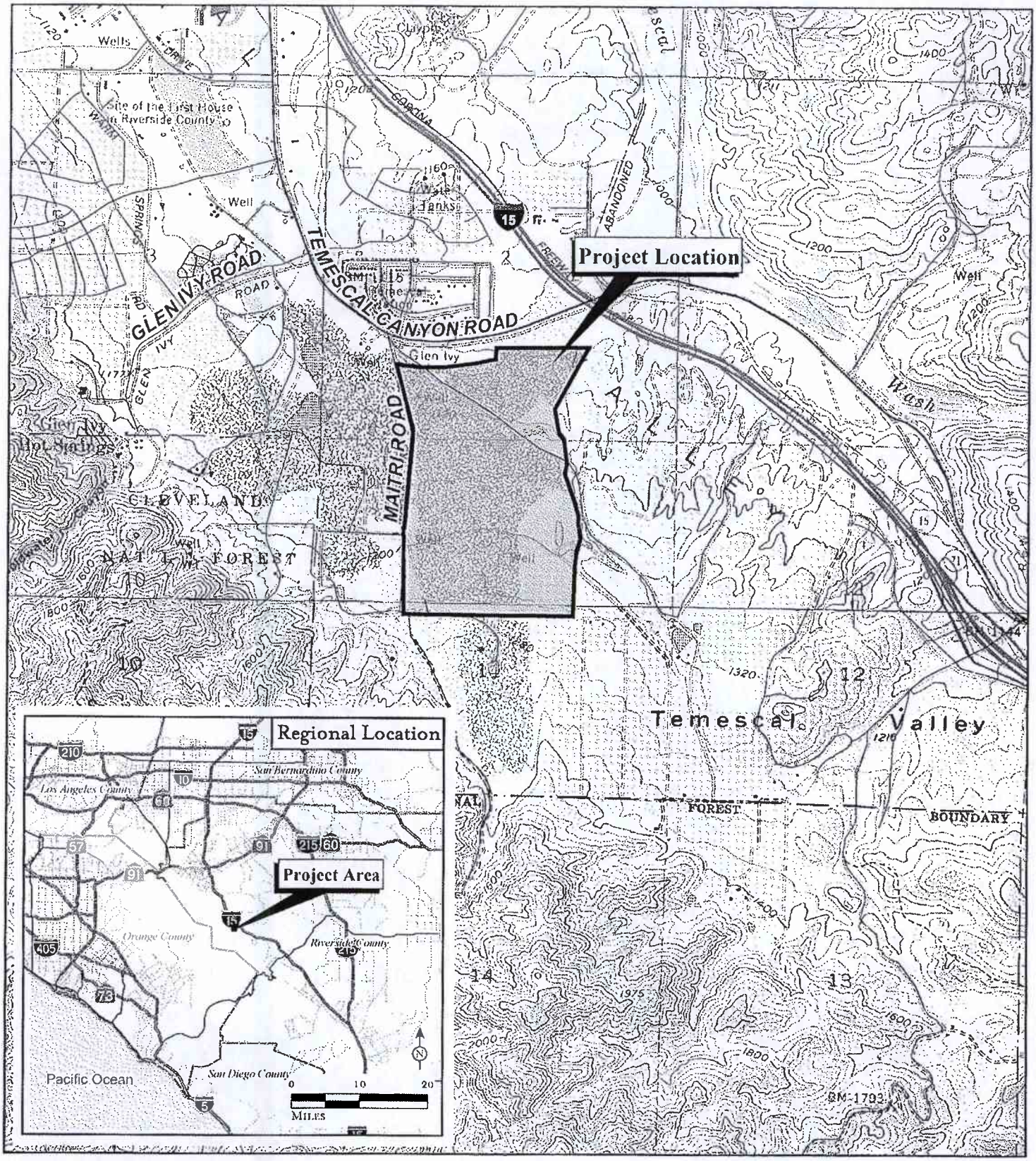
2.1 Project Location

The 213-acre site is located in the northern portion of Temescal Valley near Corona, California (Figure 1). It is located on the western side of the valley on a bajada, which formed where Mayhew Creek discharges from the mountains. The site lies west of Interstate 15, south of Temescal Canyon Road, and east of Maitri Road. The site is within Sections 2 and 11, Township 5 South, Range 6 West, as shown on the *Lake Mathews* and the *Alberhill* U.S. Geological Survey (USGS) 7.5-minute series quadrangle maps (Figure 2).

2.2 Existing Conditions

The site has been the location of sand and gravel mining since 1975. Mining is also conducted to the south and west of the site. Residential uses exist to the north and east. The alluvial fan has been mined to a depth of approximately 300 feet. Mayhew Creek formerly flowed across the site from south to north and joined Temescal Creek north and east of the site. Mayhew Creek had been routed around the existing pit along the southern and eastern rim until the winter of 2004–2005. This work was done pursuant to CDFG Streambed Alteration Agreement (SAA) 5-066-97 and Corps authorization 96-00236-SDM.

The unusually wet winter of 2004–2005 caused Mayhew Creek to enter the pit. A structure has been built on the southern pit wall to protect it from erosion. The restoration area will receive flows from east of the site along a former tributary of Mayhew Creek.



LSA

FIGURE 1

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SOURCE: USGS 7.5' Quads: Alberhill (1988), CA; Lake Mathews (1988), CA; County of Riverside (2005)

Cemex Corona
Habitat Mitigation and Monitoring Project
Regional and Project Location

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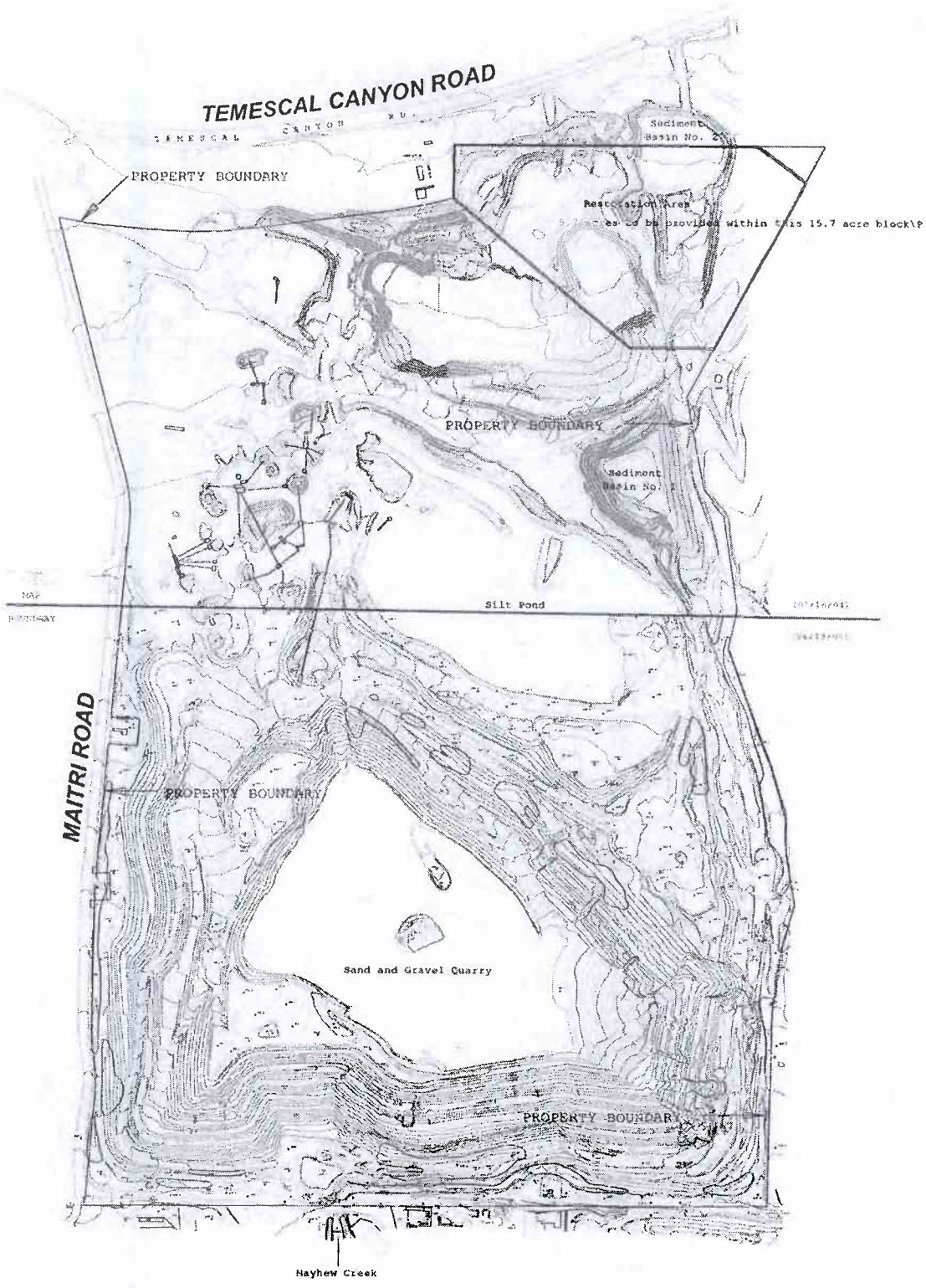

LSA

FIGURE 2

0 300 600

FEET

SOURCE: Pellow Consulting (2006)

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Cemex Corona
Habitat Mitigation and Monitoring Project
Site Map

2.3 Proposed Restoration Sites

This HMMP is prepared to comply with the requirements of the amended Streambed Alteration Agreement, the original Corps authorization, and the Notice of Intent for Water Quality Order No. 2004-004, Santa Ana Region, Water Quality Control Board. In order to satisfy the requirements of these authorizations, 9.7 acres of mule fat scrub habitat will be established and maintained at the northeast corner of the site (Figure 3).

2.4 Responsible Parties

Cemex Construction Materials, L.P. will contract a Restoration Monitor (RM) to oversee the installation of the plant material, as well as conduct the five-year monitoring. The RM shall be responsible for documenting compliance with the HMMP and shall provide appropriate maintenance recommendations as needed. Any deviations from the HMMP shall be documented by the RM and reported promptly to the appropriate parties, as indicated herein. The RM shall be on-site during all critical phases of HMMP implementation (e.g., plant installation and inspection, etc.). Monthly monitoring will be conducted for the first year following installation and quarterly site inspections for years two through five. The remainder of responsibilities described in this HMMP including, but not limited to, necessary grading, plant installation, and maintenance are the responsibility of Cemex Construction Materials, L.P.

3.0 RESTORATION PLAN SPECIFICATIONS

3.1 Plan Objectives

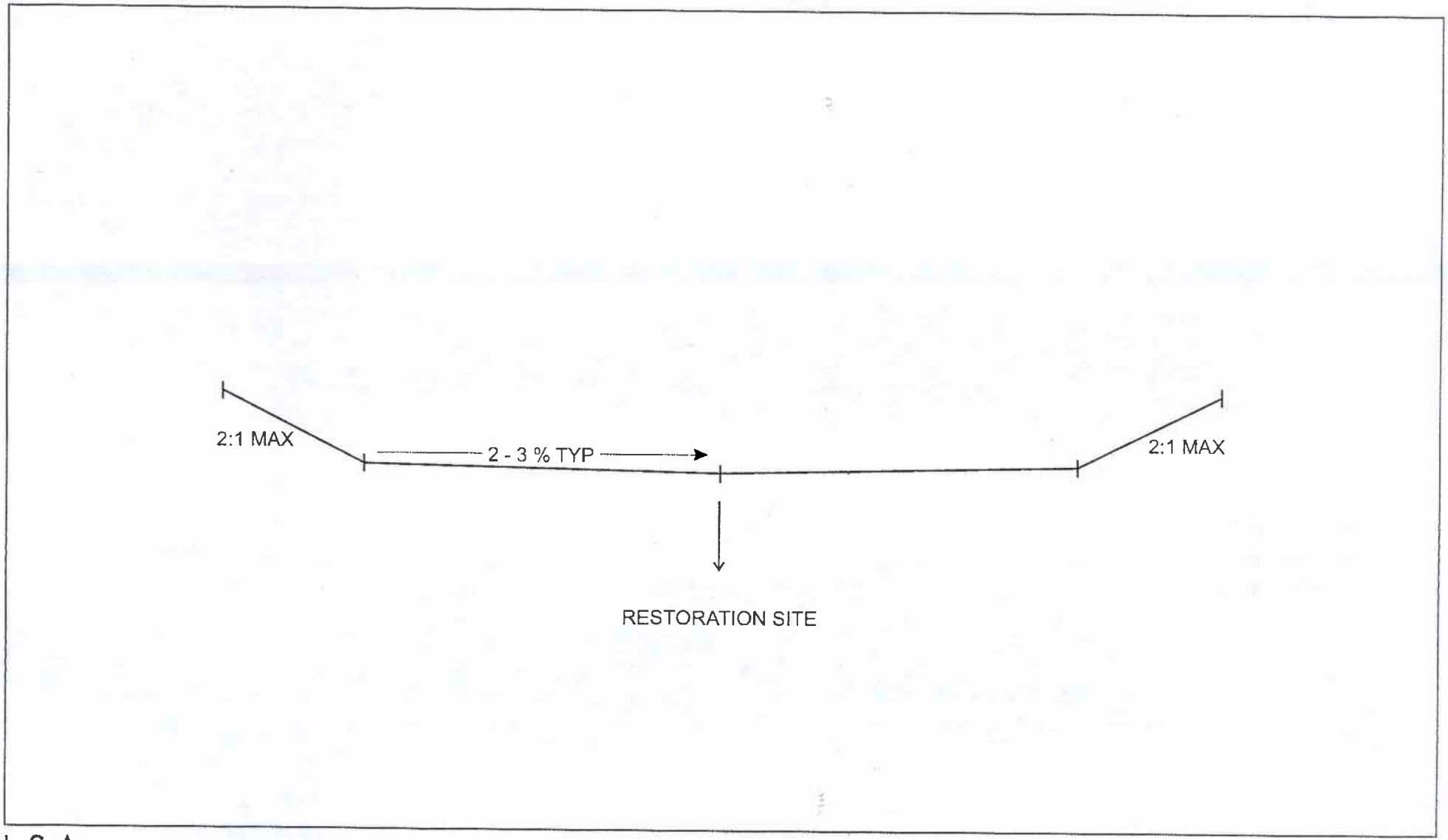
This HMMP is designed to establish native mule fat scrub vegetation on 9.7 acres north of the existing sand and gravel pit and material processing areas. It proposes to accomplish this objective by seeding native species throughout the restoration site along with supplemental seeding, if necessary, to achieve the success criteria.

3.2 Restoration Site Preparation

Weed control efforts are necessary to promote development of desirable species by inhibiting competition for space in each site by non-native species, primarily tamarisk, arundo, and annual grasses and ruderal herbs. The following procedure, referred to as a "grow-kill" cycle, should be used to control weeds prior to seeding in the fall. Commencing at least six weeks prior to planting, the restoration sites should be irrigated for two to three weeks to germinate a weed crop in advance of the rainy season. The ruderal species will be treated with a systemic herbicide as appropriate and the resulting dead material manually shredded and scraped into small piles (or removed) to expose bare soil, just prior to planting. If a non-persistent herbicide is used (e.g., Round-up), this type of treatment will not impact the germination of the seeded species.

3.3 Vector Control

Riparian areas can become a breeding area for waterborne vectors, such as mosquitoes and midges unless designed and maintained properly. These species tend to proliferate in muddy areas or shallow



LSA

FIGURE 3

Cemex Corona

Typical Cross Section

water (less than 6 inches deep), with thick vegetation and poor water quality; therefore, slopes within the restoration area will be graded to drain. Slopes will range in inclination from 2.5:1 to 4:1 (H:V) (Figure 3). Maintenance considerations associated with vector control are addressed in Section 4.4.

3.4 Plant Palette

Table A lists the plant species selected for the plant palette. All species are native to Riverside County and occur in the vicinity of the project site. Because the hydrological regime of the basins is expected to vary throughout the year and from one year to another, depending upon the amount of runoff of local precipitation available, the plant palette includes both mesic-adapted species and xeric-adapted species. The restoration area is expected to exhibit a distribution of plant species (both planted and natives recruited from the surrounding area), with mesic species occurring along the primary drainages and xeric species occurring on the slopes. The RM is responsible for modifying the plant palette and replanting or reseeding, as needed, to achieve successful cover. The species below are intended to provide sufficient native cover to rapidly achieve the performance standards presented in Section 4.0. The number and type of species seeded may be modified by the contractor, subject to approval by the RM.

Table A: Restoration Sites—Proposed Plant Palette

Botanical Name	Common Name	Life Form
Bromus carinatus	California brome	Grass
Melica imperfecta	Coast range melic	Grass
Nassella pulchra	Purple needlegrass	Bunch grass
Artemisia californica	California sage	Shrub
Baccharis salicifolia	Mule fat	Shrub
Salix lasiolepis	Arroyo willow	Small tree

3.5 Seeding Techniques

Manual broadcast seeding is the preferred method for distributing seed through the restoration site. Manual broadcasting allows for more random spreading of seed material and better distribution according to actual field conditions and allows direct control over application of different seed mixes in different zones. Seed should be distributed evenly throughout the restoration sites using small spreaders, belly grinders, or by hand, and should be supervised by the RM. Seeded areas must be thoroughly watered with a fine spray as soon as possible after application. A thin protective layer of organic mulch, preferably weed-free straw, natural fiber finely ground, or wood chips, will be distributed over seeded areas to provide a carbon source and inhibit weed growth.

3.6 Access Control

Fencing and signs indicating that the restored area is a mitigation area will be installed to ensure that the functions and success of the restoration are not inadvertently compromised.

3.7 As-Built Conditions

Within 60 days of completion of the initial planting and seeding, the RM shall prepare an "As-Built" report that describes the installed condition of the project site, including color photographs taken from at least four vantage points. Materials and methods used will be identified and deviations from the guidelines and specifications in this HMMP will be described and explanations provided for changes or substitutions. The As-Built report will be submitted to the CDFG, Corps, and the RWQCB, constituting notification that the initial phase of the HMMP is complete.

4.0 MAINTENANCE

The guidelines listed below are intended to provide the RM and the maintenance contractor with an appropriate level of direction to achieve the plan's goals. The treated areas will require regular inspection and periodic, seasonal maintenance to address erosion problems, weed invasion, irrigation adequacy, pests, and to identify and correct poor growth or germination rates. The RM is responsible for implementing remedial measures (or for making recommendations regarding maintenance to the contractor if it is a separate firm). The maintenance contractor shall have prior experience in maintaining natural water quality or flood control systems and general knowledge regarding invasive plant identification and removal. The revegetation areas will be maintained for five years following initial seeding, or until the performance standards are achieved. In general, maintenance shall include any activity required to meet the performance standards set forth in this HMMP. The following maintenance activities shall be conducted on a regular basis in accordance with the Proposed Maintenance Schedule (Table B) and following all major storm events.

Table B: Maintenance Schedule

Maintenance Activity	Semi-Annually (March and September)	Conducted As Needed
Weed Control	X	
Inspections	X	
Sediment and Debris Removal		X
Vegetation Maintenance		X
Vector Control		X
Erosion Control		X

4.1 Weed Control

Non-native, invasive weeds should be removed either manually or mechanically, if feasible. In circumstances where hand weeding or mechanical control is not effective, it is appropriate to utilize systemic herbicides. Weeds must be removed before seed production occurs or when average weed height reaches six to eight inches, whichever comes first. The RM will determine the appropriate methods of removal or treatment based on the type and density of weedy species and the condition of native vegetation in the area. Particular attention will be given to noxious invasive species such as black mustard (*Brassica nigra*) and pampas grass (*Cortaderia selloana*). The RM will also select an appropriate herbicide at the time based on proximity to surface water and expected rainfall. A pre-emergent spray is not usually recommended due to the nature of the chemical. The pre-emergent would limit the emergence of both non-native and native plant species and inadvertent elimination of

natural recruitment of native species is undesirable. Herbicides must be selectively applied as directed by the RM to avoid damaging native plant species.

All target species listed below and any other species that are determined by the RM to be inconsistent with the success of the revegetation effort shall be removed. Lists of species that are considered highly invasive are available from the California Exotic Pest Plants Council (CalEPPC). Except for ubiquitous annual grasses that are prevalent in the Riversidean sage scrub and non-native grassland throughout the area (e.g., *Bromus*, *Avena* spp.), any species on CalEPPC Lists A and B shall be treated and/or manually removed from the site, if present.

Target weed species include, but are not limited to, the following:

- Giant reed (*Arundo donax*);
- Australian saltbush (*Atriplex semibaccata*);
- Mustard (*Brassica* ssp. and *Hirschfeldia* sp.);
- Rabbitfoot grass (*Polypogon monspeliensis*);
- Artichoke thistle (*Cynara cardunculus*);
- Star thistle (*Centaurea solstitialis*);
- Tocalote (*Centaurea melitensis*);
- Fennel (*Foeniculum vulgare*);
- Prickly lettuce (*Lactuca serriola*);
- White sweet-clover (*Melilotus alba*);
- Tree tobacco (*Nicotiana glauca*);
- Fountain grass (*Pennisetum setaceum*)
- Wild radish (*Raphanus sativus*);
- Castor bean (*Ricinus communis*);
- Russian thistle (*Salsola tragus*);
- Milk thistle (*Silybum marianum*); and
- Tamarisk (*Tamarix* ssp.).

4.2 Inspections

Inspections will be conducted twice yearly, on or about mid-March and mid-September. Documentation will be made regarding the success of the restoration effort. In addition, recommendations will be made regarding any necessary remedial actions necessary to promote successful restoration.

12/17/2013 1-2

4.3 Sediment and Debris Removal

The restoration area is intended to have positive site drainage. It should have ponded water and saturated soil about 30 days a year. Sediment and debris will be removed if they interfere with site drainage by causing excessive ponding or soil saturation sufficient to adversely affect restoration.

4.4 Vector Control

The site is intended to drain and, if maintained, should not create breeding places for vectors such as mosquitoes. If water ponds for longer than 30 days, the County will be contacted regarding appropriate vector control measures.

4.5 Erosion Control

The RM will routinely inspect the treated areas to identify whether substantial erosion has occurred. If a severe storm occurs, the areas should be inspected as soon as possible (not more than 72 hours after the peak storm event); however, unless there is a need for the RM to conduct a routine monthly or bi-monthly inspection of the revegetated areas, the contractor is primarily responsible for inspecting the site to confirm soil stability and slope integrity or identify possible problem areas. If necessary, remedial plantings of cuttings, container plants, and seed material may be directed by the RM. If mechanized equipment is needed for repairs due to erosion, the RM shall be consulted prior to the activity and may need to be present to observe operations.

4.6 Supplemental Planting

Particular species that exhibit substantial or recurring failure rates may be replaced with other native species, selected by the RM, that have a similar growth form. After the third year, supplemental seeding shall be conducted based solely on an identified need to increase native coverage. Supplemental seeding shall be performed only between November 15 and March 15, unless specifically authorized by the RM. The RM should select species and types of plantings for supplemental installation based on observed performance and to promote diversity.

5.0 MONITORING AND DOCUMENTATION

5.1 Performance Criteria

The performance standards for assessing success of the revegetation effort are based on establishing a substantial cover of native species within the treated areas. In general, establishing native vegetation is intended to:

- Provide reasonably effective erosion control;
- Enhance biological values (e.g., species diversity and forage and cover for wildlife), as compared with existing conditions; and
- Substantially deter the establishment of non-native species, particularly noxious invasive species.

Therefore, the primary criteria for measuring success will be vegetative cover and diversity. Cover may be expressed in terms of the total cover (all vegetation) throughout the treated areas, as well as the relative cover (percentage of vegetated areas) provided by either native plants or by ruderal species. Diversity is expressed in terms of the number of species of native plants that are dominant or sub-dominant in the restoration sites.

The following standards must be achieved for the revegetation effort to be considered successful:

1. **Total Vegetation Coverage:** Vegetative cover is present over at least 65 percent of the ground surface area of the restoration site (9.7 acres).
2. **Native Vegetation Coverage:** Native plant species must attain at least 50 percent cover within the restoration site. Native vegetation may include planted species as well as "volunteers" (naturally recruited specimens) native to the area.

   No more than 15 percent of all the vegetative cover may consist of non-native species. Only species of very common, "naturalized," non-native grasses and herbs (e.g., *Bromus, Avena, Conyza, Brassica* spp.) may be allowed, particularly if their removal would likely promote erosion or significant collateral damage to healthy native species.
3. **Invasive Vegetation Coverage:** Invasive non-native species must not contribute more than 5 percent of all vegetative cover.
4. **Species Diversity:** The composition of vegetation within the restoration site must exhibit species diversity that represents at least 5 of the 6 native species planted.

In general, the restoration sites must exhibit adequate germination of seeded species to inhibit weeds and control erosion. During post-installation monitoring, several features may be considered to represent progress toward successful establishment of native vegetation.

- Germination and growth of a variety of seeded species (total area coverage may be somewhat sparse through the first year).
- Lack of evidence of significant erosion.
- Evidence of resistance to invasion by non-native species (no more than 15% composition).
- Evidence of natural recruitment of a variety of native species apparent by the third year after planting.

Table C provides a guideline for the percentages of native cover that may be considered to represent acceptable performance during the annual monitoring inspections.

Table C: Target of Native Species Coverage

Year	Cover by Native Species
1	30%
2	40%
3	50%
4	50%
5	Minimum 50%

5.2 Monitoring Procedures

Monitoring the progress of the revegetation and attainment of performance standards will be performed by the RM. During the first year after seeding, the revegetated area will be inspected at least once monthly from December through June, once in late summer (August/September), and once again prior to the onset of the rainy season (October/November). This will be done to assess progress and to refine plans and specifications for supplemental planting and seeding if warranted during the winter. One year after initial seeding and until the performance standards are achieved, the area will be inspected quarterly.

Qualitative surveys, consisting of a general site walkover and characterization of the coverage and species distribution exhibited in each restoration site, will be completed during each monitoring visit. General observations, such as fitness and health of the revegetation species, weed or pest problems, signs of overwatering, and drought stress, will be noted in each site inspection.

Quantitative data will be collected annually to determine species germination, species coverage, and species composition. One permanent sampling transect will be established within the restoration site to be used during annual quantitative monitoring. Transects will be marked on the topographic base map and identified in the field by permanent colored metal stakes or posts. Photographs will be taken annually from the same locations to provide at least four different perspectives of the restoration area to provide a visual record of the progress of revegetation. Transects will have a maximum length of 30 meters (~100 feet). The transect post and photo station coordinate locations will be mapped and recorded to prevent discontinuity of the record in the event of vandalism.

The following techniques will be employed to estimate percentage of coverage and densities of plant species within the belt transects in the revegetated areas:

- A tape will be extended between two staked points marking the ends of the permanent transect.
- Percentage of cover will be determined by visually estimating the percentage native and non-native species cover for the length of the transect.
- The RM shall also visually estimate and list the dominant species in each transect and estimate the approximate relative percentage of coverage provided by each.

5.3 Reports

Monitoring results will be recorded and included in the annual monitoring reports submitted to Cemex and the regulatory agencies. Should it be demonstrated to the satisfaction of the agencies that the minimum mandatory performance criteria (i.e., minimum 50% total cover by native species; maximum 15% cover by non-native grasses and ruderal herbs, and no more than 5% cover by invasive plants) have been achieved, the monitoring obligation will be considered fulfilled and no further reporting will be required. Documentation will include the following:

Recording the Planting Effort. Upon completion of seeding, the effort will be described in a brief report including species seeded, sources of seeds used, and species quantities. Any significant

problems encountered, such as site conditions unsuitable for seeding and pest infestation will be discussed. The report will include a graphic exhibit depicting the restoration site in general and identifying any sections of the site where treatments varied from the methods provided herein. Any significant deviations from this HMMP with respect to site preparation activities, species seeded, and methods used will be noted and explained. This document will constitute the "As-Built" report described previously and will be submitted to Cemex and the agencies to confirm completion of initial and supplemental seeding and continuation of the maintenance and monitoring phase.

Progress Monitoring. During the first year after seeding is done, monitoring will occur monthly from December through June and at least twice more, in the late summer and late fall. Observations will be recorded to document site progress. Recommendations to correct potential problem areas will be described in the reports. At the end of the year, an annual monitoring status report summarizing monitoring results will be prepared and distributed by the RM. The report will document maintenance activities and site performance and all recommend corrective measures if deficiencies are observed.

Brief status updates will also be prepared to document notable observations or actions taken during the course of this program. An annual report that discusses the results of the monitoring efforts for each subsequent year will be submitted to Cemex and the agencies. Species dominance, survivorship, success or failure rates, total vegetative cover, percentages of relative cover by native species, frequency and volume of irrigation, observed weed or pest problems, additional maintenance procedures, and general condition and health of the vegetation will be summarized in these reports. Photographs of the site from at least four established vantage points will be included in the reports to provide a visual record of the restoration site's progress. Recommendations for corrective measures will be identified and described in the annual reports.

5.4 Notification of Completion

The resource agencies (CDFG, Corps, and the RWQCB) will be notified in writing following the completion of the five-year monitoring period, or at such time that it can be demonstrated that the final success criteria have been met. Notification is the responsibility of the RM in coordination with Cemex. When the performance criteria are satisfied, the agencies will be invited to inspect the site to confirm that the compensatory mitigation obligation has been fulfilled and the permittee is discharged from any further obligation.

5.5 Contingency Measures

If annual performance criteria or final success criteria are not met, the RM will provide an analysis of the failure, along with a description of recommended remedial actions for review by the resource agencies (CDFG, Corps, and RWQCB). Additional work will be performed to correct the deficiency and the monitoring period will be extended following any remedial action until the performance standards are met. Each year, after the third year following initial seeding in which the revegetation fails to meet the performance criteria, one additional year of maintenance and performance monitoring will be required using the performance criteria for year five.

ATTACHMENT B:
RCL 106, SC NO. 1 CONDITIONS OF APPROVAL

COUNTY OF RIVERSIDE

TRANSPORTATION AND LAND MANAGEMENT AGENCY

Tony Carstens · Agency Director

Planning Department

Ron Goldman · Planning Director

May 30, 2007

TO: CEMEX Construction Materials, L.P.
Attn. Christine Jones
430 North Vineyard Avenue, Suite 500
Ontario, CA 91764-4463

CC: Building & Safety 2nd Fl.

RE: Reclamation Plan No. 106, Substantial Conformance No. 1
CEQA Exempt
Regional Team: Riverside

On **May 30, 2007**, the **Riverside County Planning Department** approved the above referenced case subject to the attached FINAL conditions.

Action taken on the above referenced case is considered final.

Sincerely,

RIVERSIDE COUNTY PLANNING DEPARTMENT
Ron Goldman, Planning Director

David Gaddie, Senior Engineering Geologist

Revised: 8/31/06
Y:\Planning Case Files-Riverside office\RCL00106S1\Administrative Approval Letter.doc

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(951) 955-3200 · Fax (951) 955-3157

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

PINKS

SUBSTANTIAL CONFORMANCE Case #: RCL00106S1 Parcel: 390-110-024

ADMINISTRATIVE
MAY 30 2007
APPROVAL

10. GENERAL CONDITIONS

EVERY DEPARTMENT

10. EVERY. 4 SMP* - PROJECT DESCRIPTION INEFFECT

The use hereby permitted is for the first substantial conformance to an existing reclamation plan (RCL No. 106) which proposes to legalize and operate a previously constructed water diversion structure which carries off-site storm runoff down the sidewall of the pit, in a manner that minimizes erosion, collects, retains and directs the water through the pit so that it outlets at substantially the same location where it would exit under natural conditions, in accordance with Reclamation Plan No. 106 dated June 8, 1981.

10. EVERY. 5 SMP* - HOLD HARMLESS INEFFECT

The applicant/permittee or any successor-in-interest shall defend, indemnify, and hold harmless the County of Riverside (COUNTY), its agents, officers, or employees from any claim, action, or proceeding against the COUNTY, its agents, officers, or employees to attack, set aside, void, or annul an approval of the COUNTY, its advisory agencies, appeal boards, or legislative body concerning RCL00106S1. The COUNTY will promptly notify the applicant/permittee of any such claim, action, or proceeding against the COUNTY and will cooperate fully in the defense. If the COUNTY fails to promptly notify the applicant/permittee of any such claim, action, or proceeding or fails to cooperate fully in the defense, the applicant/permittee shall not, thereafter, be responsible to defend, indemnify, or hold harmless the COUNTY.

10. EVERY. 7 SMP - DEFINITIONS INEFFECT

The words identified in the following list that appear in all capitals in the attached conditions of Reclamation Plan No. 106, Substantial Conformance No. 1 shall be henceforth defined as follows:

APPROVED EXHIBIT NO. "B" = Reclamation Plan Exhibit No. "B" Sheet 1-2, Case #: RCL00106S1, dated 8/24/06.

APPROVED EXHIBIT NO. "B Amd. No. 1" = Reclamation Plan 106 Substantial Conformance Exhibit No. "B" Amd. No. 1, Case #: RCL00106S1, Dated 3/6/07.

SUBSTANTIAL CONFORMANCE Case #: RCL00106S1 Parcel: 290-110-024

10. GENERAL CONDITIONS

BS GRADE DEPARTMENT

10.BS GRADE. 1 SMP G-1 BUILDING/GRADING PERMI INEFFECT

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

10.BS GRADE. 2 SMP G-2 ANNUAL REPORT INFORMAT INEFFECT

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

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

2) Certify maximum depth of excavated areas.

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

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

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

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

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

SUBSTANTIAL CONFORMANCE Case #: RCL00106S1 Parcel: 290-110-024

10. GENERAL CONDITIONS

10.BS GRADE. 3 SMP G-3 ANNUAL FINANCIAL ASS INEFFECT

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

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

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

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

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

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

10.BS GRADE. 5 SMP G-5 NPDES/SWPPP INEFFECT

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

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

10.BS GRADE. 6 SMP G-6 PM-10 REDUCTION INEFFECT

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

SUBSTANTIAL CONFORMANCE Case #: RCL00106S1 Parcel: 290-110-024

10. GENERAL CONDITIONS

10.BS GRADE. 6 SMP G-6 PM-10 REDUCTION (cont.) INEFFECT

CURRENT ANNUAL SURFACE MINE INSPECTION.

10.BS GRADE. 7 SMP G-7 HAZMAT GENERATOR PERMI INEFFECT

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

10.BS GRADE. 8 SMP G-8 BUILDING/GRADING PERMI INEFFECT

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

A Substantial Conformance may be required prior to the CONSTRUCTION OR INSTALLIATION of any structures or buildings or temporary or portable buildings.

10.BS GRADE. 9 SMP G-9 GEOTECH/SOILS RPTS INEFFECT

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

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

10.BS GRADE. 10 SMP G-10 Fault Locations INEFFECT

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

SUBSTANTIAL CONFORMANCE Case #: RCL00106S1 Parcel: 290-110-024

10. GENERAL CONDITIONS

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

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

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

All drainage facilities shall be designed in accordance with Riverside County Flood Control & Water Conservation District's requirements to accommodate 100 year storm flows.

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

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

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

All retaining/cribwalls require a seperate building permit.

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

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

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

10.BS GRADE. 15 SMP G-15 Miscellanous Inspect INEFFECT

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

SUBSTANTIAL CONFORMANCE Case #: RCL00106S1 Parcel: 290-110-024

10. GENERAL CONDITIONS

10.BS GRADE. 15 SMP G-15 Misceallanous Inspect (cont.) INEFFECT

that time.

10.BS GRADE. 16 SMP G-16 CONTRACTOR EQUIPMENT INEFFECT

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

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

10.BS GRADE. 17 SMP G-17 TRASH & DEBRIS INEFFECT

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

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

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

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

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

10.BS GRADE. 19 SMP G-19 BENCHES & SLOPES INEFFECT

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

Working slopes below benches shall not be steeper than 1:1

SUBSTANTIAL CONFORMANCE Case #: RCL00106S1 Parcel: 290-110-024

10. GENERAL CONDITIONS

10.BS GRADE. 19 SMP G-19 BENCHES & SLOPES (cont.) INEFFECT

(horizontal to vertical). Finished slopes may no exceed 2:1 or as identified in another approved condition or approved exhibit to this case.

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

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

10.BS GRADE. 21 SMP G-21 VEHICLE STORAGE INEFFECT

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

10.BS GRADE. 22 SMP G-22 TEMP0RARY/PORTABLE OF INEFFECT

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

Other structures for night watchman security must be installed or constructed by building permit.

10.BS GRADE. 23 SMP G-23 IMPORTING CONCRETE & INEFFECT

There shall be no importing and/or storage of used concrete, asphalt or other inert construction materials for recycling without the specific approval of the Planning Department.

10.BS GRADE. 24 SMP G-24 IMPORTING/STORING OF INEFFECT

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

10.BS GRADE. 25 SMP G-25 FENCING OF PERIMETER INEFFECT

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

Fencing, gates and perimeter signs are required for safety and to prevent/limit unauthorized acess to the site.

SUBSTANTIAL CONFORMANCE Case #: RCL00106S1 Parcel: 290-110-024

10. GENERAL CONDITIONS

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

ALL PRIOR BUILDING & SAFETY DEPARTMENT CONDITIONS APPROVED UNDER RECLAMATION PLAN rcl00106, INCLUDING OTHER REVISIONS AND SUBSTANTIAL CONFORMANCES, SHALL REMAIN IN EFFECT DURING THE LIFE OF THIS SUBSTANTIAL CONFORMANCE UNLESS SPECIFICALLY REMOVED OR REPLACED BY ANOTHER CONDITION.

E HEALTH DEPARTMENT

10.E HEALTH. 1 SMP - RESTROOMS INEFFECT

If permanent restroom facilities are required, the Department of Environmental Health is to be contacted for specific recommendations regarding water and sewerage.

FLOOD RI DEPARTMENT

10.FLOOD RI. 1 USE DO NOT OBJECT INEFFECT

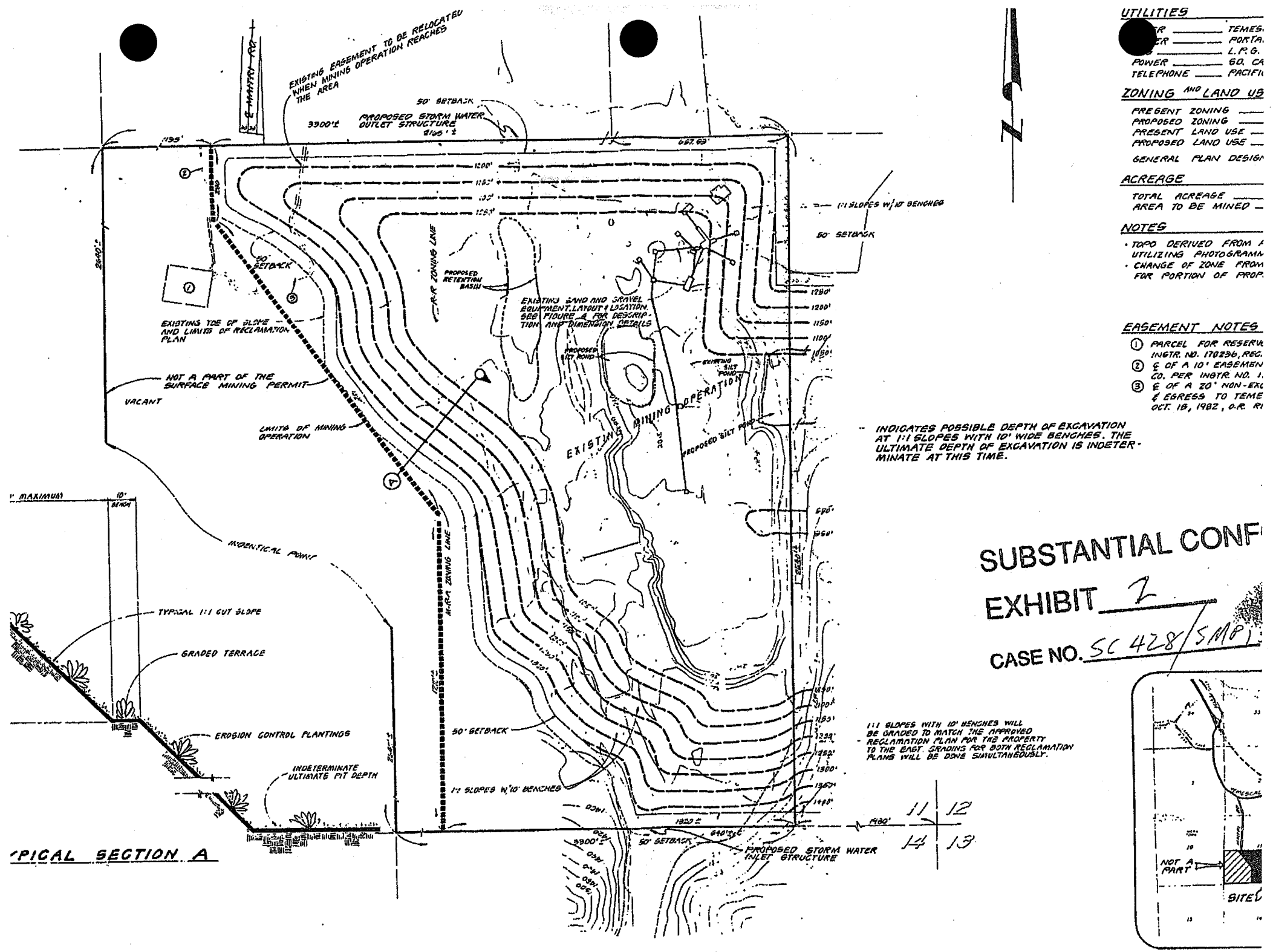
This is a proposal to legalize and operate an existing water diversion structure for a surface mine in the Temescal Canyon area. The site is located south of Temescal Canyon Road and east of Maitri Road.

The water diversion structure was constructed in 2006 to carry storm flows from Mayhew Canyon into the pit of the surface mine instead of around to protect the quarry walls from runoff.

The applicant has submitted a study titled "Hydraulic and Hydrologic Calculations Corona Quarry Water Diversion Structure CEMEX Construction Materials, L.P." Dated January 31, 2006 prepared by Daniel Pellow Consulting. This study provides acceptable engineering backup for the existing water diversion structure.

The District does not object to the substantial conformance.

ATTACHMENT C:
SMP 150, SC NO. 1 RECLAMATION PLAN EXHIBIT


EXISTING EASEMENT TO BE RELOCATED WHEN MINING OPERATION REACHES THE AREA
MAINTY RD
50' SETBACK
3900'±
PROPOSED STORM WATER OUTLET STRUCTURE
1135'
667.69'
1200'
1150'
1100'
1050'
1:1 SLOPES W/10' BENCHES
50' SETBACK
C-R ZONING LINE
PROPOSED RETENTION BASIN
EXISTING SAND AND GRAVEL EQUIPMENT, LAYOUT & LOCATION. SEE FIGURE A FOR DESCRIPTION AND DIMENSION DETAILS
EXISTING TOE OF SLOPE AND LIMITS OF RECLAMATION PLAN
NOT A PART OF THE SURFACE MINING PERMIT
VACANT
LIMITS OF MINING OPERATION
PROPOSED SILT POND
EXISTING SILT POND
EXISTING MINING OPERATION
PROPOSED SILT POND
INDICATES POSSIBLE DEPTH OF EXCAVATION AT 1:1 SLOPES WITH 10' WIDE BENCHES. THE ULTIMATE DEPTH OF EXCAVATION IS INDETERMINATE AT THIS TIME.
MAXIMUM
10' BENCH
IDENTICAL POINT
TYPICAL 1:1 CUT SLOPE
GRADED TERRACE
EROSION CONTROL PLANTINGS
INDETERMINATE ULTIMATE PIT DEPTH
50' SETBACK
1:1 SLOPES W/10' BENCHES
1:1 SLOPES WITH 10' BENCHES WILL BE GRADED TO MATCH THE APPROVED RECLAMATION PLAN FOR THE PROPERTY TO THE EAST. GRADING FOR BOTH RECLAMATION PLANS WILL BE DONE SIMULTANEOUSLY.
1980'
11
12
14
13
50' SETBACK
PROPOSED STORM WATER INLET STRUCTURE
TYPICAL SECTION A
UTILITIES
POWER — SO. CA
TELEPHONE — PACIFI
ZONING AND LAND US
PRESENT ZONING —
PROPOSED ZONING —
PRESENT LAND USE —
PROPOSED LAND USE —
GENERAL PLAN DESIGN
ACREAGE
TOTAL ACREAGE —
AREA TO BE MINED —
NOTES
• TOPO DERIVED FROM A
UTILIZING PHOTOGRAMM
• CHANGE OF ZONE FROM
FOR PORTION OF PROP.
EASEMENT NOTES
① PARCEL FOR RESERVA
INSTR. NO. 170236, REC.
② ℄ OF A 10' EASEMEN
CO. PER INSTR. NO. 1
③ ℄ OF A 20' NON-EXC
& EGRESS TO TEME
OCT. 18, 1982, O.R. RI
SUBSTANTIAL CONF
EXHIBIT 7
CASE NO. SC 428/SM81
NOT A PART
SITE

ATTACHMENT D:
SMP 150, SC NO. 1 CONDITIONS OF APPROVAL

RIVERSIDE COUNTY PLANNING DEPARTMENT
SURFACE MINING PERMIT
CONDITIONS OF APPROVAL

SURFACE MINING PERMIT NO. 150 (Revised) **DATE: 12-4-91**

AMENDED NO. 1

"*" denotes a Condition which is NEW or REVISED.

*1. The following conditions of approval are for Surface Mining Permit No. 150 (Revised), Amended No. 1, and consist of Conditions 1 through 49 inclusive.

*2. The following conditions of approval, 1 through 49, shall supersede the previous conditions of approval approved on July 26, 1983 for Surface Mining Permit No. 150 and shall be maintained during the life of the operation.

*3. The use hereby permitted is for surface mining of sand and gravel located within Assessor's Parcel Number 290-120-002, 003.

*4. The permittee shall defend, indemnify, and hold harmless the County of Riverside, its agents, officers, and employees from any claims action, or proceeding against the County of Riverside or its agents, officers, or employees to attack, set aside, void, or annul, an approval of the County of Riverside, its advisory agencies, appeal boards, or legislative body concerning Surface Mining Permit No. 150. The County of Riverside will promptly notify the permittee of any such claim, action, or proceeding against the County of Riverside and will cooperate fully in the defense. If the County fails to promptly notify the permittee of any such claim, action or proceeding or fails to cooperate fully in the defense, the permittee shall not, thereafter, be responsible to defend, indemnify, or hold harmless the County of Riverside.

*5. The development of the premises shall comply with Ordinance Nos. 348 and 555 standards and with all other applicable ordinances of Riverside County, and shall be in conformance with the plans marked Surface Mining Permit 150 (Revised) Exhibits A, B and C, Amended No. 1 on file in the office of the Riverside County Planning Department unless otherwise amended by these conditions of approval.

*6 Within 90 days of permit approval, a bond in the amount of $242,500 or other appropriate security as approved by the Planning Director, shall be filed with the County and State Geologist by the surface mining operator or land owner to cover the cost of reclaiming the existing disturbed area.

This bond amount may be adjusted based on supportive evidence supplied by the permittee. This bond shall be adjusted annually to reflect newly disturbed and/or reclaimed areas. The bond shall include, but not necessarily be limited to, the removal of equipment and derelict machinery, 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. The bond shall be held for a twenty six (26) year period and/or shall be released by the Building and Safety Director on approval of the final Reclamation Plan inspection by the Department of Building and Safety. This bond shall be adjusted annually by the applicant as approved by the Building and Safety Department according to the U.S. Department of Labor Consumer Price Index for the Los Angeles-Long Beach Metropolitan Area. **(Revised at Planning Commission, 12-4-91)**

*7. The applicant shall comply with the County Transportation Department's letters dated 12-17-90, 3-14-91 and 10-7-90, copies of which are attached.

*8. The applicant shall comply with the Riverside County Health Department transmittal dated 9-20-90, a copy of which is attached.

*9. The permittee shall comply with flood control recommendations outlined in the Riverside County Flood Control and Water Conservation District's letters dated 10-10-91 and 4-5-91, copies of which are attached.

*10. The permittee shall comply with the fire improvement recommendations outlined in the County Fire Department's letters dated 9-7-90 a copy of which is attached.

*11. The applicant shall comply with the Riverside County Department of Building and Safety transmittal dated 4-9-91, copy of which is attached.

*12. During the life of this permit, the permittee shall annually prepare and submit a written report to the Planning Director of the County of Riverside and the Building and Safety Director of the County of Riverside, demonstrating compliance with all the conditions of approval and mitigation for this SMP No. 150 and EIR No. 359. The Planning Director and/or Building Director may require inspection or other monitoring to insure such compliance.

ATTACHMENT E:
SMP 150, SC NO. 1 STAFF REPORT

c. Finding: Air quality impacts can be mitigated to a level of insignificance.

Hydrology, Flooding, Drainage and Water Quality:

a. Potential Impact: Development of the project will result in an increased erosion hazard and increase surface runoff which could affect surface and groundwater water quality, and upstream erosion of Mayhew Canyon.

b. Mitigation: The Flood Control District's Conditions of Approval require mining be designed to perpetuate the existing natural drainage patterns with respect to tributary drainage areas and outlet points. An inlet structure for Mayhew Canyon Wash into SMP 150 shall also be constructed and maintained. Standing water in the pit areas shall be sampled and analyzed for water quality. A monitoring well shall be installed to monitor groundwater levels.

c. Findings: Impacts related to hydrology, flooding, drainage and water quality can be mitigated to a level of insignificance.

Cultural Resources:

a. Potential Impact: No cultural sites have been recorded or were observed on the site. However, major portions of the site are covered with dense vegetation.

b. Mitigation: If any cultural resources are encountered as a result of surface mining, further mining in the area shall cease until evaluated by a qualified archeologist.

c. Finding: Archaeological impacts can be mitigated to a level of insignificance.

Traffic and Circulation:

a. Potential Impact: The project generates approximately 200 truck trips per day onto Matri Road, Temescal Canyon Road and Interstate 15. No increase in this quantity is proposed.

b. Mitigation: The Transportation Department's conditions [redacted] that a standard road connection, left turn lanes, and rig[redacted] lanes be provided at the Matri Road/Temescal Canyo[redacted] intersection. This work is to be performed by the group of mining companies using this access, including the applicant.

ATTACHMENT F:
RCFCWCD LETTER RE: SMP 150 SC NO. 1 (APRIL 5, 1991)

RIVERSIDE COUNTY
PLANNING DEPARTMENT

Carolyn Syms Luna
Director

August 28, 2013

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

RE: OMR's 30-Day Review
Mayhew Canyon Quarry (CA Mine ID # 91-33-0039)
Reclamation Plan Amendment
County Reclamation Plan – SMP00139R1

The above referenced reclamation plan amendment is enclosed for OMR's 30-day review. Riverside County certifies this submission is in compliance with the applicable requirements of Article 9 of Chapter 8 of Division 2 of Title 14 of the California Code of Regulations. Also, please note, this reclamation plan consolidates three (3) separate mining permits/reclamation plans (SMP00139, RCL00106 & PP01828 – all currently operating under CA Mine ID # 91-33-0039) into a single plan as required by SMARA Regulation 3502(d).

We look forward to receiving any comments you may have on this amended reclamation plan. 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

Enclosures: SMP00139R1 Exhibits A, B, and C

cc: Applicant: Mayhew Aggregates and Mine Reclamation, Fax: (951) 277-3339

Y:\Planning Case Files-Riverside office\SMP00139R1\Letters and Correspondence\Agency Letters\OMR 30 day notice of PC.docx

KENNETH L. EDWARDS
CHIEF ENGINEER

1995 MARKET STREET
P.O. BOX 1033
TELEPHONE (714) 275-1200
FAX NO. (714) 788-9965

RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT

RIVERSIDE, CALIFORNIA 92502

April 5, 1991

Riverside County
Planning Department
County Administrative Center
Riverside, California

Attention: County Geologist
Steve Kupferman

Ladies and Gentlemen:

Re: Surface Mining Permit 150
Revised Permit No. 1
Amended No. 2

This project is located in the Glen Ivy area westerly of Indian Truck Trail. This revised permit proposes the removal of the 50 foot setback limitations in the boundaries adjacent to Surface Mining Permit 143 to the east and Surface Mining Permit 182 to the south and west. All three mining areas are owned by the same corporation. This will consolidate the sites into essentially one large mining area and allow for the continuous mining of the sites.

Mayhew Canyon Wash traverses the northwest corner of Surface Mining Permit No. 182 and enters the south side of the Surface Mining Permit No. 150 pit. These flows should not be blocked or diverted.

The original permit for Surface Mining Permit No. 150 proposed a storm water inlet structure to prevent headcutting onto upstream properties. The consolidation and deepening of the three projects will increase the potential for headcutting. An inlet structure remains a necessity. An inlet structure for Mayhew Canyon Wash into Surface Mining Permit No. 150 should be constructed and maintained.

The District recommends the County continue to monitor the conditions at these operations to ensure compliance.

Questions concerning this matter may be referred to Eric Russell of this office at 714/275-1211.

Very truly yours,

JOHN H. KASHUBA
Senior Civil Engineer

c: Werner Corporation
J. F. Davidson

EWR:slw

Answer on Mayhew Aggregates and Mine Reclamation Permit Application Info for CEQA.txt
From: Robertson, Glenn@Waterboards [Glenn.Robertson@waterboards.ca.gov]
Sent: Tuesday, April 09, 2013 8:33 PM
To: Straite, Matt
Cc: Adelson, Mark@Waterboards; Porzio, Kevin@Waterboards; Jeff Brandt (Jeff.Brandt@wildlife.ca.gov)
Subject: Answer on Mayhew Aggregates and Mine Reclamation Permit Application, Info for CEQA
Attachments: Mayhew Aggregates Memo from Aaron Miller, before CEQA 2013.pdf

Categories: Blue Category

To Matt Straite and Riverside County Planning Department:

Staff of the Regional Board and State Water Resources Control Board, Division of Water Rights (State Board) have intended to get this answer to you prior to your release of the CEQA document for the proposed Surface Mining Permit Revision 139 (SMP 139R1), for expansion of operations by Mayhew Aggregates and Mine Reclamation in Temescal Canyon. We thank you for your patience; some unfortunate delays came up.

With our State Board, I have been evaluating the detailed information that you and Jeramey Harding sent me, in order to provide you regulatory information that should be highlighted in the CEQA document. Aaron Miller of the State Board directed their attached memo to me, for distribution to all involved parties. Along with my office, the State Board requests to also be included on your CEQA distribution list at:

Kevin Porzio
Division of Water Rights
State Water Resources Control Board
P.O. Box 100
Sacramento, CA 95812-0100

Staff is now better aware of the site history, including past permits that as early as 1991 allow for the contingency of having Mayhew Creek leave its normal course to enter gravel pits SMP 150 or 139.

Eventually, Mayhew Creek did breach into SMP 139 during a 2005 storm. A concrete downdrain was permitted (see final paragraph 4, below) and constructed to prevent headcutting. There has been no subsequent attempt toward an admittedly difficult reversal of the situation, i.e., restoring continuation of the Creek to its remaining streambed east of the site (Mayhew Creek eventually joins Temescal Creek). We understand that the collected water in SMP 139 is said to not be used in the gravel mining operations and is only infiltrated to the water table. Notwithstanding, a diversion of Mayhew Creek has definitely occurred, needs to be recognized, and must not be grandfathered. The proposed permit revision for expansion of the site's mining operations ("SMP 139R1"), with associated CEQA for a new project, must now be updated to emphasize current water rights policy, regulations, and legislation.

Unless the diversion is to be reversed, Mayhew Aggregates must apply for a water right. Surface waters of the State of California are owned by the State, and the State Board grants a right if water is available and all impacts of the diversion can be mitigated. The application for the water right (State Board website) has associated fees. The right to use the water for a beneficial use is expected to be granted. Any circular argument that Mayhew is not using the collected water in the gravel pit for a beneficial purpose, and therefore rejects the right, can be obviated by stating that their infiltration serves the Region 8 Basin Plan's Groundwater Recharge beneficial use (GWR) for Temescal Creek and its tributaries.

The CEQA document should analyze any impacts to any other parties legally diverting farther downstream, both along Mayhew Creek and Temescal Creek, since all of Mayhew Creek appears to be diverted at the downdrain into SMP 139. What environmental impacts are being caused farther downstream of the diversion, even along Temescal Creek? Will mitigation described in the CEQA document include discussion of complete implementation of the 2005 HMMP, which was the planned 9.7-acre restoration of mulefat community in the northeastern corner of SMP 139? Will the CEQA document consider this level of ecological function to be sufficient mitigation for the diversion? That's part of the evaluation needed for public and agency review.

Among the permits I introduced above (Riverside County Planning; California Department of Fish and Game, now Wildlife; Army Corps of Engineers agreement on an HMMP, though not on a CWA Section 404 Permit), the Regional Board's authorization under Order No. 2004-0004-DWQ was applied for, and paid for, but apparently never issued. Perhaps staff was waiting on a CEQA ruling at the time (2005-07), or waiting on the type of consolidated information now studied in 2013. I will take all this into account as your CEQA process, and a water right application, continues.

Thank you. Glenn Robertson

Glenn S. Robertson, PG, M.S.
Engineering Geologist (CEQA Coordinator)
Santa Ana Regional Water Quality Control Board
3737 Main Street, Suite 500
Riverside, CA 92501
Phone: 951-782-3259
FAX: 951-781-6288
Email: Glenn.Robertson@waterboards.ca.gov

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

DATE: November 21, 2011

TO:

Riv. Co. Transportation Dept.
Riv. Co. Environmental Health Dept.-LEA
Riv. Co. Environmental Health Dept.-Haz Mat
Riv. Co. Flood Control District
Riv. Co. Fire Department
Riv. Co. Building & Safety – Grading
Riv. Co. Building & Safety – R. Klaarenbeek
Riv. Co. Building & Safety – Teresa Jakeway
Regional Parks & Open Space District.
Riv. Co. Environmental Programs Dept.
P.D. Archaeology Section-L. Mouriquand
Riv. Co. Sheriff's Dept.
Riv. Co. Waste Management Dept.
1st District Supervisor
1st District Planning Commissioner
City of Corona
Western Municipal Water Dist.
Lee Lake Water Dist.
Temescal Water Co. (EVMWD)
Southern California Edison
Southern California Gas Co.
RWQCB-Santa Ana
South Coast Air Quality Mgmt. Dist.
Office of Mine Reclamation-James Pompy
National Forest Service
Army Corps of Engineers

SURFACE MINING PERMIT NO. 139, REVISED PERMIT NO. 1, CONDITIONAL USE PERMIT NO. 3679, SURFACE MINING PERMIT NO. 150, SUBSTANTIAL CONFORMANCE NO. 2 AND SURFACE MINING PERMIT NO. 202, SUBSTANTIAL CONFORMANCE NO. 1, SURFACE MINING PERMIT NO. 143, SUBSTANTIAL CONFORMANCE NO. 1, SURFACE MINING PERMIT NO. 182, SUBSTANTIAL CONFORMANCE NO. 2 – EA42476 – Applicant: Eric Werner – Mayhew Aggregates & Mine Reclamation – Engineer/Representative: Todd Pendergrass – Mayhew Aggregates & Mine Reclamation - First Supervisorial District – Glen Ivy Area Zoning District – Temescal Canyon Area Plan: Open Space: Mineral Resources (OS-MIN), Open Space: Conservation (OS-C) and Light Industrial (LI) – Location: South of I-15 and Temescal Canyon – 908.53 Gross Acres - Zoning: Mineral Resources and Related manufacturing (M-R-A), Manufacturing, Service Commercial (M-SC), Natural Assets (N-A) - **REQUEST: SMP00139R9** proposes a 50-year extension of time (expiration date of 12/31/2068) for the mining operations under SMP00139 along with an expansion of mining to access the mineral resources located within setbacks between adjoining mining operations SMP00150 and SMP00202 (additional ~45 million tons). No changes in the existing approved mining and trucking method or intensity proposed. **CUP03679** proposes to construct an inert debris engineered fill operation (IDEFO) to be located within the limits of the SMP00139 mine site. **SMP00150S2** proposes to accommodate the access of mineral resources located within the setbacks and to accommodate relocation of the existing down drain for Mayhew Creek. **SMP00202S1** proposes to accommodate the access of mineral resources located within the setbacks. **SMP00143S1** proposes to accommodate the access of mineral resources located within the setbacks. **SMP00182S2** proposes to accommodate the access of mineral resources located within the setbacks. – APN(s): 290-060-043, 290-110-012, 015, 017, 019, 024 & 025, 290-040-018, -043, 290-090-015, 290-110-014, -016, -021, -022, 290-120-007, -002, -003, -005, -006, 290-150-002, -003 – Concurrent Cases: CUP03679, SMP00150S2, SMP00202S1, SMP00143S1, SMP00182S2 - Related Cases: SMP00150, SMP00150S1, SMP00202, SMP00139, PP01828, PP01828R1, PP01828S1, PP01828S2, RCL00106, RCL00106R1, RCL00106S1, RCL00106S2, SMP00143, SMP00182, SMP00182S1.

NOTE: THIS IS AN AMENDED LDC TRANSMITTAL TO ADD SMP00143S1 AND SMP00182S2 TO THIS COLLECTION OF CONCURRENT PROJECT CASES. THESE TWO MINE SITES ARE ALSO AFFECTED BY THE OVERARCHING MINE PLAN REVISION INITIATED UNDER SMP00139R1

Please review the attached additional map(s) and/or exhibit(s) for the above-described project. **The major cases associated with the new exhibits were discussed at the LDC meeting on November 10, 2011. All LDC Members please have draft conditions in the Land Management System for these exhibits and for the originally transmitted cases at your earliest convenience.** If it is determined that the attached map(s) and/or exhibit(s) are not acceptable, please have corrections in the system and DENY the routing. Once the route is complete, and the approval screen is approved with or without corrections, the parent cases (SMP00139R1 and CUP003679) can be scheduled for a public hearing with the substantial conformance cases following concurrently.

All other transmitted entities, please have your comments, questions and recommendations to the Planning Department on or before the above date. Your comments/recommendations/conditions are requested so that they may be incorporated in the staff report for this particular case.

Should you have any questions regarding this project, please do not hesitate to contact **David Jones,** Project Planner, at **(951) 955-6863** or email at **DLJONES@rctlma.org / MAILSTOP# 1070**.

COMMENTS:

DATE: _____ SIGNATURE: _____

PLEASE PRINT NAME AND TITLE: _____

TELEPHONE: _____

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

RIVERSIDE COUNTY
PLANNING DEPARTMENT

Carolyn Syms Luna
Director

Set ID# CC006307

APPLICATION FOR SURFACE MINING PERMIT

CHECK ONE AS APPROPRIATE:

☐ Surface Mining Permit ☑ Revised SMP (Original SMP No. 139) ☐ Reclamation Plan

INCOMPLETE APPLICATIONS OR INACCURATE EXHIBITS WILL NOT BE ACCEPTED.

CASE NUMBER: SMP00139 R1 DATE SUBMITTED: 9/20/2011

APPLICATION INFORMATION

Applicant's Name: Eric Werner - Mayhew Aggregates & Mine Reclamation E-Mail: ewerner@wernercorp.net

Mailing Address: PO BOX 77850
Street
Corona CA 92877
City State ZIP

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

Mine Operator's Name: Mayhew Aggregates & Mine Reclamation E-Mail: tpendergrass@wernercorp.net

Mailing Address: PO BOX 77850
Street
Corona CA 92877
City State ZIP

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

Engineer/Representative's Name: Todd Pendergrass - Mayhew Agg. & Mine Reclamation E-Mail: tpendergrass@wernercorp.net

Mailing Address: PO BOX 77850
Street
Corona CA 92877
City State ZIP

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

Property Owner's Name: Mayhew Aggregates & Mine Reclamation Chandler Mayhew E-Mail: ewerner@wernercorp.net

Mailing Address: PO BOX 77850
Street
Corona CA 92877
City State ZIP

EA 42476
CFG05848

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

CUP03679

APPLICATION FOR SURFACE MINING PERMIT

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

Mineral Rights Owner's Name: _____ E-Mail: ewerner@wernercorp.net

Mailing Address: PO BOX 77850

Corona (City) CA (State) 92877 (ZIP) — Street

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

Lessee's Name: Cemex, USA C/O Christine Jones E-Mail: christinem.jones@cemex.com

Mailing Address: 3990 E. Concours Street, Suite 200

Ontario (City) CA (State) 91764 (ZIP) — Street

Daytime Phone No: (909) 974-5471 Fax No: (909) 974-5521

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. 139," 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. 139," 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

Eric Werner
PRINTED NAME OF APPLICANT

SIGNATURE OF APPLICANT

Executed on September 20TH, 2011
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 inform ation contained in this application is true and complete.

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

ERIC WERNER
Mayhew Aggregates and Mine Reclamation
PRINTED NAME OF PROPERTY OWNER(S)

SIGNATURE OF PROPERTY OWNER(S)

Mayhew Aggregates and Mine Reclamation
PRINTED NAME OF PROPERTY OWNER(S)

John D Robertson

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 pro perty.

PROPERTY INFORMATION:

Name of Mine: Mayhew Aggregates & Mine Reclamation

Assessor's Parcel Number(s): 290-060-043, 290-110-012, -015, -017, -019, -024, -025

Section: 2 & 11 Township: 5 South Range: 6 West

Approximate Gross Acreage: +/- 215 Acres

General location of M ine (nearby or cross streets): North of Foster Sand & Gravel, South of Temescal Canyon Road, East of Maitri Road, West of Sycamore Creek.

Thomas Brothers map, edition year, page number, and coordinates: 2009, Page 804, E-7 & F-7

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

The applicant is proposing a revision to existing Surface Mining Permit 139 to extend the current life of the permit, including the reserves in the setbacks between the site and the adjacent mining properties that are owned by the applicant. Applicant's SMP 139 revision for an extension of time and permitting of the setbacks will provide the opportunity to mine additional reserves while creating no new environmental impacts or disturbance.

WESTERN MUNICIPAL WATER DISTRICT

John V. Rossi
General Manager

Securing Your Water Supply

Charles D. Field
Division 1

Thomas P. Evans
Division 2

Brenda Dennstedt
Division 3

Donald D. Galleano
Division 4

S.R. "Al" Lopez
Division 5

December 5, 2011

David Jones, Project Planner
Riverside County Planning Department
P.O. Box 1409
Riverside, CA 92502-1409

SURFACE MINING PERMIT NO. 139, REVISED PERMIT NO. 1, CONDITIONAL USE PERMIT NO. 3679, SURFACE MINING PERMIT NO. 150, SUBSTANTIAL CONFORMANCE NO. 2, SURFACE MINING PERMIT NO. 202, SUBSTANTIAL CONFORMANCE NO. 1, SURFACE MINING PERMIT NO. 143, SUBSTANTIAL CONFORMANCE NO. 1, SURFACE MINING PERMIT NO. 182, SUBSTANTIAL CONFORMANCE NO. 2, EA42476.

This letter is in response to your Initial Case Transmittal dated November 21, 2011.

Western Municipal Water District (Western) has no comments on proposed Surface Mining Permit No. 139, Revised Permit No. 1, Conditional Use Permit No. 3679, Surface Mining Permit No. 150, Substantial Conformance No. 2, Surface Mining Permit No. 202, Substantial Conformance No. 1, Surface Mining Permit No. 143, Substantial Conformance No. 1, Surface Mining Permit No. 182, Substantial Conformance No. 2 EA42476. Western does not provide retail water service in the vicinity of Glen Ivy, south of I-15 and Temescal Canyon. Our records indicate that Lee Lake Water District is the water purveyor for this area.

Should you have any further questions regarding this matter, please contact Development Services at (951) 571-7100.

TAMMY MARTIN
Engineering Technician

TM:sc

Enc: Initial Case Transmittal

\\Wmwd-fsmain\development\CONDITION LETTERS\RIVERSIDE COUNTY\NoCommentLtr-CO-SMP139_150_202_143_182-EA42476.doc

Ticklate date 12/12/11

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

RECEIVED
NOV 28 2011
WMWD/Eng.

DATE: November 21, 2011

TO:

Riv. Co. Transportation Dept.
Riv. Co. Environmental Health Dept.-LEA
Riv. Co. Environmental Health Dept.-Haz Mat
Riv. Co. Flood Control District
Riv. Co. Fire Department
Riv. Co. Building & Safety – Grading
Riv. Co. Building & Safety – R. Klaarenbeek
Riv. Co. Building & Safety – Teresa Jakeway
Regional Parks & Open Space District.
Riv. Co. Environmental Programs Dept.
P.D. Archaeology Section-L. Mouriquand
Riv. Co. Sheriff's Dept.
Riv. Co. Waste Management Dept.
1st District Supervisor
1st District Planning Commissioner
City of Corona
[redacted] Dist. Tammy
Lee Lake Water Dist.
Temescal Water Co. (EVMWD)
Southern California Edison
Southern California Gas Co.
RWQCB-Santa Ana
South Coast Air Quality Mgmt. Dist.
Office of Mine Reclamation-James Pompy
National Forest Service
Army Corps of Engineers

SURFACE MINING PERMIT NO. 139, REVISED PERMIT NO. 1, CONDITIONAL USE PERMIT NO. 3679, SURFACE MINING PERMIT NO. 150, SUBSTANTIAL CONFORMANCE NO. 2 AND SURFACE MINING PERMIT NO. 202, SUBSTANTIAL CONFORMANCE NO. 1, SURFACE MINING PERMIT NO. 143, SUBSTANTIAL CONFORMANCE NO. 1, SURFACE MINING PERMIT NO. 182, SUBSTANTIAL CONFORMANCE NO. 2 – EA42476 – Applicant: Eric Werner – Mayhew Aggregates & Mine Reclamation – Engineer/Representative: Todd Pendergrass – Mayhew Aggregates & Mine Reclamation - First Supervisorial District – Glen Ivy Area Zoning District – Temescal Canyon Area Plan: Open Space: Mineral Resources (OS-MIN), Open Space: Conservation (OS-C) and Light Industrial (LI) – Location: South of I-15 and Temescal Canyon – 908.53 Gross Acres - Zoning: Mineral Resources and Related manufacturing (M-R-A), Manufacturing, Service Commercial (M-SC), Natural Assets (N-A) - **REQUEST: SMP00139R9** proposes a 50-year extension of time (expiration date of 12/31/2068) for the mining operations under SMP00139 along with an expansion of mining to access the mineral resources located within setbacks between adjoining mining operations SMP00150 and SMP00202 (additional ~45 million tons). No changes in the existing approved mining and trucking method or intensity proposed. **CUP03679** proposes to construct an inert debris engineered fill operation (IDEFO) to be located within the limits of the SMP00139 mine site. **SMP00150S2** proposes to accommodate the access of mineral resources located within the setbacks and to accommodate relocation of the existing down drain for Mayhew Creek. **SMP00202S1** proposes to accommodate the access of mineral resources located within the setbacks. **SMP00143S1** proposes to accommodate the access of mineral resources located within the setbacks. **SMP00182S2** proposes to accommodate the access of mineral resources located within the setbacks.– APN(s): 290-060-043, 290-110-012, 015, 017, 019, 024 & 025, 290-040-018, -043, 290-090-015, 290-110-014, -016, -021, -022, 290-120-007, -002, -003, -005, -006, 290-150-002, -003 – Concurrent Cases: CUP03679, SMP00150S2, SMP00202S1, SMP00143S1, SMP00182S2 - Related Cases: SMP00150, SMP00150S1, SMP00202, SMP00139, PP01828, PP01828R1, PP01828S1, PP01828S2, RCL00106, RCL00106R1, RCL00106S1, RCL00106S2, SMP00143, SMP00182, SMP00182S1.

NOTE: THIS IS AN AMENDED LDC TRANSMITTAL TO ADD SMP00143S1 AND SMP00182S2 TO THIS COLLECTION OF CONCURRENT PROJECT CASES. THESE TWO MINE SITES ARE ALSO AFFECTED BY THE OVERARCHING MINE PLAN REVISION INITIATED UNDER SMP00139R1.

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All other transmitted entities, please have your comments, questions and recommendations to the Planning Department on or before the above date. Your comments/recommendations/conditions are requested so that they may be incorporated in the staff report for this particular case.

Should you have any questions regarding this project, please do not hesitate to contact **David Jones,** Project Planner, at **(951) 955-6863** or email at **DLJONES@rctlma.org / MAILSTOP# 1070.**

COMMENTS:

DATE: _____ SIGNATURE: _____

PLEASE PRINT NAME AND TITLE: _____

TELEPHONE: _____

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

WESTERN MUNICIPAL WATER DISTRICT

John V. Rossi
General Manager

Securing Your Water Supply

Charles D. Field, Division 1
Thomas P. Evans, Division 2
Brenda Dennstedt, Division 3
Donald D. Galleano, Division 4
S.R. "Al" Lopez, Division 5

October 10, 2011

David Jones, Project Planner
Riverside County Planning Department
P.O. Box 1409
Riverside, CA 92502-1409

SURFACE MINING PERMIT NO. 139, REVISED PERMIT NO. 1, CONDITIONAL USE PERMIT NO. 3679, SURFACE MINING PERMIT NO. 150, SUBSTANTIAL CONFORMANCE NO. 2, AND SURFACE MINING PERMIT NO. 202, SUBSTANTIAL CONFORMANCE NO. 1, EA42476.

This letter is in response to your Initial Case Transmittal dated October 5, 2011.

Western Municipal Water District (Western) has no comments on proposed Surface Mining Permit No. 139, Revised Permit No. 1, Conditional Use Permit No. 3679, Surface Mining Permit No. 150, Substantial Conformance No. 2, and Surface Mining Permit No. 202, Substantial Conformance No. 1, EA42476. Western does not provide retail water service in the vicinity of Glen Ivy, south of I-15 and Temescal Canyon. Our records indicate that Lee Lake Water District is the water purveyor for this area.

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Tammy Martin

TAMMY MARTIN
Engineering Technician

TM:sc

Enc: Initial Case Transmittal
\\Wmwd-fsmain\development\CONDITION LETTERS\RIVERSIDE COUNTY\NoCommentLtr-CO-SMP139_EA42476.doc

LAND DEVELOPMENT COMMITTEE
INITIAL CASE TRANSMITTAL Ticke date 10/21/11
RIVERSIDE COUNTY PLANNING DEPARTMENT - RIVERSIDE
P.O. Box 1409
Riverside, CA 92502-1409

RECEIVED
OCT 07 2011
WMWD/Eng.

DATE: October 5, 2011

TO:

Riv. Co. Transportation Dept.
Riv. Co. Environmental Health Dept.-LEA
Riv. Co. Environmental Health Dept.-Haz Mat
Riv. Co. Flood Control District
Riv. Co. Fire Department
Riv. Co. Building & Safety – Grading
Riv. Co. Building & Safety – R. Klaarenbeek
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Riv. Co. Waste Management Dept.
1st District Supervisor
1st District Planning Commissioner
City of Corona
[redacted] Tammy
Lee Lake Water Dist.
Temescal Water Co. (EVMWD)
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COMMENTS:

DATE: _____ SIGNATURE: _____

PLEASE PRINT NAME AND TITLE: _____

TELEPHONE: _____

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California Regional Water Quality Control Board
Santa Ana Region

Matthew Rodriquez
Secretary for
Environmental Protection

3737 Main Street, Suite 500, Riverside, California 92501-3348
Phone (951) 782-4130 • FAX (951) 781-6288
www.waterboards.ca.gov/santaana

Edmund G. Brown Jr.
Governor

October 3, 2011

Mr. Eric Werner
ewerner@wernercorp.net
Mayhew Aggregates and Mine Reclamation
P.O Box 78450
Corona, CA 92877

WAIVER OF WASTE DISCHARGE REQUIREMENTS FOR MAYHEW AGGREGATES AND MINE RECLAMATION COMPANY'S INERT LANDFILL IN THE CITY OF CORONA, PURSUANT TO ORDER NO. RB8-2007-0036

Dear Mr. Werner:

We have reviewed your submittal of a Report of Waste Discharge Application, dated July 12, 2011, which we received on August 22, 2011, for an Inert Debris Engineered Fill Operation located at 24890 Maitri Road within the City of Corona, Riverside County. The property is approximately 225 acres in size and is situated within Sections 2 and 11, Township 5 South, Range 6 West, of the Lake Mathews and Alberhill Quadrangles (a map showing the location of the site is included as an attachment to this letter).

Currently, the site is the location of an aggregate mining and processing plant under Surface Mining Permit SMP00139. As part of the mining permit extension application and the reclamation plan, Mayhew Aggregates and Mine Reclamation is proposing to add an Inert Debris Engineered Fill Operation on the site. A load checking program will be implemented to assure that only inert wastes are disposed of at the site. Then the inert material will be spread and compacted under controlled conditions to achieve a uniform and dense mass which will be capable of supporting structural loading for future site utilization.

The list of acceptable material is limited to the following:

- Fully cured asphalt
- Uncontaminated concrete
- Crushed glass
- Brick
- Ceramics
- Clay and clay products which may be mixed with rock and soil
- Silts and clays from adjoining mining properties

The anticipated amount of inert debris accepted will be approximately 50,000 tons/month. The anticipated duration of the Inert Debris Engineered Fill Operation is 50 years.

The list of acceptable materials qualifies as "inert waste", as defined in the California Code of Regulations, Title 27, Division 2, Section 20230. Pursuant to California Water Code, Section 13269, the Regional Board adopted Resolution No. R8-2007-0036, waiving waste discharge requirements for specific types of discharges. Attachment "A" to Resolution No. R8-2007-0036 specifies types of discharges, criteria and conditions for which Waste Discharge Requirements are waived (copy attached). The proposed Inert Debris Engineered Fill Operation at your site is considered an Inert Waste Disposal Operation, and therefore the waste discharge requirements are waived, provided that the following conditions are met:

1. No greenwaste, woodwaste, gypsum or drywall are allowed as inert waste;

2. Controls sufficient to contain all surface runoff are installed, where necessary, and;

3. The site will be adequately secured to prevent unauthorized disposal by the public.

Please be aware that pursuant to Water Code Section 13269, the general waiver of waste discharge requirements must be renewed by the Regional Board every five years. Order No. R8-2007-0036 expires on September 7, 2012. While we expect that you will continue to be covered by a revised waiver for your disposal of inert material, we must notify you that there is always the potential that waste discharge requirements may be required in the future.

Should any conditions change from those stated in your submittals, this waiver may be revoked and you must notify this office immediately to determine a further course of action. Please be aware that this waiver does not relieve you of the responsibility to comply with laws and regulations set forth by other regulatory agencies involved with this project.

If you have any questions, please contact Ray Akhtarshad of our Land Disposal & DoD Program Section at (951) 320-2024 (rakhtarshad@waterboards.ca.gov), or Cindy Li, his supervisor, at (951) 782-4906 (cli@waterboards.ca.gov).

Sincerely,

Kurt V. Berchtold
Executive Officer

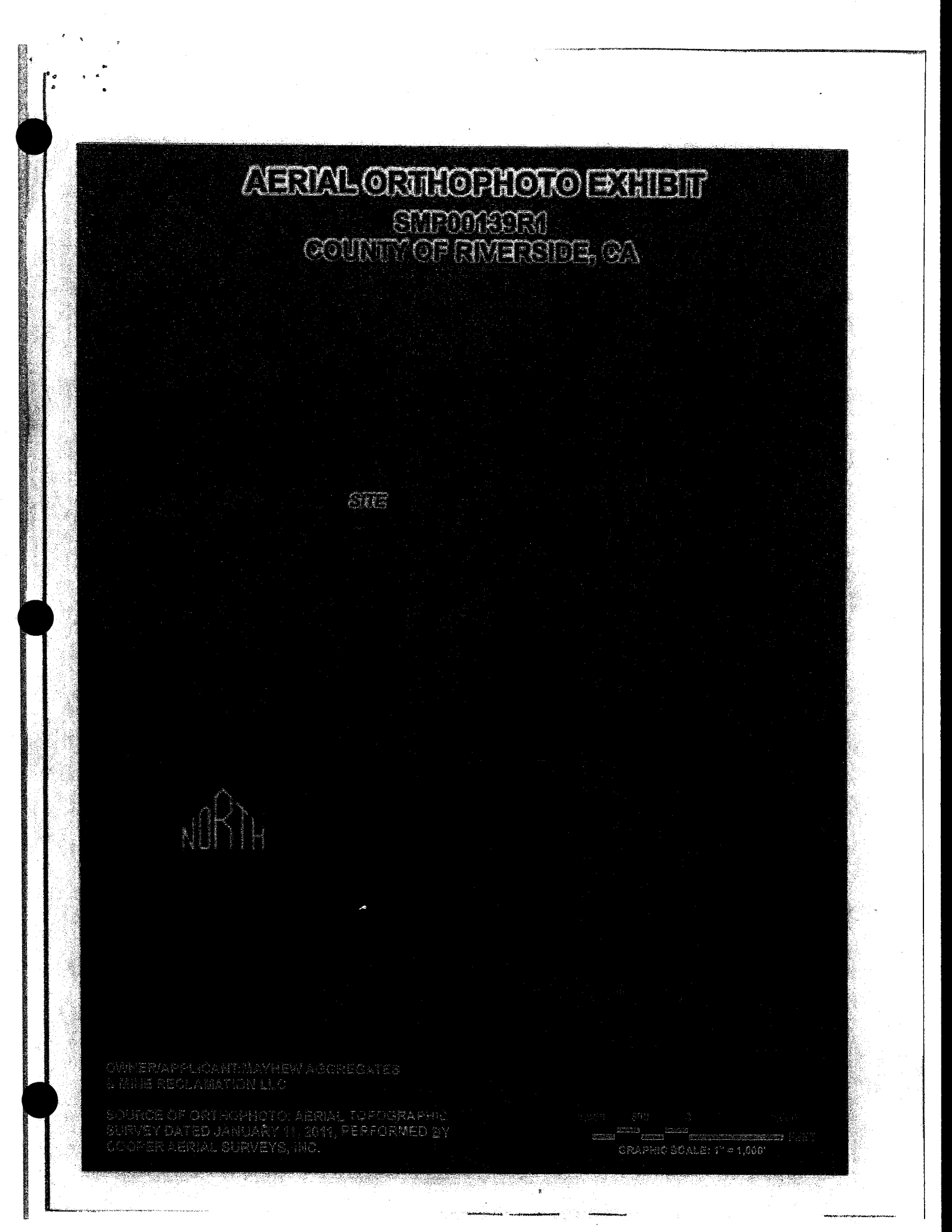
Enclosure: Site Map
Order No. RB8-2007-0036

cc: w/enclosure Todd Pendergrass, Mayhew Aggregates (tpendergrass@wernercorp.net)
Mandy Gaito, Riverside County LEA (mgaito@rivcocha.org)
Jennifer Fieber, Associates Environmental (jfieber@associatesenvironmental.com)

RA\C:\DATA\LDS\MAYHEW AGGRIGATES\MAYHEW-1 WAIVER

AERIAL ORTHOPHOTO EXHIBIT

SMP00139R1
COUNTY OF RIVERSIDE, CA



OWNER/APPLICANT: MAYHEW AGGREGATES & MINE RECLAMATION LLC

SOURCE OF ORTHOPHOTO: AERIAL TOPOGRAPHIC SURVEY DATED JANUARY 11, 2011, PERFORMED BY COOPER AERIAL SURVEYS, INC.

GRAPHIC SCALE: 1" = 1,000'

State of California
California Regional Water Quality Control Board
Santa Ana Region

September 7, 2007

ITEM: *6

SUBJECT: Renewal/Update of Waiver of waste discharge requirements for specific types of discharges, Resolution No. R8-2007-0036

DISCUSSION:

The Regional Board prescribes Waste Discharge Requirements for waste discharges in accordance with Section 13263 of the California Water Code. Many types of discharges, however, do not contain a significant amount of pollutants, and have no significant effect on the quality and beneficial uses of the waters of the State. It is in the best interest of the public and the Board not to expend the resources necessary to regulate discharges that have an insignificant potential to affect water quality standards.

Section 13269 of the California Water Code empowers the Regional Board to waive waste discharge requirements for specific types of discharges where such a waiver is not against the public interest. Such waivers are conditional and may be terminated by the Board at any time.

It is important to emphasize also that each request for such a waiver would be considered on a case-specific basis by Regional Board staff. The Regional Board retains its authority to issue waste discharge requirements, or to take other requisite regulatory action, where site-specific conditions warrant it. This is true even when the conditions specified in the waiver resolution are met. It is recognized that the waiver conditions may not anticipate all relevant factors (e.g., proximity to groundwater contamination plumes or to Clean Water Act Section 303(d) listed impaired waters) that may necessitate an independent regulatory response.

Legislation (Senate Bill 390) amended Section 13269. As amended, Section 13269 stipulates that all existing waivers must be reviewed at 5-year intervals and either renewed or terminated.

On September 6, 2002, the Regional Board adopted Resolution No. R8-2002-0044, which waived waste discharge requirements for specific types of discharges, provided that certain conditions stipulated in the Resolution were met. Resolution No. R8-2002-0044 expired on September 1, 2007.

In accordance with Senate Bill 390, the 2002 list of specific types of discharges has been reviewed and revised. The proposed Resolution No. R8-2007-0036 updates the list of specific types of discharges and adds Groundwater Recharge Projects as a type of discharge for which waste discharge requirements can be waived provided that certain criteria and conditions are met. The updated list of specific type of discharges that can be conditionally waived includes the following:

a. Inert Waste Disposal Operations,

b. Sand, Gravel, and Quarry Operations,

c. Residential Wastewater Disposal Systems (On-Site Septic Tank–Sub Surface Leaching/Percolation Systems) Not Within Prohibition Areas,

d. Industrial and Commercial Wastewater Disposal Systems (septic tanks) Not Within Prohibition Areas,

e. Monitoring Well Purge water,

f. Well Drill Cuttings,

g. Incidental Discharge of Oily Wastewater During Oil Spill Response Activities, and

h. Other Insignificant Discharges of Wastewater to Land (eg: potable water pipeline draining, groundwater dewatering, etc.).

i. Groundwater Recharge Projects using imported State Project Water, Colorado River Water or Imported Well Water

This list differs from that identified in the prior waiver resolution (Resolution No. R8-2002-0044) only in the addition of groundwater recharge projects using imported water. These projects are being included in the updated waiver resolution to address an agreement among the Regional Board and agencies in the Santa Ana River watershed to address nitrogen and Total Dissolved Solids (TDS) concerns potentially associated with these projects. This agreement ("Cooperative Agreement to Protect Water Quality and Encourage the Conjunctive Uses of Imported Water in the Santa Ana River Basin") has been signed by certain agencies, and other agencies are considering like action. Signature of the Cooperative Agreement commits the signatory agency to manage imported water recharge projects under the agency's purview so as to assure conformance with applicable nitrogen and TDS objectives. Provided that an agency signs the Cooperative Agreement and conforms to its terms, then waste discharge requirements

for the recharge project could be waived, pursuant to the proposed waiver resolution.[1] Water imported to the Santa Ana Region from State Water Project, the Colorado River and other sources, and from groundwater management zones to other groundwater management zones within the Region, is vital to meet present and future demands for water within the Region. Such water is directly used, injected or percolated within groundwater management zones; stored in groundwater management zones for later use; may be combined with or used in addition to the native groundwater supplies in a management zone; may be exported/imported from one management zone to another and after consumptive use may form a portion of the wastewater that is treated, recharged and reused within the Region. Such conjunctive uses of surface water and groundwater within the Region have been contemplated by the State of California at least since the issuance of the original California Water Plan in 1957 and the adoption by the State Water Resources Control Board of Resolution No. 64-1.

Board staff considered the merits of the development of general waste discharge requirements for one or more of the types of discharges identified in the proposed waiver resolution. The advantage of such an approach would be that general waste discharge requirements would not need to be revisited more than once every ten years, as opposed to the requirement to review the waiver resolution at least once every five years. However, considerable staff time would be required to develop general waste discharge requirements applicable to all of the listed types of discharges. Given that these discharges are not expected to have significant impacts on water quality standards, Board staff believes that it is a better use of the Board's resources to adopt and implement the proposed waiver resolution. Efficient use of the Board's resources is in the public interest.

The types of waste discharges listed in Attachment "A" to Resolution No. R8-2007-0036 were identified on the basis that they should not result in significant adverse environmental effects, provided that the criteria and conditions also listed in Attachment "A" are satisfied. Again, where site-specific conditions warrant it, the Executive Officer may specify additional criteria and conditions. The proposed Resolution No. R8-2007-0036, if approved, would expire on September 1, 2012.

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[1] *As explicitly acknowledged in the Cooperative Agreement, there is a disagreement between the Regional Board and certain of the agencies regarding the Board's legal authority to regulate imported water recharge in the Region. These parties contend that nitrogen and TDS in the imported water do not constitute "waste" that is subject to Water Code regulation. The Regional Board and certain other parties believe that the Board has authority to regulate these discharges pursuant to Waste Discharge Requirements. The inclusion of these imported water groundwater recharge projects in the proposed waiver resolution is not to be construed as a definitive resolution of this matter. Rather, the projects are included in the proposed resolution in the interest of facilitating implementation of the projects in a manner defensible to and by the Regional Board, without need for litigation over the underlying legal concern. Any disputes arising from the application of this waiver resolution to imported water recharge projects could and should be addressed on a case-specific basis.*

Again, the waiver of waste discharge requirements for the specific types of discharges identified in Attachment "A" will not affect the Regional Board's authority to regulate discharges where water quality or beneficial uses could be impacted. The Resolution explicitly grants the Executive Officer of the Regional Board the authority to deny projects and to recommend to the Regional Board issuance of individual waste discharge requirements, or coverage under applicable general waste discharge requirements, for projects determined to have the potential for significant impacts on the water quality standards of the State.

Adoption of the proposed resolution would waive, conditionally, waste discharge requirements for the activities listed in the resolution. Each of the activities covered will not have a significant effect on the environment provided that the criteria and conditions specified in the waiver issued by the Executive Officer are satisfied. Therefore, the waiver resolution is exempt from the California Environmental Quality Act (CEQA).

RECOMMENDATION:

Adopt Resolution No. R8-2007-0036 as presented.

Comments were solicited from the following agencies:

California Department of Fish and Game, Inland Desert Region – Curt Taucher
California Department of Fish and Game, South Coast Region – Kevin Hunting
California Department of Public Health, San Bernardino – Sean McCarthy
California Department of Public Health, San Diego – Steven Williams
California Department of Public Health, Santa Ana – Anthony Nhan
Chino Basin Watermaster
City of Beaumont – Alan Kapanicas
Elsinore Valley Municipal Water District
Inland Empire Utilities Agency – Patrick O. Sheilds
Inland Empire Waterkeeper - Lee Reeder
Lawyers for Clean Water C/c San Francisco Baykeeper
Orange County Coastkeeper – Garry Brown
Orange County Health Care Agency - Seth Daugherty
Orange County Resources and Development Management Department - Chris Crompton
Orange County Water District - Nira Yamachika/Greg Woodside
Riverside County Department of Environmental Health Services – John Watkins
Riverside County Environmental Health Department - Sandy Bonchek
Riverside County Flood Control and Water Conservation District – Jason Uhley
San Bernardino County Department of Environmental Health Services – Daniel Avera
San Bernardino County Department of Public Works, Environmental Management Division –Naresh Varma

San Timoteo Watershed Management Authority
Santa Ana River Dischargers Association
Santa Ana Watershed Project Authority – Celeste Cantu
South Coast Air Quality Management District - Barry Wallerstein
State Department of Water Resources - Glendale
State Water Resources Control Board, Division of Water Quality – Valerie Connor
State Water Resources Control Board, Office of the Chief Counsel – Erik Spiess
U.S. Army District, Los Angeles, Corps of Engineers, Regulatory Branch
U.S. Fish and Wildlife Service - Carlsbad
Wildermuth Environmental Inc. – Mark Wildermuth
Attached mailing list

State of California
California Regional Water Quality Control Board
Santa Ana Region

RESOLUTION NO. R8-2007-0036

Waiver of Waste Discharge Requirements
for Specific Types of Discharges

WHEREAS, the California Regional Water Quality Control Board, Santa Ana Region (hereinafter Regional Board), finds that:

1. Section 13263(a) of the California Water Code requires Regional Boards to prescribe requirements for existing and proposed waste discharges in their respective areas of jurisdiction.

2. Section 13269 of the California Water Code authorizes Regional Boards to waive waste discharge requirements for a specific discharge or specific types of discharges where such a waiver is not against the public interest.

3. The waiver of waste discharge requirements for discharges that do not pose a significant threat to water quality, where such waiver is not against the public interest, would enable staff resources to be used effectively and avoid unnecessary expenditures of these limited resources.

4. On October 10, 1999, Senate Bill (SB) 390 amended Water Code Sections 13269 and 13350. SB 390 includes the following:

   a. Requires review and renewal or termination of all waivers every five years;
   b. Requires Regional Boards to conduct a public hearing prior to renewing any waiver for a specific type of discharge in order to determine whether the discharge should be subject to general or individual waste discharge requirements;
   c. Imposes a duty on the Regional Boards and State Boards to enforce the waiver conditions;
   d. Specifically expands the authority of the Regional Boards to take enforcement action for violations of waiver conditions and 401 certifications.

5. On September 6, 2002, the Regional Board adopted Resolution No. R8-2002-0044 for waiver of waste discharge requirements for specific types of discharges.

6. Resolution No. R8-2002-0044 must be reviewed and updated to comply with the requirements of SB 390. Resolution No. R8-2002-0044 expired on September 1, 2007.

7. Attachment "A" to this resolution lists specific types of discharges for which waste discharge requirements are waived and that are expected to have an insignificant effect on the quality of waters of the State, provided the corresponding criteria and conditions are met. Each such discharge would be considered on a case-specific basis to determine whether and what additional conditions are required to protect the quality of waters of the State, or whether coverage under individual or general waste discharge requirements is necessary.

8. The specific types of discharges listed in Attachment "A" to this resolution include groundwater recharge projects using imported water. The Regional Board and certain other agencies have entered into a Cooperative Agreement ("Cooperative Agreement to Protect Water Quality and Encourage the Conjunctive Uses of Imported Water in the Santa Ana River Basin") regarding the conduct and monitoring of projects involving the injection/percolation of imported State Project Water, Colorado River Water and/or imported well water to recharge groundwater management zones within the Santa Ana Region. The purpose of the Cooperative Agreement is to assure proper management of these groundwater recharge projects so that they will not cause or contribute to a violation of applicable Nitrogen and Total Dissolved Solids (TDS) objectives. Agencies who sign the Cooperative Agreement commit to implement the requirements of the Agreement that will assure this water quality protection. Thus, groundwater recharge projects using imported water that are implemented through the Cooperative Agreement should have an insignificant effect on water quality standards in the Region, provided that each signatory fulfills the requirements of the Agreement. Therefore, groundwater recharge projects using imported State Project Water, Colorado River Water and/or imported well water are properly included in the waiver resolution, with the condition that the agency proposing to implement the projects signs and fulfills the requirements of the Cooperative Agreement. Attachment "B" to this Resolution lists the entities who are current signatories to this Cooperative Agreement. Attachment "B" may be revised to include new signatory(ies) to the Cooperative Agreement.

9. Waiving waste discharge requirements for the specific types of discharges listed in Attachment "A" is not against the public interest. These discharges will not have an adverse impact on water quality standards or the environment, provided that the discharger satisfies the criteria and conditions identified in Attachment "A" and any additional conditions specified by the Executive Officer as the result of case-specific consideration of the proposed discharge. Further, the Executive Officer has the authority to deny a request for a waiver where such a waiver would not be in the public interest.

10. The types of activities identified in Attachment "A" will not have a significant effect on the environment provided that they are conducted in conformance with the criteria and conditions specified in Attachment "A" and any additional criteria/conditions specified by the Executive Officer in issuing a waiver of waste discharge requirements. Therefore, this resolution waiving waste discharge requirements for those activities is exempt from the California Environmental Quality Act.

11. On September 7, 2007, the Board held a public hearing and considered all the evidence concerning this matter. Notice of this hearing was given to all interested persons in accordance with the California Code of Regulations, Section 15072.

THEREFORE, BE IT RESOLVED that the California Regional Water Quality Control Board, Santa Ana Region:

1. Waives waste discharge requirements for the specific types of discharges listed in Attachment "A", except those for which individual waste discharge requirements or general waste discharge requirements have already been adopted. Waste discharge requirements are waived for each specific type of discharge listed provided that the corresponding criteria and conditions are met.

2. This waiver of waste discharge requirements expires on September 1, 2012. Any action under this waiver is conditional and may be terminated for any type of discharge or any specific discharge at any time within the term of this waiver.

3. Waste discharge requirements for a specific discharge shall be considered waived only after a Report of Waste Discharge is submitted and the Executive Officer determines that the conditions specified in Attachment "A" for the specific type of discharge will be met.

4. The Executive Officer of the Regional Board is authorized to deny a waiver of waste discharge requirements and to recommend the issuance of individual waste discharge requirements or coverage under general waste discharge requirements for projects that would result in the discharge of waste that may have a significant impact on the water quality standards of the State.

I, Gerard J. Thibeault, Executive Officer, do hereby certify that the foregoing is a full, true, and correct copy of a resolution adopted by the California Regional Water Quality Control Board, Santa Ana Region, on September 7, 2007.

Gerard J. Thibeault
Executive Officer

Attachment "A" to Resolution No. R8-2007-0036
Specific Types of Discharges for Which
Waste Discharge Requirements are Waived
(Provided Criteria and Conditions are Met)

TYPES OF DISCHARGE	CRITERIA AND CONDITIONS
Inert Waste Disposal Operations	Only inert waste, as defined in Section 20230, Division 2, Title 27, of the California Code of Regulations, will be disposed of. No green waste, woodwaste or gypsum board (or similar construction wastes) are allowed, and 1. Controls sufficient to contain all surface runoff are installed, where necessary, and 2. The site will be adequately secured to prevent unauthorized disposal by the public.
Sand, Gravel, and Quarry Operations	1. All operations and wash waters are contained within the facility, 2. No waste discharge (including storm water runoff from operations areas) to surface waters will occur, and 3. Stockpiles and settling basins will be protected from inundation from 100-year peak storm flows.
Residential Wastewater Disposal Systems (On-Site Septic Tank–Sub Surface Leaching/Percolation Systems) Not Within Prohibition Areas	1. Developments in Orange County comply with the Regional Board's "Guidelines for Sewage Disposal from Land Developments". Developments in Riverside and San Bernardino Counties comply with the individual county guidelines to discharge wastes to septic systems.
Industrial and Commercial Wastewater Disposal Systems (septic tanks) Not Within Prohibition Areas	1. Only sanitary wastes to be discharged into the septic systems, and 2. Developments in Orange County comply with the Regional Board's "Guidelines for Sewage Disposal from Land Developments". Developments in Riverside and San Bernardino Counties comply with the individual county guidelines to discharge wastes to septic systems.

TYPES OF DISCHARGE	CRITERIA AND CONDITIONS
Monitoring Well Purge Water	1. Purge water is discharged to the ground in a manner so that it will percolate back into the aquifer in the same general area from which it came, and 2. Adequate measures will be taken to prevent purge water from reaching surface waters.
Well Drill Cuttings	1. Cuttings determined not to be considered as hazardous waste, and 2. Cuttings disposed of or used in a manner so as to not affect water quality or beneficial uses.
Incidental Discharge of Oily Wastewater During Oil Spill Response Activities	1. Discharges occur during an oil spill response activity, and 2. Discharges are within or proximate to the oil spill response area.
Other Insignificant Discharges of Wastewater to Land (eg: potable water pipeline draining, groundwater dewatering, etc.)	1. All wastewater discharged in a manner so that it will percolate into the ground before reaching surface waters, and 2. All wastewater disposed of or used in a manner so as to not affect water quality or beneficial uses.

TYPES OF DISCHARGE	CRITERIA AND CONDITIONS
Groundwater Recharge Projects Using Imported Water (Projects by any public agency or non-profit mutual water company that imports water to the Region, exports/imports water between basins within the Region, recharges such imported water within the Region, delivers such imported water for potable use within the Region)	1. Any agency that intentionally recharges imported water within the Santa Ana Region agrees voluntarily to collect, compile, and analyze the N/TDS water quality data necessary to determine whether the intentional recharge of imported water in the Region may have a significant adverse impact on compliance with the TDS objectives within the Region. 2. Recharge proponent must be a signatory to the Cooperative Agreement to Protect Water Quality and Encourage the Conjunctive Uses of Imported Water in the Santa Ana River Basin. Signatories as of the date of approval of Resolution No. R8-2007-0036 are listed in Attachment "B" of this Resolution.

The following conditions apply to all of the above types of discharges:

1. Implementation of the project shall not create a nuisance or pollution as defined in the California Water Code Section 13050.
2. The project shall not cause a violation of any applicable water quality standard for receiving waters adopted by the Regional Board or the State Water Resources Control Board, as required by the Clean Water Act.
3. The discharge of any substance in concentrations toxic to animal or plant life is prohibited.
4. The waiver of waste discharge requirements may be terminated by the Executive Officer at any time.
5. Discharges subject to discretionary approval by other agencies will be eligible for a waiver only after the completion of any documentation required by the California Environmental Quality Act.
6. Compliance with the criteria and conditions identified for each type of discharge does not guarantee issuance of a waiver. Each waiver request will be considered on a case-specific basis. The Executive Officer, at his/her discretion, may deny the request for a waiver and recommend coverage of the discharge under an individual waiver, or coverage under individual or general waste discharge requirements as appropriate to protect water quality.

PROPERTY OWNERS CERTIFICATION FORM
SMP00139R1

I, Stella Spadafora, certify that on
(Print Name)
7/29/2013 the attached property owners list
(Date)
was prepared by County of Riverside / GIS
(Print Company or Individual's Name)
Distance Buffered: 600 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 300 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

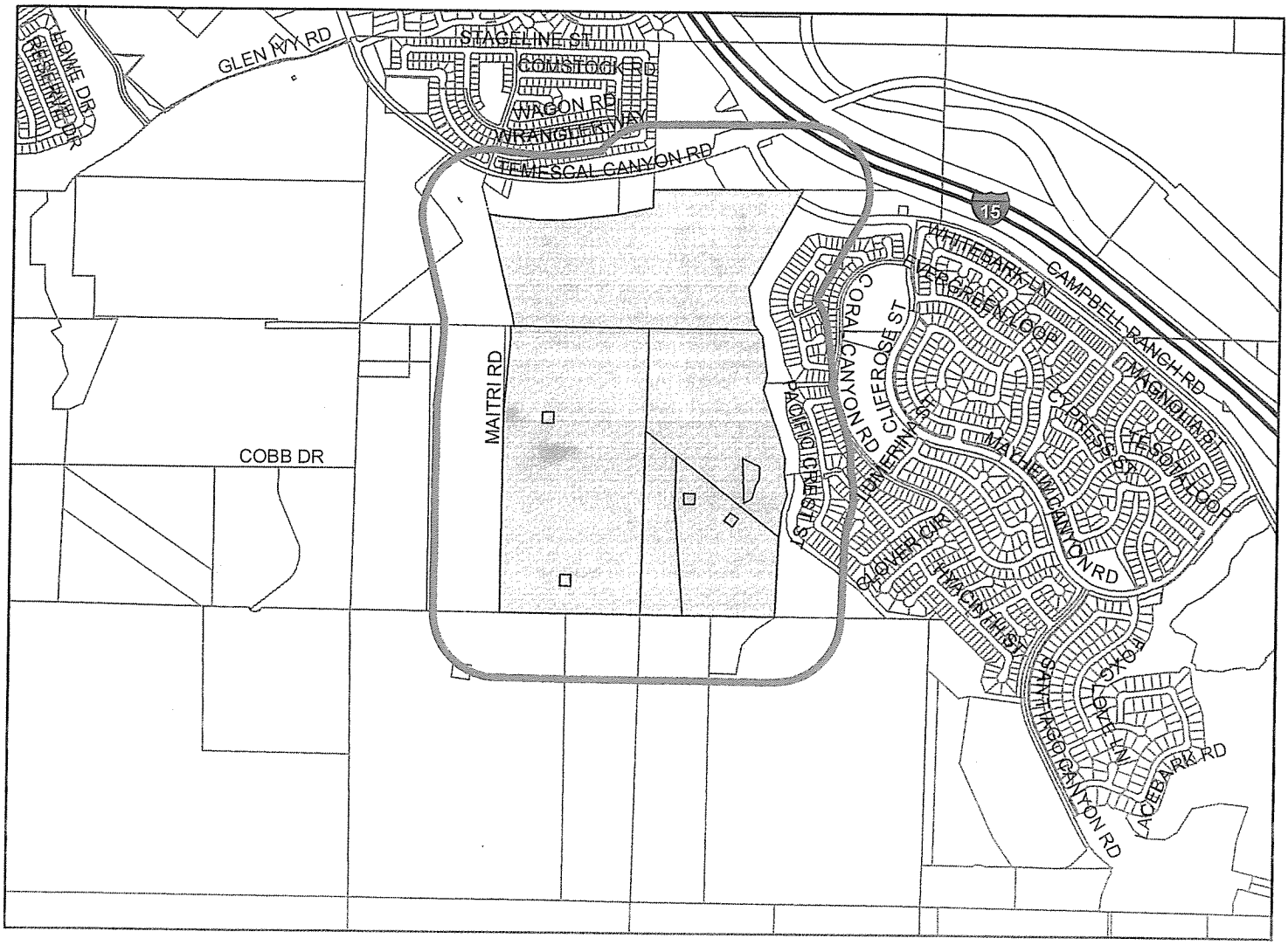
ADDRESS: 4080 Lemon St. 10th Floor

Riverside, CA 92501

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

checked by MS
expire
1/29/13

SMP00139R1
(600 Feet Radius)



Selected Parcels

290-620-001	290-541-020	290-550-009	290-621-019	290-550-013	290-550-014	290-202-035	290-531-008	290-551-005	290-551-011
290-621-028	290-541-011	290-200-018	290-541-008	290-202-033	290-530-019	290-200-003	290-551-015	290-550-002	290-540-008
290-200-025	290-550-007	290-621-026	290-621-027	290-620-003	290-621-011	290-530-024	290-532-010	290-621-012	290-530-014
290-550-016	290-540-014	290-530-028	290-200-032	290-550-006	290-530-015	290-620-010	290-200-014	290-540-001	290-060-015
290-060-077	290-110-016	290-110-059	290-621-022	290-202-032	290-532-006	290-621-025	290-560-001	290-541-004	290-540-003
290-541-023	290-551-010	290-200-011	290-200-021	290-541-005	290-551-009	290-201-001	290-530-026	290-530-029	290-540-010
290-541-001	290-560-004	290-200-008	290-551-008	290-540-005	290-531-002	290-540-013	290-560-005	290-540-002	290-540-006
290-540-004	290-110-004	290-110-006	290-110-010	290-120-008	290-200-035	290-540-012	290-621-015	290-120-002	290-120-003
290-551-022	290-201-002	290-621-018	290-531-010	290-541-007	290-562-015	290-621-013	290-621-017	290-230-014	290-621-009
290-541-013	290-530-016	290-540-015	290-550-008	290-621-010	290-550-011	290-200-017	290-550-012	290-532-009	290-532-005
290-200-005	290-200-009	290-620-011	290-620-002	290-200-001	290-550-017	290-541-010	290-532-004	290-621-014	290-531-009
290-551-016	290-621-016	290-200-024	290-201-012	290-530-032	290-541-019	290-530-022	290-620-004	290-531-004	290-621-024

First 120 parcels shown

1,300 650 0 1,300 Feet

checked by MS
expire
1/22/13

ASMT: 290060024, APN: 290060024
TEMESCAL OFFICE PARTNERS
C/O RS DEV CO
3151 AIRWAY AVE STE U2
COSTA MESA CA 92626

ASMT: 290060032, APN: 290060032
SOUTHERN CALIFORNIA EDISON CO
C/O REAL PROPERTIES / JANE STONE
2131 WALNUT GROVE 2ND FL
ROSEMEAD CA 91770

ASMT: 290060064, APN: 290060064
LEE LAKE WATER DIST
22646 TEMESCAL CANYON RD
CORONA CA 92883

ASMT: 290060067, APN: 290060067
SYCAMORE CREEK COMMUNITY ASSN
C/O BRIAN WOODS
2151 MICHELSON DR STE 250
IRVINE CA 92612

ASMT: 290060071, APN: 290060071
PHARRIS GROUP
C/O CHRISTINA HOLLIDAY
2050 MAIN ST STE 250
IRVINE CA 92614

ASMT: 290060072, APN: 290060072
MINE RECLAMATION, ETAL
C/O PATRICK BROYLES
P O BOX 77850
CORONA CA 92883

ASMT: 290060078, APN: 290060078
SOUTHERN CALIFORNIA EDISON CO
P O BOX 800
ROSEMEAD CA 91770

ASMT: 290110055, APN: 290110055
RICHMOND AMERICA HOMES OF MARYLAND I
4350 S MONACO ST STE 400
DENVER CO 90237

ASMT: 290110056, APN: 290110056
SYCAMORE CREEK COMMUNITY ASSN
C/O EDGAR GOMEZ
5171 CALIFORNIA STE 120
IRVINE CA 92617

ASMT: 290110060, APN: 290110060
MINE RECLAMATION, ETAL
P O BOX 295
LOMITA CA 90717

ASMT: 290120008, APN: 290120008
EVMWD
P O BOX 3000
LAKE ELSINORE CA 92531

ASMT: 290200001, APN: 290200001
MARIA PINEDA, ETAL
10215 WRANGLER WAY
CORONA, CA. 92883

ASMT: 290200002, APN: 290200002
RICK CORPEL
10225 WRANGLER WAY
CORONA, CA. 92883

ASMT: 290200003, APN: 290200003
ANTHONY CATAPANG
14404 SLEEPY CREEK DR
CORONA CA 92880

ASMT: 290200004, APN: 290200004
HURTADO ROJAS, ETAL
10249 WRANGLER WAY
CORONA, CA. 92883

ASMT: 290200005, APN: 290200005
JOHN WEBER
10261 WRANGLER WAY
CORONA, CA. 92883

ASMT: 290200006, APN: 290200006
LAZARO VILLASANA
10273 WRANGLER WAY
CORONA, CA. 92883

ASMT: 290200007, APN: 290200007
YADIRA GUARDADO, ETAL
10285 WRANGLER WAY
CORONA, CA. 92883

ASMT: 290200008, APN: 290200008
COLLEEN LEMCKE, ETAL
10297 WRANGLER WAY
CORONA, CA. 92883

ASMT: 290200009, APN: 290200009
JOSE AGUAYO
10309 WRANGLER WAY
CORONA, CA. 92883

ASMT: 290200010, APN: 290200010
SUSAN OVERMILLER
10321 WRANGLER WAY
CORONA, CA. 92883

ASMT: 290200011, APN: 290200011
LAUREN TOCA, ETAL
10333 WRANGLER WAY
CORONA, CA. 92883

ASMT: 290200012, APN: 290200012
NARLEP SIHOTA
935 SILVERSTAR WAY
ANAHEIM HILLS CA 92808

ASMT: 290200013, APN: 290200013
LISA WINCHESTER
10357 WRANGLER WAY
CORONA, CA. 92883

ASMT: 290200014, APN: 290200014
CECILIA MOGUEL
10369 WRANGLER WAY
CORONA, CA. 92883

ASMT: 290200015, APN: 290200015
ROBBIN TAYLOR, ETAL
10381 WRANGLER WAY
CORONA, CA. 92883

ASMT: 290200016, APN: 290200016
SHIRLEY HECKERMAN
10393 WRANGLER WAY
CORONA, CA. 92883

ASMT: 290200017, APN: 290200017
ROBIN BECKHAM, ETAL
10405 WRANGLER WAY
CORONA, CA. 92883

ASMT: 290200018, APN: 290200018
ANDREW PACHECO
12584 ATWOOD CT NO 1728
RANCHO CUCAMONGA CA 91739

ASMT: 290200019, APN: 290200019
TONY GUTIERREZ
10429 WRANGLER WAY
CORONA, CA. 92883

ASMT: 290200020, APN: 290200020
MARIA AYALA
10441 WRANGLER WAY
CORONA, CA. 92883

ASMT: 290200021, APN: 290200021
CONNIE ZAVALA
10453 WRANGLER WAY
CORONA, CA. 92883

ASMT: 290200022, APN: 290200022
LUPE LOPEZ
10465 WRANGLER WAY
CORONA, CA. 92883

ASMT: 290200023, APN: 290200023
JAIDEEP KAMAT, ETAL
1383 SONNET HILL LN
CORONA CA 92881

ASMT: 290200024, APN: 290200024
BLANCA HERNANDEZ, ETAL
10489 WRANGLER WAY
CORONA, CA. 92883

ASMT: 290200025, APN: 290200025
AUDREY WALKER
10501 WRANGLER WAY
CORONA, CA. 92883

ASMT: 290200032, APN: 290200032
BUTTERFIELD ESTATES HOMEOWNERS ASSN
C/O HOLLYWOOD HOMES II
3954 HAMPTON DR
POMONA CA 91766

ASMT: 290200034, APN: 290200034
SHU TSENG, ETAL
2229 E LIZABETH CT
ANAHEIM CA 92806

ASMT: 290200035, APN: 290200035
SILVIA LOPEZ, ETAL
10511 WRANGLER WAY
CORONA, CA. 92883

ASMT: 290201001, APN: 290201001
BEVERLY RIOS, ETAL
24650 BANDIT WAY
CORONA, CA. 92883

ASMT: 290201002, APN: 290201002
MARY HELDRETH, ETAL
24640 BANDIT WAY
CORONA, CA. 92883

ASMT: 290201011, APN: 290201011
SUSAN LANE RAINES, ETAL
10526 WRANGLER WAY
CORONA, CA. 92883

ASMT: 290201012, APN: 290201012
KATHLEEN PETERSON
10510 WRANGLER WAY
CORONA, CA. 92883

ASMT: 290202019, APN: 290202019
ROY GARGUS
10440 WRANGLER WAY
CORONA, CA. 92883

ASMT: 290202032, APN: 290202032
GENELDA TRACY, ETAL
18988 GROVEWOOD DR
CORONA CA 92881

ASMT: 290202033, APN: 290202033
ANGELIQUE ELLIS
25353 GRANDFIR CT
CORONA CA 92883

ASMT: 290202034, APN: 290202034
SHAIRON COFFLAND, ETAL
10244 WRANGLER WAY
CORONA, CA. 92883

ASMT: 290202035, APN: 290202035
ADAN REYES
10232 WRANGLER WAY
CORONA, CA. 92883

ASMT: 290202036, APN: 290202036
PAUL BELFIGLIO
31861 NATIONAL PARK
LAGUNA NIGUEL CA 92677

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10165 WRANGLER WAY
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10177 WRANGLER WAY
CORONA, CA. 92883

ASMT: 290230014, APN: 290230014
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10189 WRANGLER WAY
CORONA, CA. 92883

ASMT: 290230015, APN: 290230015
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10201 WRANGLER WAY
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ASMT: 290530013, APN: 290530013
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10838 ROSEMARY WAY
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1941 OLD WARSON CIR
CORONA CA 92883

ASMT: 290530015, APN: 290530015
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10822 ROSEMARY WAY
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ASMT: 290530016, APN: 290530016
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10814 ROSEMARY WAY
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ASMT: 290530017, APN: 290530017
THR CALIFORNIA
410 N MAIN ST
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ASMT: 290530018, APN: 290530018
MICHELLE ASMONDY
10798 ROSEMARY WAY
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ASMT: 290530019, APN: 290530019
ANNE ALLEN
24871 PINE MOUNTAIN TER
CORONA, CA. 92883

ASMT: 290530020, APN: 290530020
AISHA SETH, ETAL
24879 PINE MOUNTAIN TER
CORONA, CA. 92883

ASMT: 290530021, APN: 290530021
SCOTT BULLER
24887 PINE MOUNTAIN TER
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ASMT: 290530022, APN: 290530022
HOLLY BURNETT, ETAL
24895 PINE MOUNTAIN TER
CORONA, CA. 92883

ASMT: 290530023, APN: 290530023
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24903 PINE MOUNTAIN TER
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ASMT: 290530024, APN: 290530024
BARTLEY FORSYTHE
24911 PINE MOUNTAIN TER
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ASMT: 290530025, APN: 290530025
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24919 PINE MOUNTAIN TER
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ASMT: 290530026, APN: 290530026
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24927 PINE MOUNTAIN TER
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ASMT: 290530027, APN: 290530027
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24935 PINE MOUNTAIN TER
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ASMT: 290530028, APN: 290530028
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24943 PINE MOUNTAIN TER
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ASMT: 290530029, APN: 290530029
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24951 PINE MOUNTAIN TER
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ASMT: 290530030, APN: 290530030
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1493 MAPLEBROOK LN
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ASMT: 290540010, APN: 290540010
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ASMT: 290540011, APN: 290540011
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ASMT: 290540012, APN: 290540012
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ASMT: 290540013, APN: 290540013
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ASMT: 290541004, APN: 290541004
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10777 BARBERRY CT
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ASMT: 290541005, APN: 290541005
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10785 BARBERRY CT
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ASMT: 290541006, APN: 290541006
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10790 BARBERRY CT
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ASMT: 290541007, APN: 290541007
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10782 BARBERRY CT
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ASMT: 290541008, APN: 290541008
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ASMT: 290541011, APN: 290541011
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ASMT: 290541012, APN: 290541012
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24990 PINE CREEK LOOP
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ASMT: 290541014, APN: 290541014
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24121 FAWNSKIN DR
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ASMT: 290541018, APN: 290541018
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ASMT: 290541019, APN: 290541019
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25019 CORAL CANYON RD
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ASMT: 290541020, APN: 290541020
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ASMT: 290541021, APN: 290541021
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ASMT: 290550001, APN: 290550001
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25055 PACIFIC CREST ST
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ASMT: 290550002, APN: 290550002
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ASMT: 290550003, APN: 290550003
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ASMT: 290550005, APN: 290550005
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C/O JANA LIND MURRAY
25079 PACIFIC CREST ST
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ASMT: 290550006, APN: 290550006
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25085 PACIFIC CREST ST
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ASMT: 290550007, APN: 290550007
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25091 PACIFIC CREST ST
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ASMT: 290550008, APN: 290550008
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25097 PACIFIC CREST ST
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ASMT: 290550009, APN: 290550009
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25103 PACIFIC CREST ST
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ASMT: 290550011, APN: 290550011
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ASMT: 290550012, APN: 290550012
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ASMT: 290550016, APN: 290550016
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25145 PACIFIC CREST ST
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ASMT: 290550017, APN: 290550017
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25151 PACIFIC CREST ST
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ASMT: 290550018, APN: 290550018
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25156 LEMONGRASS ST
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CORONA, CA. 92883

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291 CORPORATE TERRACE CIR
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25118 PACIFIC CREST ST
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25112 PACIFIC CREST ST
CORONA, CA. 92883

ASMT: 290551010, APN: 290551010
SUZANNE CHU, ETAL
C/O EVA YANG
25106 PACIFIC CREST ST
CORONA, CA. 92883

ASMT: 290551011, APN: 290551011
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25100 PACIFIC CREST ST
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ASMT: 290551012, APN: 290551012
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25077 CORAL CANYON RD
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25083 CORAL CANYON RD
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3220 CHRIS WREN CIR
CORONA CA 92881

ASMT: 290551015, APN: 290551015
MARCIA NEWELL JONES, ETAL
25095 CORAL CANYON RD
CORONA, CA. 92883

ASMT: 290551016, APN: 290551016
JUDY KWAN
25101 CORAL CANYON RD
CORONA, CA. 92883

ASMT: 290551017, APN: 290551017
WILLIAM LITTLE
25107 CORAL CANYON RD
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ASMT: 290551018, APN: 290551018
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25113 CORAL CANYON RD
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ASMT: 290551019, APN: 290551019
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25119 CORAL CANYON RD
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ASMT: 290551020, APN: 290551020
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25125 CORAL CANYON RD
CORONA, CA. 92883

ASMT: 290551021, APN: 290551021
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25131 CORAL CANYON RD
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28329 FALCON CREST DR
SANTA CLARITA CA 91351

ASMT: 290560001, APN: 290560001
CHOON WON KOO M D PROFIT SHARING PLAI
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ASMT: 290560002, APN: 290560002
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25202 PACIFIC CREST TRUST
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25183 LEMONGRASS ST
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ASMT: 290620004, APN: 290620004
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C/O RECONTRUST CO
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U.S. Department of Agriculture
1147 E. Sixth St.
Corona, CA 91719

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22646 Temescal Canyon Rd.
Corona, CA 92883-4106

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U.S. Army Corps of Engineers
911 Wilshire Blvd.
P.O. Box 532711
Los Angeles, CA 90053-2325

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3737 Main St., Suite 500
Riverside, CA 92501-3348

Sheriff's Department
82-695 Dr. Carreon Blvd.
Indio, CA 92201-6907

ATTN: Steve Smith
South Coast Air Quality Mngmt. Dist.,
Los Angeles County
21865 E. Copley Dr.
Diamond Bar, CA 91765-4178

Southern California Edison
2244 Walnut Grove Ave., Rm 312
P.O. Box 600
Rosemead, CA 91770

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Southern California Gas Transmission
251 E. 1st St.
Beaumont, CA 92223-2903

ATTN: Eric Warner
Temescal Valley Muncipal
Advisory Council
P.O. Box 77850
Corona, CA 92877-0100

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Riverside County
Mail Stop 5950

Western Municipal Water District
14205 Meridian Parkway
Riverside, CA 92518

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RIVERSIDE COUNTY
PLANNING DEPARTMENT

Carolyn Syms Luna
Director

MITIGATED NEGATIVE DECLARATION

Project/Case Number: SMP00139R1

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

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

COMPLETED/REVIEWED BY:

By: Matt Straite Title: Project Planner Date: August 9, 2013

Applicant/Project Sponsor: Mayhew Aggregates Date Submitted: September 20, 2011

ADOPTED BY: Other

Person Verifying Adoption: _____ Date: _____

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

Riverside County Planning Department 4080 Lemon Street, 12th Floor, Riverside, CA 92501

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

Revised: 10/16/07
Y:\Planning Case Files-Riverside office\SMP00139R1\DH-PC-BOS Hearings\DH-PC\Mitigated Negative Declaration.docx

Please charge deposit fee case#: ZEA42476 ZCFG5848

FOR COUNTY CLERK'S USE ONLY

RIVERSIDE COUNTY
PLANNING DEPARTMENT

Carolyn Syms Luna
Director

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

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

☐ 38686 El Cerrito Road
Palm Desert, California 92211

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

EA42476, Surface Minning Permit No.139 Revised No.1 (SMP00139R1)
Project Title/Case Numbers

Matt Straite — 951-955-8631
County Contact Person — *Phone Number*

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

Mayhew Aggrigates — PO Box 77850 Corona CA 92877
Project Applicant — *Address*

The project is located in the Temescal Valley Area Plan, more specifically it is located southerly of I-15, easterly of Glen Ivy Hot Springs, and westerly of the Sycamore Creek Specific Plan (SP256A2).
Project Location

Surface Mining Permit No. 139 Revision No. 1 (SMP00139R1) proposes to consolidate PP01828, RCL00106, and SMP00139; reduce permitted annual tonnage allowed from 5,000,000 to 2,000,000; reconfigure areas subject to mining activities on-site to include the existing slopes and setback areas located along the western and southern boundaries of the site; and extend the expiration date of the permits from January 2018 to December 31, 2068 (50-years). No changes in the existing approved mining and trucking method or intensity proposed. Further, the SMP proposes to construct an inert debris engineered fill operation (IDEFO) to be located within the limits of the SMP00139 mine site
Project Description

This is to advise that the Riverside County Planning Commission, as the lead agency, has approved the above-referenced project on October 2, 2013, and has made the following determinations regarding that project:

1. The project WILL NOT have a significant effect on the environment.
2. A Mitigated Negative Declaration was prepared for the project pursuant to the provisions of the California Environmental Quality Act ($2,156.25 + $50.00).
3. Mitigation measures WERE made a condition of the approval of the project.
4 A Mitigation Monitoring and Reporting Plan/Program WAS adopted.
5. A statement of Overriding Considerations WAS NOT adopted for the project.

This is to certify that the Mitigated Negative Declaration, with comments, responses, and record of project approval is available to the general public at: Riverside County Planning Department, 4080 Lemon Street, 12th Floor, Riverside, CA 92501.

Signature — *Title* — *Date*

Date Received for Filing and Posting at OPR: _____

DM/dm
Revised 8/09/2013
Y:\Planning Case Files-Riverside office\SMP00139R1\DH-PC-BOS Hearings\DH-PC\Nov 6 2013 PC hearing- Approved\NOD Form 1.docx

Please charge deposit fee case#: ZEA42476 ZCFG5848

FOR COUNTY CLERK'S USE ONLY

COUNTY OF RIVERSIDE A* REPRINTED * R1109091
SPECIALIZED DEPARTMENT RECEIPT
Permit Assistance Center

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

39493 Los Alamos Road
Suite A
Murrieta, CA 92563
(951) 694-5242

38686 El Cerrito Rd
Indio, CA 92211
(760) 863-8271

****
****

Received from: MAYHEW AGGREGATES & MINE RECLAMN $2,108.00
paid by: CK 003068
CA FISH AND GAME FOR EA42476
paid towards: CFG05848 CALIF FISH & GAME - NEG DECL
at parcel: 24980 MAITRI RD COR
appl type: CFG1

By_____ Sep 20, 2011 16:59
GLKING posting date Sep 20, 2011

****
****

Account Code	Description	Amount
658353120100208100	CF&G TRUST	$2,044.00
658353120100208100	CF&G TRUST: RECORD FEES	$64.00

Overpayments of less than $5.00 will not be refunded!

COPY 2-TLMA ADMIN * REPRINTED *

COUNTY OF RIVERSIDE A* REPRINTED * R1307536
SPECIALIZED DEPARTMENT RECEIPT
Permit Assistance Center

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

39493 Los Alamos Road
Suite A
Murrieta, CA 92563
(951) 694-5242

38686 El Cerrito Rd
Indio, CA 92211
(760) 863-8271

****
****

Received from: MAYHEW AGGREGATES & MINE RECLAMN $98.25
paid by: CK 1007
CA FISH AND GAME FOR EA42476
paid towards: CFG05848 CALIF FISH & GAME - NEG DECL
at parcel: 24980 MAITRI RD COR
appl type: CFG1

By_____ Aug 09, 2013 12:14
MGARDNER posting date Aug 09, 2013

****
****

Account Code	Description	Amount
658353120100208100	CF&G TRUST	$98.25

Overpayments of less than $5.00 will not be refunded!

COPY 2-TLMA ADMIN * REPRINTED *

COUNTY OF RIVERSIDE N* REPRINTED * R1309169
SPECIALIZED DEPARTMENT RECEIPT
Permit Assistance Center

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

39493 Los Alamos Road
Suite A
Murrieta, CA 92563
(951) 694-5242

38686 El Cerrito Rd
Indio, CA 92211
(760) 863-8271

****
****

Received from: MAYHEW AGGREGATES & MINE RECLAMN $50.00
paid by: CK 1012
CA FISH AND GAME FOR EA42476
paid towards: CFG05848 CALIF FISH & GAME - NEG DECL
at parcel: 24980 MAITRI RD COR
appl type: CFG1

By_____ Sep 25, 2013 11:32
MGARDNER posting date Sep 25, 2013

****
****

Account Code	Description	Amount
658353120100208100	CF&G TRUST	$50.00

Overpayments of less than $5.00 will not be refunded!

COPY 2-TLMA ADMIN * REPRINTED *

Amended Mining and Reclamation Plan for Mayhew Canyon Quarry

SMP139R1

Mayhew Aggregates and Mine Reclamation

Exhibit C–Project Description

Submitted To:

County of Riverside
Planning Department
4080 Lemon Street, 12th Floor
Riverside, CA 92502

Prepared By:

Mayhew Aggregates & Mine Reclamation
P.O. Box 77850
Corona, CA 92877

Amended Mining and Reclamation Plan for Mayhew Canyon Quarry
SMP139R1
Mayhew Aggregates and Mine Reclamation
Exhibit C–Project Description

October 2013

Introduction

The Temescal Canyon area is home to a number of surface mining operations, most of which have been in operation since the 1970's and 80's, and is the source of large quantities of construction grade aggregates for Riverside, Orange, San Diego and San Bernardino Counties. The alluvial fans of Mayhew Canyon and Coldwater Canyon have both been recognized as having geological resources significant to the State of California. It is the point where these two alluvial fans converge where Mayhew Aggregates & Mine Reclamation ("MAMR") has its surface mining operation.

More specifically, MAMR's surface mining operation located at 24890 Maitri Road in Riverside County, California near the city of Corona, and is presently governed under 3 separate entitlements. C.L. Pharris was the original operator of the site, and permitted the site as Plot Plan 1828 ("PP1828") in 1975. In 1978, to satisfy the requirements of the Surface Mining and Reclamation Act (SMARA), a Reclamation Plan was prepared for the mining operations approved under PP 1828, and was ultimately approved by Riverside County as Reclamation Plan 106 ("RCL106").

In 1982, an area just outside the southeast corner of PP1828 was added as Surface Mining Permit 139 ("SMP139"), with the disturbance created by SMP139 added to the area to be reclaimed under RC L106. SMP139 and RCL106 do not have expiration dates, but PP1828 currently has an expiration date in 2018.

This application will consolidate multiple permits (PP 1828, RCL106, and SMP139) into a single, comprehensive entitlement for the property. All uses currently permitted under PP1828, SMP139, and RCL106, including the existing, on-site concrete batch-plant would be combined under the new SMP139 Revision 1 ("SMP139R1") entitlement.

The adjoining pits consist of Werner Corporation's Mayhew mines (SMP 143, 150, and 182), which lie directly to the south of MAMR, and Chandler's Sand and Gravel (SMP202), which is directly to the west of MAMR. Both mining operations share common boundaries with MAMR which can be mined and reclaimed. The additional reserves made accessible in this application will total approximately 46,000,000 tons, and would be included as part of the SMP139R1 entitlement, which is currently permitted through January, 2018. By maintaining, and not increasing production or operational levels, the operation will be extended by 50 years, based on a combination of current levels and demand forecasts. The new permit would have an expiration date of December 31, 2068.

To help achieve final reclamation of the property, MAMR will be operating an Inert Debris Engineered Fill Operation ("IDEFO"), which is described later in this application. The IDEFO operation would be permitted as part of the Reclamation Plan for SMP 139R1. Generally, the IDEFO would allow for the importation and processing of inert construction debris to aid in the reclamation of the current mining operation. The IDEFO would be an instrumental part of MAMR's plan to start reclaiming the property along the east property line of the project, initially flattening existing slopes, then filling portions of the project site to create developable and usable parcels. The IDEFO will serve as a compliment to existing reclamation activities on the site, which currently utilize silts and clays both on site and from the adjacent mining operations.

Site and Area Characteristics

Access

Access to the project site is via Maitri Road, south off of Temescal Canyon Road. Customers and employees commuting to the site would typically exit Temescal Canyon Road or Indian Truck Trail off of Interstate 15 in the unincorporated area of Riverside County between the cities of Corona and Lake Elsinore. Maitri Road is now a private roadway which provides access for all utilities and essential public services. Surface Mines 143, 150, and 182 also have their access using this roadway. These will all continue to have access to the site by way of recorded easements. Security and public safety will be enhanced through the use of controlled access, with security during off-hours, near the intersection of Maitri Road and Temescal Canyon Road.

Utilities

Water is used on site for dust control and aggregate processing. Although Elsinore Valley Municipal Water District ("EVMWD") is the primary source of water, the operation is capable of recycling a very large percentage of its process water through a system of hydro-cyclones, clarifying tanks, and de-silting basins. Although runoff from the Mayhew Creek is detained within the southern portion of the site, flows from Mayhew Creek are not utilized in any site operations. Sewage disposal for the project will be handled through an existing septic system.

Commercial (or line) power is used to operate processing equipment and administrative operations (offices, scalehouse, shop, etc). Southern California Edison provides electricity to the site via their existing network of transmission lines. Back-up generators are available locally if needed to supplement operations if there is a disruption in electrical service. Telephone and internet are provided to the site by Verizon, and no other utilities, including gas, are required at this time. Per the recorded utility easements, the property owners will be responsible for the relocation, and cost of relocation, of Maitri Road and all affected utilities.

Land Use

The project site, which consists of approximately 215 acres, is designated "Open Space – Mineral Resources (OS – MIN)" and is zoned "M-R-A (Mineral Resources and Related Manufacturing)," which permits mining and reclamation activities subject to a mining permit under County Ordinance 555.

The project site lies specifically within the Temescal Canyon Area Plan of the County of Riverside's General Plan, and does not fall within a General Plan Policy Area (as evidenced by the October 2003 County of Riverside General Plan - Temescal Canyon Area Plan - Policy Area Map (Figure 4/Page 31) or a General Plan Policy Overlay Area. Riverside County's General Plan and the Temescal Canyon Area Plan list the Land Use Designation for the subject site as Open Space Mineral (OS-MIN) which allows for the currently permitted use of mineral extraction and processing facilities. This application is proposing to extend the life of the currently permitted reserves as well as expand the permitted reserves to include the reserves currently within the slopes and setbacks between the contiguous Surface Mining Permits (SMP). Said application is designed to conform to the current Open Space Mineral (OS-MIN) Designation and will not require an amendment to the General Plan. In addition, the subject site is zoned M-R-A (Mineral Resources and Related Manufacturing) per its Ordinance 348 Zoning Designation and again, this application will not require a change to the current zoning.

The proposed Inert Debris Engineered Fill Operation (IDEFO) will be the primary mechanism for implementing our required reclamation for the subject site. Therefore, with the IDEFO as a compatible use to implement ultimate reclamation of the site, the proposed application will conform to both the current General Plan Designation of Open Space Mineral (OS-MIN) and M-R-A zoning. Specifically, mining activities and the proposed IDEFO operation

are permitted uses pursuant to Section 12.60.b.(1) of Ordinance 348, which indicates that the M-R-A zone allows for "*Mining, quarrying, excavating, beneficiating, concentrating, processing, and stockpiling of rock, sand, gravel, decomposed granite, clay, gypsum, limestone, metallic ores, and similar materials, and the rehabilitation of the resulting excavations.*"

The adjacent land uses to the West and South are comprised of other permitted mining operations which include industrial uses in the form of three (3) Ready-Mix Concrete Batch Plants and an Asphalt Plant. The nearest residential areas are the Sycamore Creek development to the east and Butterfield Estates across Temescal Canyon Road to the north. The closest residence within Sycamore Creek is more than 250 feet from the property line, while the closest residence within Butterfield Estates is over 500 feet from the site. To the south of SMP 143 is forest land consisting of Cleveland National Forest.

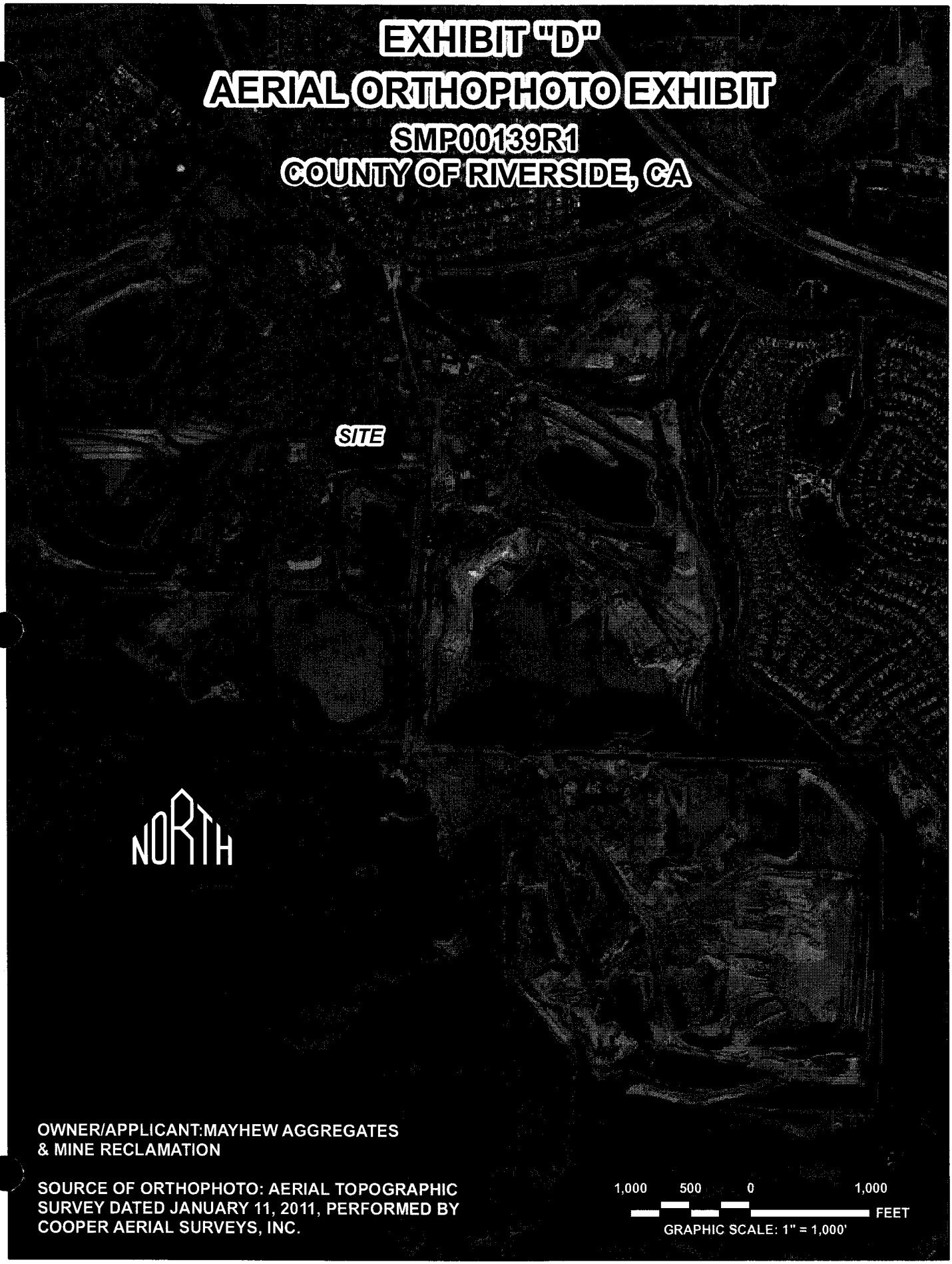
Zoning on surrounding properties includes M-R-A, M-SC, N-A, and SP Zone. Other than the parcels fronting Temescal Canyon Road, which are not a part of this application, all designations for the site are "Open Space - Mineral Resources (OS-MIN)." Exhibit "A" includes a project Site Vicinity Map, and shows the project site.

The site is part of the Temescal Valley-Orange County Production-Consumption Region (P-C Region) which is classified by the California Division of Mines and Geology (DMG) as a Mineral Resource Zone (MRZ-2) as found in *Map Sheet 52 (MS52 – Updated 2006) Aggregate Availability in California Report & Map.* This area is classified as such, due to data that has been presented, which demonstrates the existence of significant deposits of PCC-grade aggregate. Furthermore, the continued production of aggregates from the area, and this site in particular, are vital to supplying the construction material needs of the local economy.

Construction aggregate is the largest non-fuel mineral commodity produced in California, and aggregate production plays a major role in the economy of Southern California. Demand for aggregate is expected to increase as the state's population continues to grow and infrastructure is maintained and improved. In 2006, the 50-year forecast demand for aggregates was 1,122 million tons, while the permitted aggregate resources were only 355 million tons (Exhibit F - Aggregate Availability in California, December 2006). This project will provide additional reserves, while not increasing environmental impacts.

Exhibit D is an aerial orthophoto of the site, with the project boundary shown in red. The site was photographed in January 2011. Exhibit E is a U.S. Geological Survey Quadrangle Map delineating the site boundaries.

EXHIBIT "D"
AERIAL ORTHOPHOTO EXHIBIT
SMP00139R1
COUNTY OF RIVERSIDE, CA



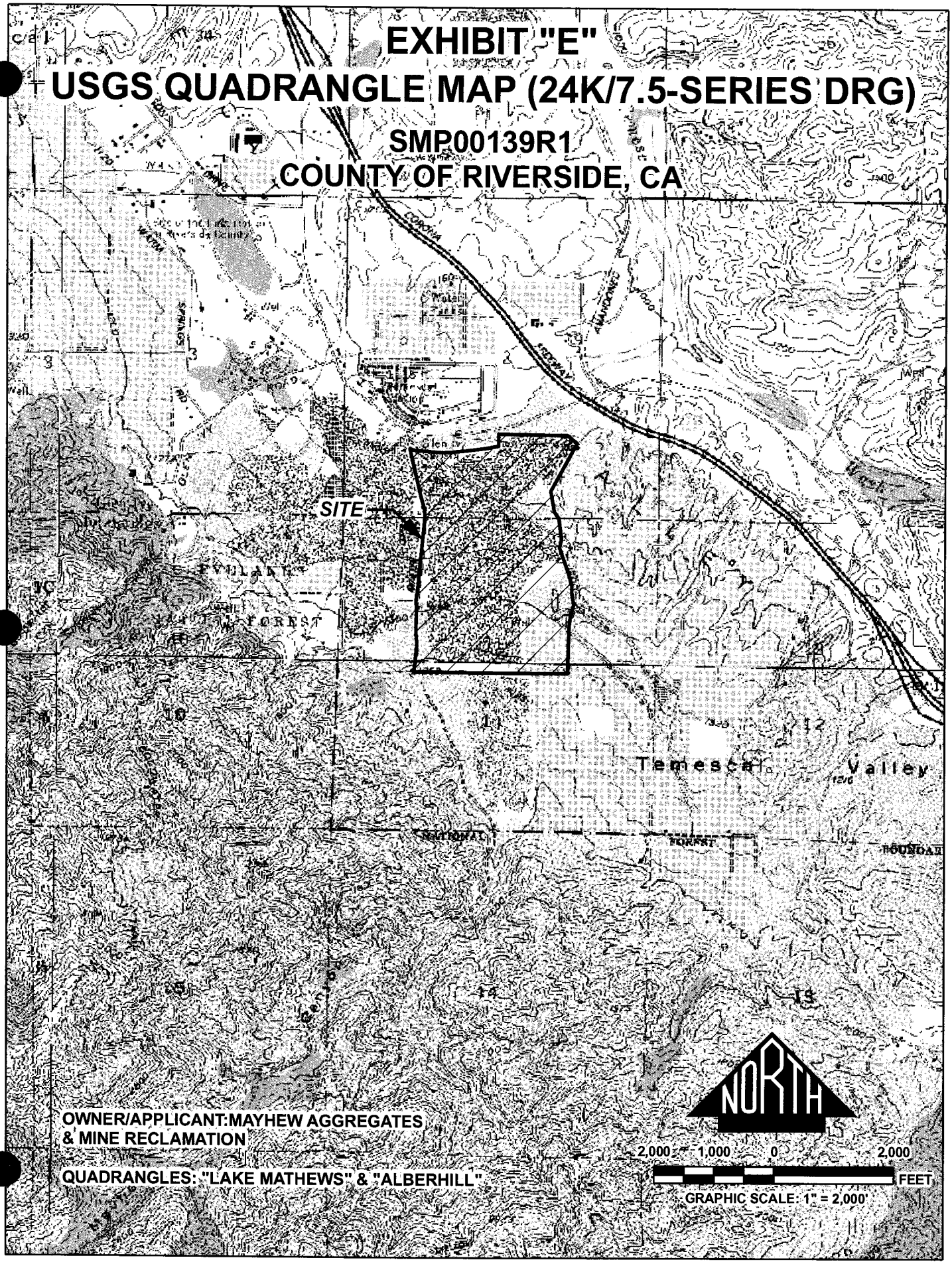
OWNER/APPLICANT:MAYHEW AGGREGATES
& MINE RECLAMATION

SOURCE OF ORTHOPHOTO: AERIAL TOPOGRAPHIC SURVEY DATED JANUARY 11, 2011, PERFORMED BY COOPER AERIAL SURVEYS, INC.

1,000 500 0 1,000
FEET
GRAPHIC SCALE: 1" = 1,000'

EXHIBIT "E"
USGS QUADRANGLE MAP (24K/7.5-SERIES DRG)

SMP00139R1
COUNTY OF RIVERSIDE, CA



OWNER/APPLICANT:MAYHEW AGGREGATES & MINE RECLAMATION

QUADRANGLES: "LAKE MATHEWS" & "ALBERHILL"

CALIFORNIA GEOLOGICAL SURVEY
JOHN G. PARRISH PH.D., STATE GEOLOGIST

STATE OF CALIFORNIA - ARNOLD SCHWARZENEGGER, GOVERNOR
THE RESOURCES AGENCY - MIKE CHRISMAN, SECRETARY FOR RESOURCES
DEPARTMENT OF CONSERVATION - BRIDGETT LUTHER, DIRECTOR

MAP SHEET 52 (UPDATED 2006)
AGGREGATE AVAILABILITY IN CALIFORNIA

EXHIBIT "F"

AGGREGATE AVAILABILITY IN CALIFORNIA

Fifty-Year Aggregate Demand Compared to Permitted Aggregate Resources

By

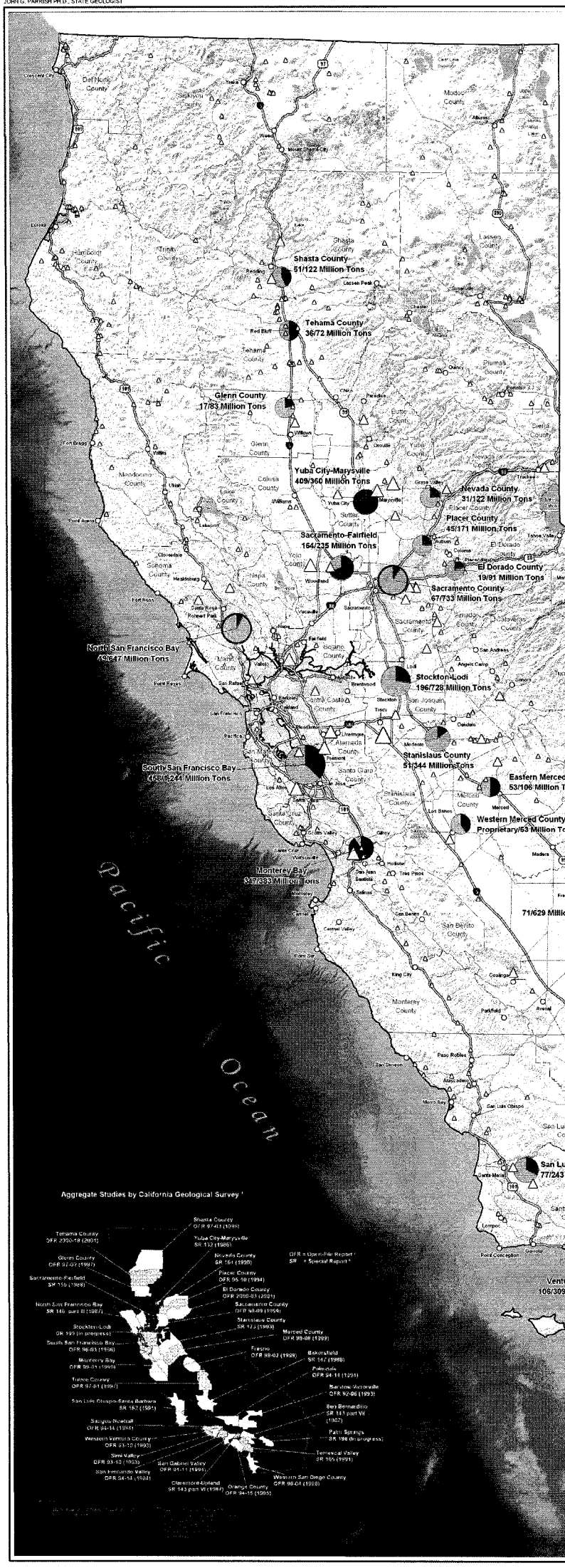
Susan L. Kohler

Department of Conservation
California Geological Survey

December 2006

Contributions By:
L. L. Busch and R. V. Miller

GIS Design and Map Layout By:
Milton Fonseca



Fifty-Year Aggregate Demand Compared to Permitted Aggregate Resources[a]

The pie diagrams show the projected 50-year demand for aggregate as of January 2006 compared to currently permitted aggregate resources (in short tons). The 50-year demand for a particular study area is graphically represented by one of four pie diagram sizes. Study area boundaries are shown on the index map of aggregate studies (lower left).

[a] *Permitted aggregate resources (also called aggregate reserves) are those portions of the resources for which local lead agencies (counties and cities) have issued mining permits. Non-permitted aggregate resource information is given in each aggregate study report. See accompanying text for references to these reports.*

Legend

- 50-year demand that will not be met by existing permitted resources.
- Permitted aggregate resources.
- 50-year demand is 25 to 200 million tons.
- 50-year demand is > 200 to 500 million tons.
- 50-year demand is > 500 to 800 million tons.
- 50-year demand is more than 800 million tons.

Examples

50-year demand for aggregate is 100 million tons; permitted resources total 25 million tons of the 50-year demand.

25/100 Million Tons (permitted resources/ 50-year demand)

50-year demand for aggregate is 510 million tons; permitted resources are greater than or equal to the 50-year demand.

550/510 Million Tons (permitted resources/ 50-year demand)

N

20 0 20 40 60
Miles

20 0 20 40 60
Kilometers

Scale: 1:1,100,000

Projection: Teale Albers
Datum: NAD 27

Areas With Short Term Aggregate Supply

< 10 years of permitted resources remaining in the study area

Aggregate Production Areas

(Symbols represent one or more aggregate mines, tonnage represents 2005 annual production)

- < 0.5 Million Tons per Year
- 0.5 - 2 Million Tons per Year
- >2 - 5 Million Tons per Year
- >5 - 10 Million Tons per Year
- >10 Million Tons per Year

Population

1 Dot = 100 Persons
(based on 2000 Census Data)

- City
- Interstate Route
- U.S. Route
- State Route
- Primary Highway
- Secondary Highway
- County Boundary

Map Usage and Limitations

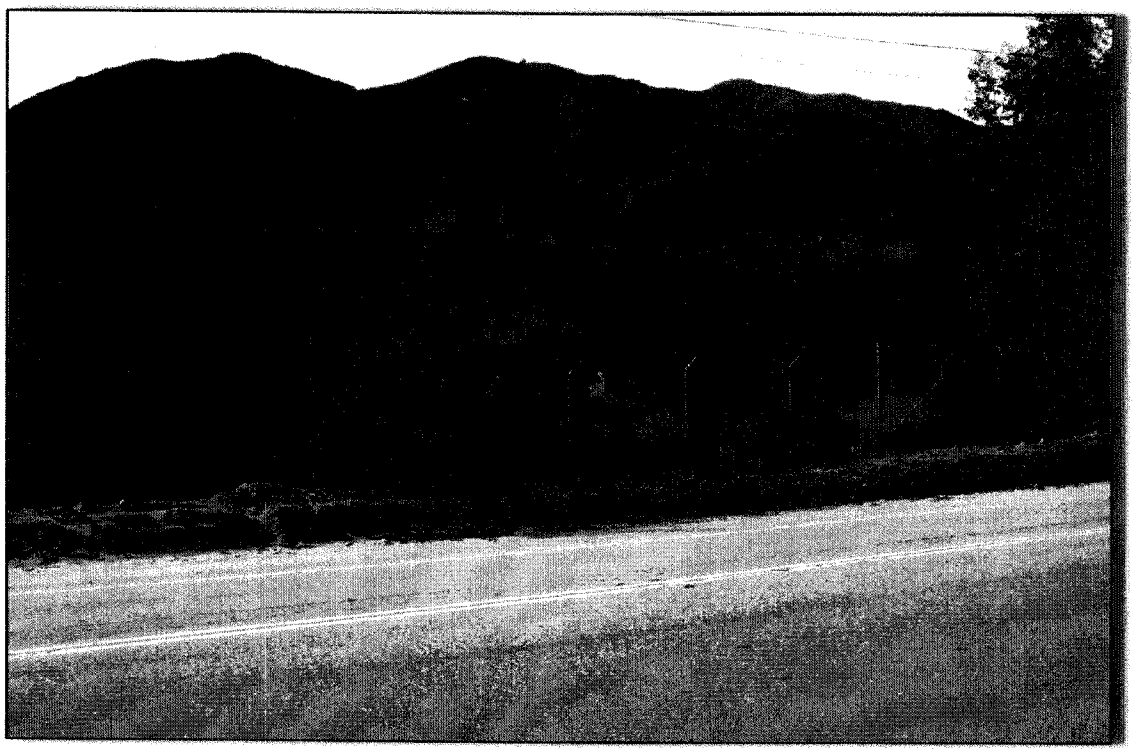
This map is intended to provide general information about the current availability of California's permitted construction aggregate resources to state, regional, and local land-use planners and decision-makers. It is designed to assist planning agencies in considering construction aggregate needs in the regional planning process. However, the map is not intended to be used as the sole source of information about construction aggregate availability, or as the basis for site-specific land-use decisions. Although the statewide and regional information on this map may be useful to local decision-makers, the more detailed information contained in the referenced aggregate studies should be used for local land-use decision-making purposes.

Aggregate Studies by California Geological Survey [1]

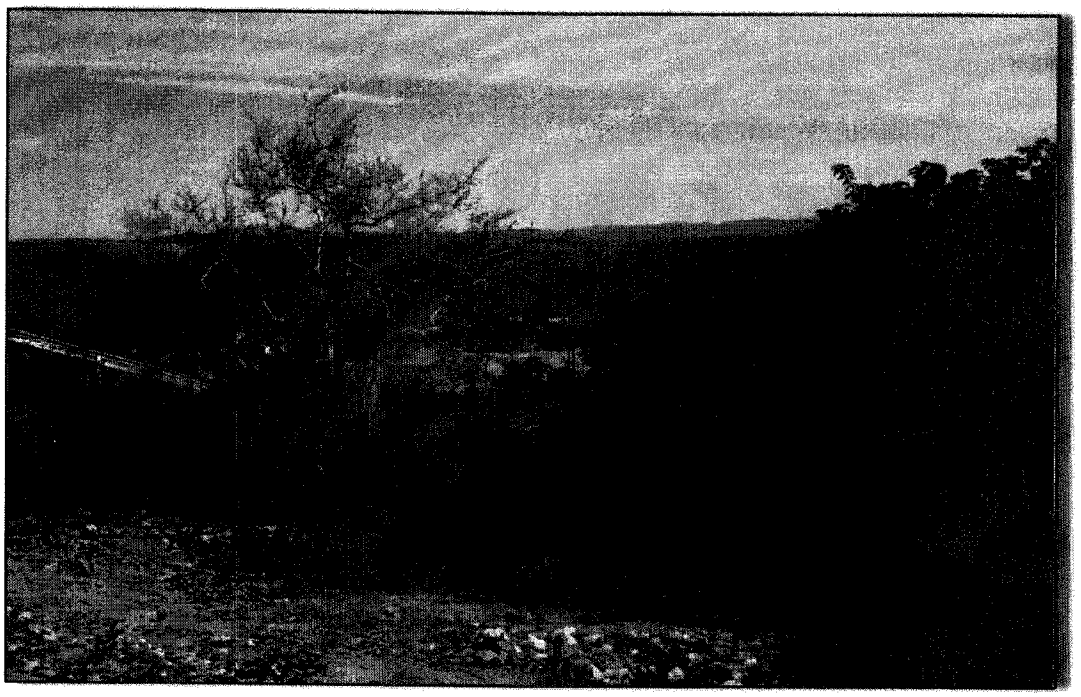
[1] OFR = Open-File Report
SR = Special Report

Visibility

The site is partially visible from residences located north and northeast of the site, and from Temescal Canyon Road, which borders the north end of the property. No operational changes to the processing plant or its location are planned at this time; therefore, no changes to the current view-shed would occur. At some point in the future, mining operations may transition to the original Phase IV area (area of aggregate reserves located under the current processing plant). Should that occur, the processing plant will be relocated below current ground elevation, improving the view of the project. Photographs taken from Maitri Road, Temescal Canyon Road, and the project's south property line adjacent to Werner Corporation (Photographs 1, 2 & 3 respectively) show the current site conditions including the vegetation and landscaped visual-buffer berms that have been in place for many years. These photos clearly demonstrate the effective buffering on visual resources in the area from the project.

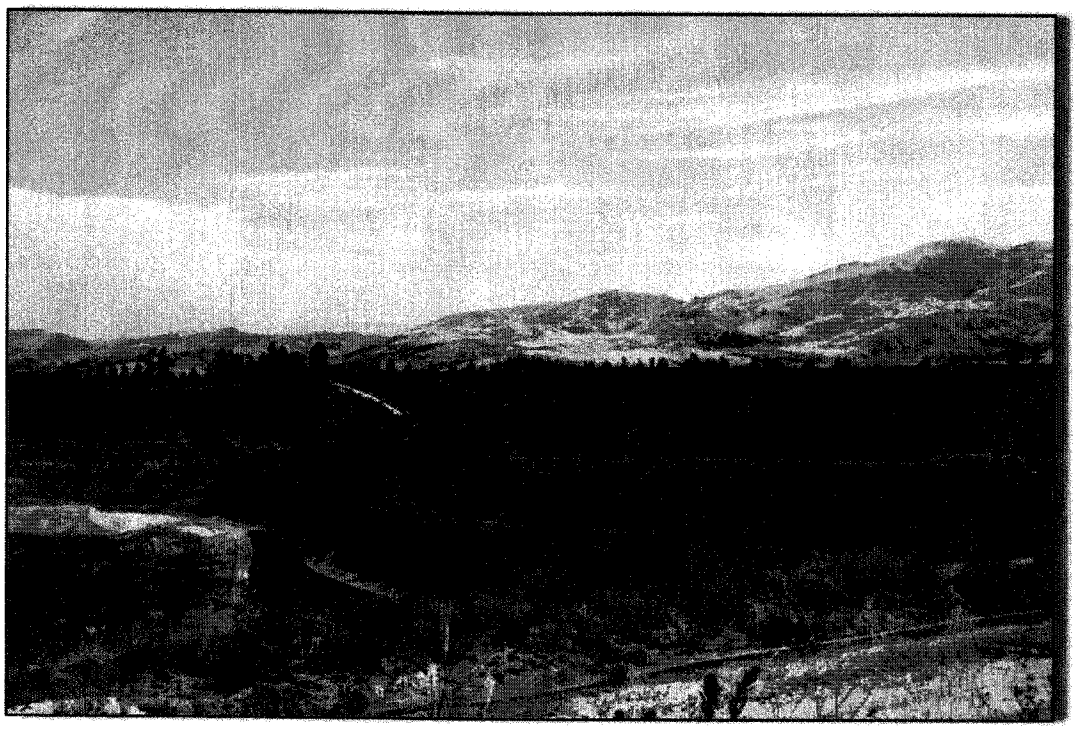


View from Temescal Canyon Road, looking southwest *(Photograph 1)*



View from Maitri Road, looking northeast *(Photograph 2)*

Landscaped visual-buffer berms will continue to be maintained around the north and northwest edges of the property. Elevations along the easterly boundary with Sycamore Creek, including berms, vegetation, and concrete block walls, are such that existing buffering from the development is sufficient to restrict views of the mining plant operations.



View from south property line, looking east towards Sycamore Creek Development *(Photograph 3)*

Adjacent mining operations border the project site to the south and the west; therefore, current berms and vegetation are sufficient in terms of buffering visibility. At the conclusion of mining and reclamation, the visual buffer berms will have been removed, consistent with final reclamation and ultimate use of the site, which will conform to the Temescal Canyon Area Plan.

The Visual Simulation Study, included as Appendix 6, depicts what the site will look like with the processing plant located below-grade, and in a reclaimed condition.

Geology

The Temescal Valley is filled by sedimentary materials that range in age from Late Tertiary to Holocene. Sedimentary sequences of the Temescal Valley are underlain by Mesozoic-age, crystalline basement rocks that are visible in hills on both sides of the valley.

The alluvial fan material being mined has been sourced from canyons to the southwest of the site, within the eastern side of the Santa Ana Mountains. Deposition of sediments within the alluvial fan has taken place during the Late Pleistocene through the Holocene and continues today.

Two formations are primary sources for alluvial fan material found at the subject site. The first is the Bedford Canyon formation, which is a slightly metamorphosed assemblage of interlayered argillite, slate, phyllite, graywacke, impure quartzite, and small amounts of limestone. Most of these materials are dark colored, very fine-grained, and range from slightly to highly weathered. Weathering, erosion, and deposition of Bedford Canyon materials typically results in a very fine-grained matrix of clayey or silty sand supporting gravel to cobble sized, dark-colored, fine-grained clasts. There is relatively little quartz or alkali feldspar associated with the Bedford Canyon formation.

The second source formation for materials found onsite is a part of the Creteceous-age, Peninsular Ranges Batholith. This material consists of a heterogeneous mixture of granitic rocks including monzogranite, granodiorite, tonalite, and gabbro. The monzogranite and granodiorite are sources for relatively large quantities of quartz and unweathered, alkali feldspar. The resulting deposits of this material on the subject site consist largely of clean, quartz and feldspar sands with hard, fresh to slightly weathered gravels and cobbles, with virtually no clay and very little silt. Exhibit "E" is the Project Vicinity Map from the USGS 24k/7.5Min Quadrangle series.

A few active or potentially active faults have been found in relatively close association with the subject site. The Glen Ivy North fault crosses the north edge of the existing Mayhew Aggregates and Mine Reclamation (SMP139) pit, and continues northwest, passing to the north of the Chandler (SMP202 and 133) pits. The Glen Ivy South fault is located along the south edge of the Werner pits (SMP 143, 150, and 182) and continues to the northwest, passing within 1,000 feet of the Mayhew pit. A third, unnamed fault, only found on the Riverside County TLMA GIS fault map, is located within 300 feet of the southwest corner of the Mayhew pit, and encroaches approximately 100 feet into the west edge of the Werner pit. Another fault, which is unnamed on available maps but may be the Indian Canyon fault, trends toward the subject site, but is truncated by the Glen Ivy South fault one-half mile the west of the site. The latter two Riverside County designated fault zone segments have not been investigated. Fault rupture could alter the geometry and stability of a large cut slope. If human occupancy structures are proposed, more detailed fault investigations may be necessary and setbacks for active faults of 50 feet for human occupancy structures would be required. Groundshaking is the geologic hazard most likely to be experienced at the subject site. Seismic safety of the cut slopes was detailed in the "Report of Slope Stability Evaluation, Mayhew Aggregate and Mine Reclamation" prepared by Hilltop Geotechnical, Inc. in 2011.

Damaging floods have occurred, most recently in 2005. The Mayhew Creek has been partially channelized and a concrete spillway was constructed to reduce future flood damage to pit walls and the surrounding area. While erosion from flooding has been addressed by the project Civil Engineer, other erosion damage may occur on slopes

from locally-sourced runoff and incidental rainfall. The upper edges of all slopes should be contoured, bermed, or have swales constructed to direct runoff water away from slopes, and velocity of runoff above the slopes should be controlled by appropriate drainage control devices to prevent concentrated flow and potential erosion at any point along tops of slopes.

Onsite landsliding is addressed through slope stability analyses in the "Report of Slope Stability Evaluation, Mayhew Aggregate and Mine Reclamation" prepared by Hilltop Geotechnical, Inc. Landslides within higher elevations of the Santa Ana Mountains southwest of the subject site are considered likely to occur at some time and cannot be entirely ruled out. However, relatively few landslides have been reported on the eastern slopes of the Santa Ana Mountains in the Corona area, and their impact on the Mayhew pit has been negligible. Encountered boulder layers and lenses attest to past debris flows. Such events could be damaging to the mines, but the deep pits likely would provide significant protection for residential areas to the north. The Mayhew and Werner pit areas are designated by the County of Riverside as 'low' to 'very low' liquefaction potential.

Slope stability is discussed in detail in the *"Report of Slope Stability Evaluation, Mayhew Aggregate and Mine Reclamation"* prepared by Hilltop Geotechnical during their site investigation conducted during March and April 2011, and is included herein as Appendix 1.

Hydrology

A Hydrology Study & Drainage Analysis (see Appendix 2) has been prepared by Joseph E. Bonadiman & Associates, Inc. to determine peak 100-year tributary and on-site runoff and volumes for existing, proposed, and final site reclamation conditions, using the methodology described in the Riverside County Hydrology Manual.

Existing Conditions

The analyzed watershed is approximately 3,045 acres total. Of this, 2,990 acres were analyzed to determine runoff volumes (approximately 2,525 acre-feet (a.f.) of total runoff for the 100-year, 24-hour storm event). The existing excavated pits retain approximately 2,442 a.f. of this runoff for 2,826 acres (including the entire runoff from the Mayhew Creek watershed). A FLO-2D analysis was performed to verify that this runoff is retained within the pits.

There is a 164-acre drainage area, running in a northerly watercourse along the eastern edge of the project site, which does not discharge to the main pit. This drainage results in a peak 100-year discharge of approximately 311 cubic-feet-per-second (c.f.s) through the 30' culvert running under Temescal Canyon Road. Approximately 9.5 a.f. of this runoff (83 a.f.) is retained within the existing excavation pit located at the northeast portion of the site; the remaining 73.5 a.f. is discharged through the existing culvert.

The Mayhew Creek watershed (point of discharge at the southern property limits) is estimated to produce approximately 211 acre feet of debris; which includes soil, vegetation, and considerations for burn conditions, as required in the County Flood Control Handbook for the 100-year storm event.

Proposed Conditions

As shown in the Hydrology Study and Drainage Analysis, the project site will still retain the 100-year, 24-hour (5-day) runoff volume. This includes both drainages on site, as well as drainage from the Mayhew Creek.

Post-reclamation, water from Mayhew Creek will continue to flow into the retention basin. Temporarily ponded water that is retained in the basin will percolate and evaporate, recharging the groundwater table. Processing equipment will not be located in the vicinity of the basin and additionally, berms will be maintained around the perimeter of the basin. Detained water from Mayhew Creek would not be utilized in any site operations. There are no gauging stations currently planned for SMP 139R1.

Additional details can be found in the Hydrology Study & Drainage Analysis and the Water Quality Management Plan prepared by Joseph E. Bonadiman & Associates, Inc.

Groundwater

Groundwater Observations

Drilling at various sites within the pit during the Geotechnical Study conducted by Hilltop Engineering encountered no groundwater. Borings extended 250' below current ground level, and areas of the pit are excavated to near 300' of depth. While some ponding of water occurred after the winter rains, no groundwater was observed or reported. Borings completed by Hilltop Engineering in March and April of 2011 in the adjacent Werner Corporation (SMP 143, 150 & 182) pit extended to over 400' below original elevations, and groundwater was not encountered.

Groundwater Study

A groundwater study for the site was completed in February, 2012 by Mark Bulot. As determined in that study, the Coldwater Basin is a small groundwater body separated from the adjacent Temescal Basin by fault barriers to subsurface flow. The water-bearing alluvial deposits of the basin encompass a land area of slightly more than two and one-half square miles. It is a northwest-trending basin, slightly more than one-half mile wide and slightly less than four miles long.

The Temescal Valley is filled by sedimentary materials that range in age from late tertiary to Holocene. Sedimentary sequences of the Temescal Valley are underlain by Mesozoic-age, crystalline basement rocks that are visible in hills on both sides of the valley.

The alluvial and alluvial fan deposit materials being mined have been sourced from canyons to the southwest of the site, within the eastern side of the Santa Ana Mountains. Deposition of sediments within the alluvial and alluvial fan deposit have taken place during the Late Pleistocene through the Holocene and continues today.

Two (2) formations are primary sources for the alluvial and alluvial fan deposit materials found at the subject site. The first is the Bedford Canyon formation, which is a slightly metamorphosed assemblage of inter-layered argillite, slate, phyllite, graywacke, impure quartzite, and small amounts of limestone. The second and prominent source formation for materials found onsite is a part of the Creteceous-age, Peninsular Ranges Batholith. This material consists of a heterogeneous mixture of granitic rocks including monzogranite, granodiorite, tonalite, and gabbro. The monzogranite and granodiorite are sources for relatively large quantities of quartz and unweathered, alkali

feldspar. The resulting deposits of this material on the subject site consist largely of clean, quartz and feldspar sands with hard, fresh to slightly weathered gravels and cobbles, with a minimal amount of clay and very little silt.

The upper Quaternary fanglomerate material observed on-site was generally coarse-grained, gravelly sand with varying amounts of cobbles and boulders. While bedding attitudes varied somewhat with location and depth, observed dips were generally 10 to 12 degrees toward the north and north-northeast, generally following the ground surface slope. The inter bedding does not appear to create any significant confining of groundwater, although artesian conditions have been noted along the North Glen Ivy Fault during periods of very high groundwater (MWH, 2004). The Basin is considered to present an unconfined aquifer.

The depth of alluvial materials in the basin is thought to range up to 800 feet (MWH, 2004).

Groundwater movement is from the southwest basin margin toward the Glen Ivy Fault, with a pumping depression surrounding the city and EVMWD pumping wells. The groundwater elevation for much of the Temescal Basin adjacent to the North Glen Ivy Fault is typically higher in elevation than in the Coldwater basin, resulting in very little underflow out of the Coldwater Basin. Estimates of over 1,400 acre-feet per year of underflow out of the Coldwater Basin occur when groundwater levels are elevated (MWH, 2004).

Groundwater production from the Coldwater Basin is highly monitored and regulated. A Safe yield value has been established, and both Corona and EVMWD have produced more than their limits of the annual portion of that safe yield for at least the last three years. The over production is a result in groundwater levels higher in elevation those last three years than the basis for the safe yield. Therefore, when the groundwater in storage exceeds the managed storage level, production will exceed the annual safe yield until the extra storage is exhausted. As the water quality is good in the basin and the cost of production is a fraction of imported water, the incentive to produce from the basin is great.

Studies on potential for conjunctive use (artificial recharge of storm water capture and imported water) show one management scheme resulting in water elevations rising above mine excavation base. This was considered unsuitable as the exposed water can potentially become contaminated through industrial operations, and that water would directly recharge a drinking water source. This situation was considered undesirable.

As the production from the basin is managed, and the incentive to produce water and to maintain groundwater elevations below mine excavation levels is great, it is appropriate to use groundwater elevations that represent two wet years in a row as the maximum elevation. This would add 70 feet to the Sta 71 well and 35 feet to the Mayhew well elevations from 2011 as the maxima, resulting in an average groundwater elevation for the slope stability analysis of 967 feet.

Mining and well pumping in the area have existed concurrently for approximately 40 years, with no detrimental effects to water quality or the water table. Future operations will continue to comply with local, state, and federal requirements to ensure that there are no detrimental impacts from the project to water quality in any form.

To further ensure water quality, a waiver of Waste Discharge Requirements (WDR's) has been obtained for the IDEFO portion of the project, through an application prepared by Associates Environmental. This waiver, which was issued by the Santa Ana Regional Water Quality Control Board (RWQCB) on October 3, 2011, specifies the following materials can be used in the on-site fill; Fully Cured Asphalt, Uncontaminated Concrete, Crushed Glass, Brick, Ceramics, Clay and Clay Products, and Silts and Clays from adjoining mining properties.

Soils

The soil survey for the Western Riverside area indicates that the Mayhew Canyon alluvial fan is composed primarily of Cortina gravelly loamy sand. In a typical 60 inch profile, the surface layer is grayish-grown gravelly loamy sand about 10 inches thick. Below this is a grayish-brown gravelly sandy loam and very gravelly coarse sand. Such soils are considered to be good sources of sand and gravel. This sandy deposit is known to extend much more deeply than the 60 inches included in the soil survey (Chambers Consultants, June 1981). Yellowish-brown coarse gravelly sand, in addition to the preceding, was also encountered in the upper 60" of the deposit during on-site drilling.

Drilling for the slope stability analysis conducted in March 2011 by Hilltop Geotechnical confirmed the above findings, with the additional notation that the deposit of sand and gravel extends at least 300' below the surface.

Vegetation

The project site has been used for surface mining, the sales and shipping of aggregate materials, and the production of ready-mix concrete since the early 1970's. As such, the entire site has been disturbed, and any vegetation on site exists in the form of landscaping, visual buffer berms, or areas of partial reclamation/revegetation.

Based on a biological survey conducted on the proposed Project site in February 2012 by Glenn Lukos Associates (GLA) seven (7) distinct vegetation/land use types are mapped for the Project site. The vegetation/land use types include Disturbed Alluvial scrub, Chaparral/Disturbed Chaparral, Riversidean sage scrub (RSS)/Disturbed RSS, Southern willow scrub, Disturbed/Developed, Residential/Urban/Exotic, and Aggregate Desilting Basin. A detailed discussion of the vegetation communities that occur on the proposed Project site and within the off-site impact areas is provided in the report prepared by GLA. Figure 2-6, Existing Vegetation Communities, depicts the location and extent of vegetation communities located on the proposed Project site.

The proposed Project site is characterized predominantly by areas of substantial disturbance as a result of past and current surface mining operations. Areas not actively mined are dominated by non-native ruderal species including castor bean (*Ricinus communis*), Russian thistle (*Salsola tragus*), summer mustard (*Hirschfeldia incana*), tree tobacco (*Nicotiana glauca*), tamarisk (*Tamarix* sp.), and lambs quarters (*Chenopodium album*). Native ruderal species that occur in these areas of high disturbance include mule fat (*Baccharis salicifolia*) and telegraph weed (*Heterotheca grandiflora*). These areas of substantial disturbance are classified as "Disturbed".

As a result of the mining operation, large stockpiles of mine tailings have created variations in topography resulting in hilly terrain composed of sandy and cobbly material. The hills and slopes have a similar vegetation composition as the flatter areas across the proposed Project site with the addition of some native scrub species including coyote bush (*Baccharis pilularis*), California brittle bush (*Encelia farinosa*), California buckwheat (*Eriogonum fasciculatum*), deerweed (*Acmispon glaber*), California everlasting (*Gnaphalium californicum*), wreath plant (*Stephanomeria virgata*), and purple nightshade (*Solanum xanti*). The slopes also contain a variety of non-native grasses dominated by brome species including ripgut brome (*Bromus diandrus*) and red brome (*Bromus madritensis* ssp. rubens). Areas containing these native scrub species typically occur on the perimeter of the proposed Project site in locations that have not been subject to recent mining activities and exhibit topographic variability that mimics a natural condition.

Within the actively mined area in the center of the proposed Project site and within portions of the adjacent off-site mining sites are impoundments of water used in the mining operations, which have resulted in ponded features vegetated predominantly with southern cattails (*Typha domingensis*), arroyo willow, mule fat, and tamarisk. These areas are classified as Aggregate Desilting Basin (ADB).

Wildlife

Wildlife surveys conducted in the past on both the subject site and adjacent mining sites had identified small mammal activity, including the Botta pocket gopher, dusky-footed woodrat, pocket mice, and the Pacific kangaroo rat (Hamilton & Associates, 1990). The same study also noted band-tailed pigeons and Hutton's Vireo. An earlier study, as reported in the Chambers Group 1978 Surface Mining Application, found only the Whitecrowned Sparrow, scrub jays, and gray squirrels on site.

The site, as it exists presently, has been completely disturbed as a result of surface mining and related activities over the past 40 years. As a result of the mining and related activities per the Riverside County approved SMP139, PP 1828, and RCL 106, typical wildlife activity is minimal. No rare, threatened or endangered species were observed on the site per the Hamilton & Associates Study from 1990.

Wildlife surveys conducted in February 2012 by Glenn Lukos Associates did not identify any special-status animal species within the proposed Project site. However, certain special-status animals have the potential to occur including: Bell's sage sparrow, burrowing owl, coast horned lizard, coast patch-nosed snake, orange-throated whiptail, ferruginous hawk (foraging), loggerhead shrike (foraging), northern harrier (foraging), San Diego black-tailed jackrabbit, southern rufous-crowned sparrow, tricolored blackbird, white-faced ibis, white-tailed kite (foraging), yellow-breasted chat, and yellow warbler.

Mining Plan

Mineral Commodity

The primary minerals extracted from the project site are construction grade sand and gravel. SMP139, and the area in Temescal Canyon south of Corona, have been a significant producer of aggregates in the region since the early 1970's. The deposit was formed as an alluvial fan from Mayhew Canyon, and continues to be a high quality source of sand for concrete, asphalt, and construction grade building materials. There are approximately 46,000,000 tons of aggregate in the slopes and setbacks between the subject property and the adjoining mining operations. This also includes reserves that can be realized by relocating utility easements on site, as well as through the relocation of plant equipment at the latter stages of the project.

Mining Operation

The mining operation will continue to operate as a sand and gravel pit in the same manner as it is presently entitled under SMP139, PP 1828, and RCL 106. Front-end loaders, dozers, haul trucks, and a water truck are used in the pit to bring the raw material to the processing plants for crushing, washing, and sizing. Initial screening separates material using a 2" opening, which creates a sand surge and a rock surge pile for further processing. Since the site has been active since the 1970's and is completely disturbed, there is no vegetation or overburden to be removed.

The sand is then washed and sized according to the particular specifications of different products (Washed Concrete Sand, Washed Plaster Sand, etc.) and distributed into stockpiles via stacking conveyors, where it dewaters and awaits final shipment. The rock surge pile is crushed, washed, and sized according to specifications, and stockpiled using a combination of stacking conveyors.

The June 1981 Mining and Reclamation Plan showed excavations in what is PP 1828 and in SMP139, which is the Southeastern corner of the property. The original plan called for 4 phases of mining. 3 of the phases are all in process, with Phase IV consisting of material located under the current processing plant. This application proposes an extension of time for continued mining in the areas originally called out as Phases I-III, with mining in Phase IV starting when the processing plant is relocated. In addition, this application proposes the mining of the already disturbed slopes and setbacks between the project site and the adjacent mining operations.

Through the SMP139R1 application, the subject site can continue to operate the mining operations while concurrently conducting reclamation and restoration activities. The proposed SMP revision will allow the site to continue current operations for an additional 50-year operational period in order to extract the remaining reserves, while the operation of the IDEFO will be a primary means of achieving final reclamation.

Operating Hours

Mining operations and associated activities will continue to be conducted seven days per week / twenty-four hours per day, with the following exception: "*All uses shall confine operations on the property, other than maintenance, to the hours between 6:00 a.m. and 10:00 p.m. of any day, except those operations that are located not less than 300 feet from the outer boundary of such property*". Operations will remain in strict compliance with Riverside County Noise and Lighting Standards, as well as Riverside County Ordinances 555 and 348.

Project Life

This application will consolidate existing entitlements (SMP00139, RCL00106, and PP001828) under a single revised Surface Mining Permit (SMP139R1), with a new reclamation plan covering the site. The site, which is bordered to the south by the Werner Corporation and to the west by Chandler's Sand & Gravel, will have the slopes and setbacks removed from the boundaries contiguous to the other mining operations when their respective permits are revised.

The project will expand the existing, permitted Mayhew Aggregates and Mine Reclamation operation (SMP139), by the removal of approximately 10.5 million tons of material that exists in the slopes and setbacks between SMP139 and the existing surface mining operations (SMP 143 and 150) to the south. There are also approximately 7.5 million tons of additional reserves along the property line with the Chandler's Sand & Gravel SMP202 mine to the west. These tonnages would be accessible upon revision of their respective SMP's.

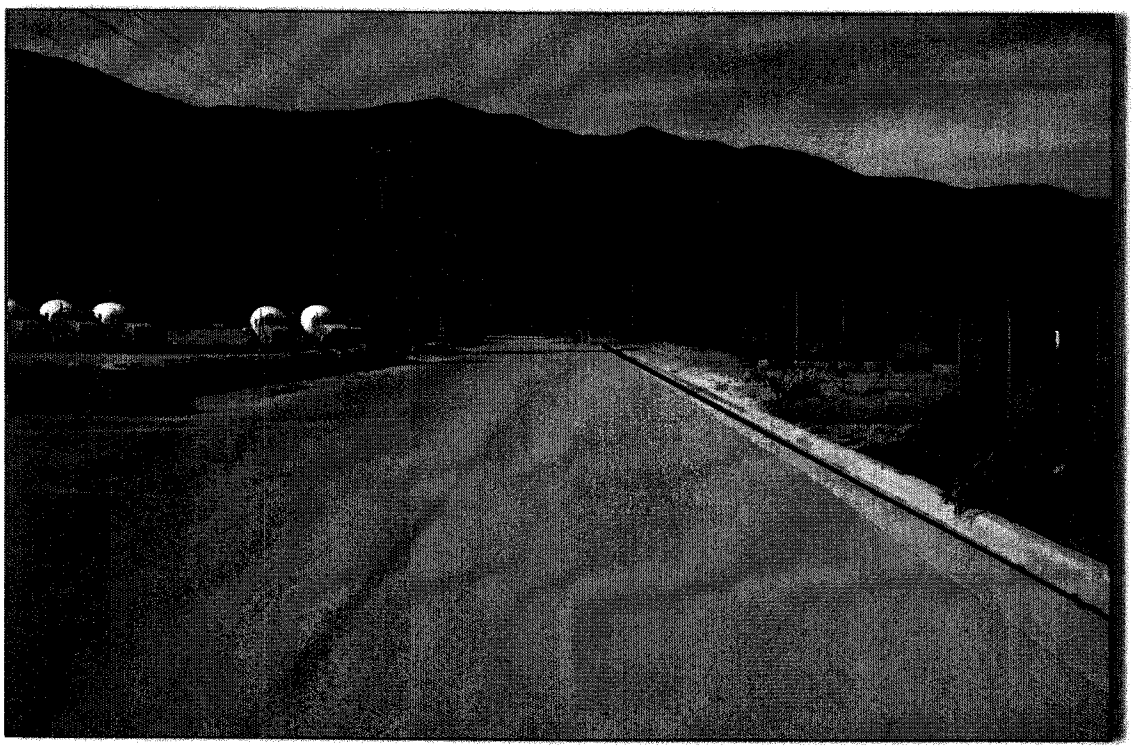
The total additional reserves made accessible in this application will total approximately 46,000,000 tons, and will be included as part of the SMP139R1 entitlement, which is currently permitted through January, 2018. By maintaining, and not increasing production or operational levels, the operation will be extended by 50 years, based on a combination of current levels and demand forecasts. The new permit would have an expiration date of December 31, 2068.

Revised Permit Life Tabulation (Table 1)

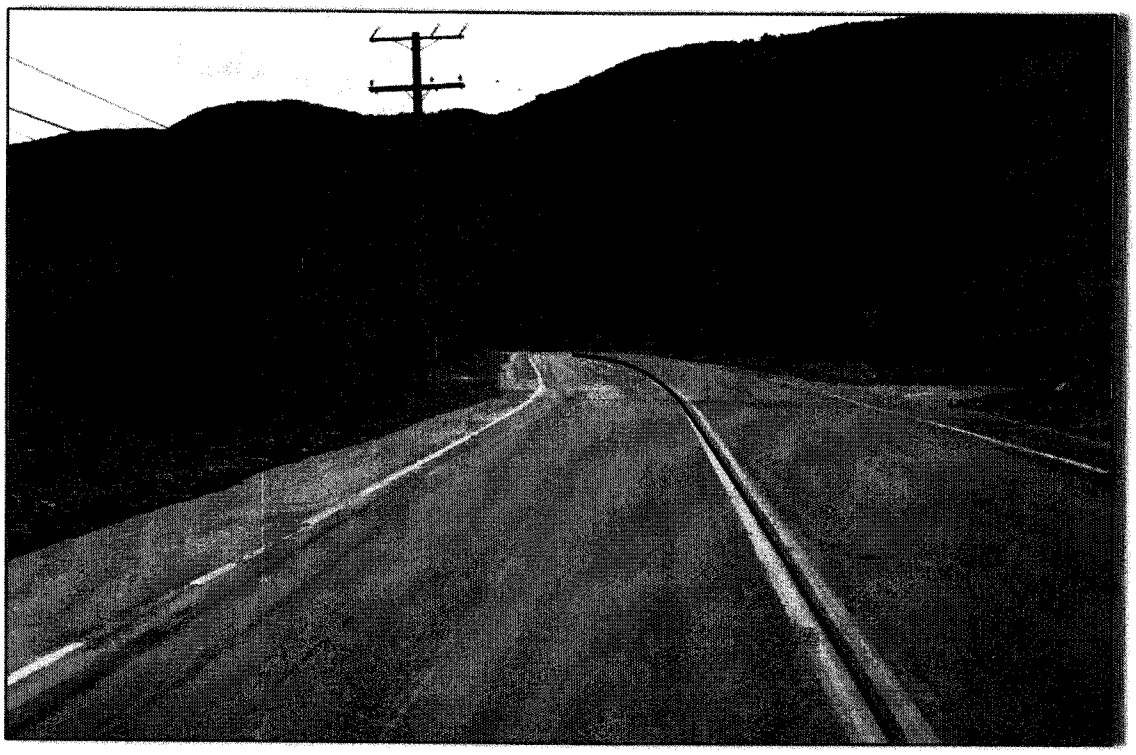
Permit Year	Average CY/Year	Cumulative Total (CY)	Average Tons/Year	Cumulative Total (tons)
2018	680,000	680,000	1,020,000	1,020,000
2023	680,000	4,080,000	1,020,000	6,120,000
2028	680,000	7,480,000	1,020,000	11,220,000
2033	680,000	10,880,000	1,020,000	16,320,000
2038	680,000	14,280,000	1,020,000	21,420,000
2043	680,000	17,680,000	1,020,000	26,520,000
2048	680,000	21,080,000	1,020,000	31,620,000
2053	680,000	24,480,000	1,020,000	36,720,000
2058	680,000	27,880,000	1,020,000	41,820,000
2063	680,000	30,000,000	1,020,000	46,000,000
2068	------	30,000,000	------	46,000,000
Total	680,000	30,000,000	1,020,000	46,000,000

Size

The project site for SMP139R1 is 215 acres. Mining will occur on 186 acres of the 215 total acres. Photographs 4 and 5 show the existing property lines between the adjacent mining operations, which Maitri Road and Werner Corporation's private access road currently occupy. This private roadway will allow access to affected operations owned or maintained by the various public and private agencies including, but not limited to, So. Cal. Edison, the Gas Company, County of Riverside, County Fire, EVMWD, Pacific Bell, etc.



Property line (approximate location shown in red) between SMP139 (Right) and SMP 150 (Left) *(Photograph 4)*



Property line (approximate location shown in red) along Maitri Road between SMP139 (Left) and SMP202 (Right) *(Photograph 5)*

Excavations

Permitted depths for the mining operations, as shown in the Staff Report and Reclamation Plan, range from 300' in the southeast corner (SMP139) to a maximum depth of 575' in the center of the old PP1828 area. The Slope Stability Analysis performed in July of 2011 by Hilltop Geotechnical shows that the proposed slopes, which will be at a slope angle of 1.3:1 with 10 foot benches every 50 feet, will be stable under both static and dynamic (seismic) conditions.

The project, which will consist of approximately 215 acres, will eventually expand the existing, permitted Mayhew Aggregates and Mine Reclamation operation (SMP139), by the removal of approximately 10.5 million tons of material that exists in the slopes and setbacks. These slopes and setbacks sit between SMP139 and the existing surface mining operations (SMP 143 and 150) to the south. There are also approximately 7.5 million tons of additional reserves along the property line with the Chandler's Palos Verdes Sand & Gravel SMP202 mine to the west. These reserves will become accessible when the permits for SMP's 202 and 143,150, and 182 are revised.

Anticipated Production of Commodity

The processing plant at the site can currently produce approximately 500 tons per hour of sand and gravel. The operational permit with SCAQMD (Permit No. R-F36556) has established a monthly production limit of 252,000 tons per month, which is considerably more than is being currently produced or proposed in this application. Because of this, the continued operation of the mine will not have a negative impact on the air quality of the surrounding area.

Production limits are not expressly stated in the operating permits for either PP1828 or SMP139. However, a review of the Staff Reports and supporting documentation for the entitlements show annual production limits for PP1828 of 1,020,000 tons per year and 4,000,000 tons per year for SMP139 (or a combined annual production of 5,020,000 tons per year). A recent 5-year average production level is 2,068,758 tons per year (combined PP1828 and SMP139), and represents the proposed maximum annual production for the life of the new permit extension. Maximum annual production will be 2,000,000 tons per year.

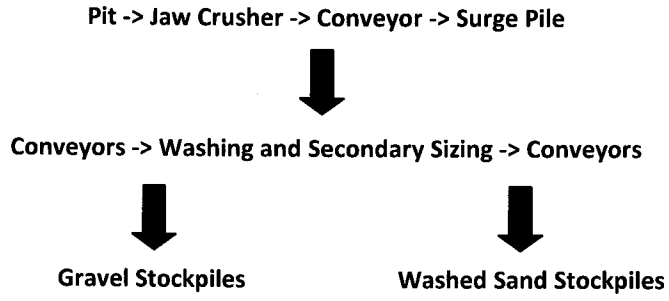
Average production values, for purposes of estimating the life of the deposit and calculating average daily impacts, will be set at 170,750 tons per month. In practical terms, the production and sales from the site will range from 85,000 tons per month in the current economic environment, to a maximum production level of 170,750 tons per month. The values shown in Table 1 (Revised Permit Life Tabulation) are based on 85,000 tons per month.

As the IDEFO begins to operate, aggregate production and sales will be reduced to offset the production from the processing, placing, and compacting of fill materials. Importation of silts and clays from aggregate processing will be from the adjacent mine sites as currently permitted, and through the use of existing customer truck trips.

Approximately 7-8% of production will be silts and clays, which will remain on-site for revegetation and use in the IDEFO.

Planned Ore Processing Methods on Site

Processing methods on site will remain essentially the same, with the existing wash and screening plants continuing to produce aggregates. Mining in the pit begins with front-end loaders and haul trucks delivering the material to the primary crushing station, and continues on to the surge pile. Once initially stockpiled, the sand and gravels are then sized, sorted, and washed to construction specifications. Sands are produced for use in concrete, asphalt, plaster, and block production. Washed products are then stockpiled in the yard and allowed to de-water prior to shipment. Shipping utilizes another front-end loader to load customer trucks. A simplified flow diagram might look similar to:



Production Water Data

Water used on-site for dust control and aggregate processing is obtained from one of many Elsinore Valley Municipal Water District (EVMWD) water wells in the Temescal Valley. During maximum production levels, approximately 100,000 gallons per day would be used for dust control purposes, and approximately 756,000 gallons per day is needed for processing. In no case would water from Mayhew Creek be utilized during site operations.

Water for dust control consists of both a water truck for wetting roadways and stockpiles, and fine sprays on conveyors and transfer points. Water demand for these activities can vary greatly depending on the time of year and atmospheric conditions, but an average of 100,000 gals per day will be sufficient to maintain compliance given current AQMD Rules.

Processing plant water is utilized in the rinsing of gravel, and in removing silts and clays from the washed sand products. The 756,000 gallons of processing water are after adjusting for recycling capabilities, which supplies approximately 80% of total demand. The processing plant utilizes approximately 1,500 gallons per minute (gpm), and usually includes 2 production shifts per day in peak production periods.

This total of 856,000 will convert to 280 acre feet per year for both processing plant activities and dust control (sprays and water truck for roadways). Water usage will not increase over the life of the SMP, and is projected to decrease slightly during IDEFO operations. The site will be graded to retain any potential flows onsite resulting in no discharge of wastewater.

Mine Wastes

There is no topsoil or overburden on the project site, as the site has been previously disturbed by the on-going mining activities. Silt and clay produced during the washing process is estimated at approximately 7-8% of production, and would total nearly 150,000 tons per year at peak production. The silt and clay produced on-site will be utilized in reclamation, both for revegetation efforts and as a component of the engineered fill operation (IDEFO).

Imported Wastes

There will be no importation of domestic garbage, chemicals, oil, or other waste into the project site. Waste in the form of domestic garbage generated by the mining employees and the on-site office (i.e. small amounts of paper, food scraps, containers, etc.) will be disposed of by a licensed municipal waste hauler on a weekly basis.

Erosion and Sediment Control

The site is graded to capture all surface flows and retain them on-site. Pit walls are sloped and hydro-seeded as excavations reach the outer boundary of the mining area, to prevent rilling and erosion from impacting off-site property. The Hydrology Study and Water Quality Management Plan both show that on-site drainages will not leave the site, eliminating concerns about sediment-laden water leaving the property.

Stockpiles of finish materials are washed, and contain sufficient moisture to prevent wind erosion. Stockpiles that meet the criteria for preventative erosion measures pursuant to AQMD rules will be treated or covered, in compliance with Rule 403.

Blasting

The surface mining operations within the project site will not require the use of explosives in order to extract the sand and gravel. Therefore, there will be no blasting at the site.

Truck Traffic

This application is for an increase in time to mine aggregate material in slopes and setbacks between SMP139 and SMP 150 to the south and SMP202 to the west. This application does not propose to increase beyond the recent levels of 2,068,758 tons per year nor the associated truck traffic. In fact, permitted levels will be capped at an annual rate of 2,000,000 tons per year. During the life of the project, it is anticipated that approximately 46,000,000 tons of aggregates will be shipped from the project site. The IDEFO will utilize existing truck-trips to deliver fill materials when possible.

All trucks on and exiting the site will continue to conform to AQMD, MSHA, and California Highway Patrol regulations. Trucks found not in compliance will not be allowed to continue operations until they can demonstrate adherence to the regulations.

A Traffic Study is being finalized by Urban Crossroads, and will be included as an attachment to this project upon completion. The Traffic Study determined that proposed operations under the SMP 139R1 project would not result in any significant impacts to area traffic, with exception of cumulative impacts to the following intersections:

- I-15 Northbound Ramps / Temescal Canyon Road
- Temescal Canyon Road / Lawson Road
- Temescal Canyon Road / Glen Ivy Road
- Maitri Road / Temescal Canyon Road

Cumulative impacts to the above-listed intersections would be mitigated to a level below significance through the payment of fair-share contributions, as specified in the project's Mitigated Negative Declaration and as would be enforced by Riverside County as part of the project's conditions of approval.

Reclamation Plan

Subsequent Uses

Reclamation of the site will result in approximately 193 acres of reclaimed property. The reclamation process will include the operation of an IDEFO to achieve ultimate topography in the form of an engineered fill. This fill process will be consistent with underlying soils and site constraints. In areas where it can be achieved, compaction will be of a high enough standard to allow future development that is consistent with multiple uses under the County's General Plan (redeveloped as opposed to open space).

Included as Appendix 6 is a Visual Simulation Study depicting the site in its current condition, and a potential future use for the site. The view shown is from Campbell Ranch Road, which has the largest un-obstructed view of the project site accessible to the public. Upon completion of reclamation, improvements to the property along Campbell Ranch Road would give the public a view similar to that shown in the post-project photo.

Reclamation Schedule

Reclamation will be concurrent with mining activities on site. The Inert Debris Engineered Fill Operation (IDEFO) will be operated concurrently with the mining operations under SMP139R1. Reclamation of the site is proposed to be completed by December 31, 2068 to coincide with the cessation of mining activity.

Reclamation of slopes and the pit areas may progress at differing rates, depending on market demand for the IDEFO operation. Reclamation of existing slopes, in areas mined by the previous operator will remain a top priority.

Future Mining

Any future mining activities, which will occur concurrently with reclamation, would be similar to previous mining efforts. Sand and gravel extraction would be performed by conventional methods and either hauled or conveyed to a processing plant, where material would be crushed and sized according to various specifications and either sold as aggregate or consumed in an asphalt plant or concrete batch plant.

The proposed Reclamation Plan would preclude future mining in areas where fill operations have commenced.

Public Safety

To prevent dumping of debris and disturbance of revegetation activities, the site will continue to be fenced with chain-link fencing and sufficiently marked with signage as currently required. A 50-foot setback around the property is currently observed as required and will be maintained after reclamation, to minimize public encroachment into the mining areas. The project site is locked when not in operation or open for sales, to prevent unauthorized access.

To enhance site security in the future, the applicant will have controlled access through a lockable gate with a manned guard shack during off-hours near the site's entrance off the recently privatized Maitri Road. Maitri Road became a private roadway on November 8, 2012.

Post Reclamation

Following the completion of IDEFO activities and the grading/contouring of the site, including revegetation where applicable, the site will be evaluated and prepared for its ultimate use. The ultimate use of the site will be consistent with Riverside County's General Plan for the region, and more specifically, the Temescal Canyon Area Plan. The needs of the community with respect to open space, residential or light commercial development, or recreational areas, etc. will be addressed near the completion of the project, and will factor in to any future development. Upon completion of reclamation, the site will be contoured from south to north, as shown in the Reclamation Plan (Exhibit B). Revegetation will consist of the native seed mix shown in the reclamation plan. On the top or surface of the IDEFO, soil stabilizers will be utilized for dust control as necessary.

Drainage and Erosion Controls

Historical Conditions

Historically, the Mayhew Creek traversed the SMP 182 and SMP 150 sites (which are located to the immediate south of the SMP 139 site) from south to north via a defined, unimproved, natural channel separated from mining activities by a 10-20 foot tall dike. A debris basin constructed at the north end of the SMP 150 site contained flows from Mayhew Creek and directed them through three 48-inch diameter pipes under the east-west access road and into a debris catchment basin located within the SMP 139 site. The basin on the SMP 139 site extracted debris from Mayhew Creek and diverted the creek's flow in an easterly direction and north along the eastern boundary of the SMP 139 site.

In January/February 2005, heavy rains, combined with geological movement along the Glen Ivy Fault line, caused the bank between the Mayhew Creek and the SMP 139 pit wall to substantially erode and partially collapse into the SMP 139 mining pit. As a result, flows from Mayhew Creek began to immediately discharge directly into the SMP 139 gravel pit and created instability issues with respect to the southern and eastern slopes of the mining pit. In order to address this emergency condition, in approximately April 2005 the former mining operator (CEMEX) was directed by the Riverside County Building & Safety Department to construct a concrete down-drain structure measuring approximately 300 feet in length along the southern pit wall of the SMP 139 site. The purpose of this down-drain structure was to stabilize the pit walls against water erosion hazards. With completion of the down-drain structure, all flows from the Mayhew Creek were fully detained within the SMP 139 pit and no longer were conveyed downstream to the Temescal Wash.

On July 21, 2005, the Army Corps of Engineers (ACOE) issued a determination that, "due to the change in course of Mayhew Creek from going around the eastern boundary of [the] property to now flowing into the quarry gravel pit..." Mayhew Creek and the down-drain structure "...is not subject to [ACOE] regulation under Section 404 of the Clean Water Act and a Section 404 permit is not required..." Although the down-drain structure was determined not to be regulated pursuant to Section 404 of the Clean Water Act (CWA), the ACOE required the preparation of a new Habitat Mitigation Monitoring Plan (HMMP) for impacts to a previously-approved mitigation area (discussed below).

On September 9, 2005, the RWQCB acknowledged the finding of the ACOE, and determined that Mayhew Creek is a water of the state, discharges to which are subject to regulation under California Water Code Section 13000 et seq. Specifically, the RWQCB determined that the "discharge" associated with the construction of the down-drain structure is subject to State Water Resources Control Board Order No. 2004-0004-DWQ, *Statewide General Waster Discharge Requirements for Dredge and Fill Discharges to Waters Deemed by the U.S. Army Corps of Engineers to be Outside of Federal Jurisdiction (*Order No. 2004-0004-DWQ). On September 30, 2005, CEMEX (the former operator of the SMP 139 site) issued a Notice of Intent (NOI) to Participate in Order No. 2004-0004-DWQ and paid the appropriate fees associated therewith.

Additionally, on September 28, 2005 the California Department of Fish and Wildlife (CDFW) issued an Agreement to Amend Lake or Streambed Alteration Agreement Number 5-066-97 (SAA 5-066-97), which amended the original Streambed Alteration Agreement for Mayhew Creek and included new and amended conditions related to Mayhew Creek. SAA 5-066-97 authorized the impacts to Mayhew Creek that occurred during construction of the down-drain structure subject to revised mitigation requirements.

As required to implement the conditions specified in the amended SAA 5-066-97, fulfill the requirements associated with RWQCB Order No. 2004-0004-DWQ, and as required by the ACOE, a HMMP was prepared to address impacts to Mayhew Creek that resulted from construction of the concrete down-drain structure. Mitigation specified by the HMMP included the on-site restoration of 9.7 acres of riparian habitat as a mule fat plant community, to be located in the northeastern corner of the SMP 139 site. The goal of the restoration area is to replace riparian scrub habitat and provide biological water quality treatment of nuisance and "first-flush" runoff prior to discharge into Temescal Creek. The restoration area receives flows from east of the SMP 139 site along a former tributary of Mayhew Creek. It should be noted that although the restoration area occurs within the SMP 139 site, it occurs fully outside of the areas to be permitted as part of proposed SMP 139R1.

Subsequent to the above-described consultations with the RWQCB, ACOE, and the CDFW, Riverside County approved Substantial Conformance No. 1 to Reclamation Plan No. 106 (RCL 106), which is associated with PP 1828. Approval of the Substantial Conformance legalized the 300-foot down-drain structure that had been constructed under emergency conditions in April 2005 and imposed new conditions of approval on RCL 106.

Proposed Conditions

As part of proposed SMP 139R1, areas proposed for mining activities would be expanded to include the existing slopes and setback areas between the SMP 139R1 site and adjacent mines (SMPs 143, 150, 182, and 202). However, in order to mine these slopes, mining also would need to eventually occur along the off-site portions of the slopes and setback areas within areas currently regulated pursuant to SMPs 143, 150, 182, and 202. Since the off-site portions of these slopes and setback areas cannot be mined until the permits for SMPs 143, 150, 182, and/or 202 are revised to allow for such mining activities, the portions of these slopes and setback areas located within the SMP 139R1 site also cannot be mined until those adjacent permits are revised. Revisions to SMPs 143, 150, 182, and 202 would consist of discretionary approvals that would be subject to compliance with the California Environmental Quality Act (CEQA).

As a necessary component of mining the slopes and setback areas (both on- and off-site), the existing down-drain structure located at the southern boundary of the SMP 139 site would need to be relocated to the southern portion of the SMP 150 site in order to accommodate the expanded pit that would be created between these two mining sites.

Although plans for the relocation of this down-drain structure are not clearly defined at this time, construction of a down-drain structure along the southern slope of the SMP 150 site is required pursuant to the existing approved SMP 150 permit. Impacts associated with the construction of a drop-down/inlet structure along the southern slopes of SMP 150 were evaluated as part of Riverside County Final EIR No. 359, which imposed the following mitigation measure: "The existing flow channel and banks of the Mayhew Creek that traverse the site of Werner Corporation SMP 150 and 182 shall be maintained intact until mining of the three pits is completed or until operational needs warrent [sic] its removal/relocation." Thus, although relocation of the down-drain structure is a reasonably foreseeable consequence of the SMP 139R1 project, its relocation to the SMP 150 site is already approved pursuant to SMP 150, Revision No. 1, and impacts associated with its relocation were evaluated and disclosed as part of Riverside County Final EIR No. 359.

Additionally, a portion of the historic Mayhew Creek drainage has been preserved along the eastern perimeter of the SMP 143 and SMP 139R1 sites. This drainage conveys flows from the southwest towards the restoration area identified by the above-described HMMP, and thence northeasterly via an existing 30-foot earthen bottom culvert towards the Temescal Creek Wash. This portion of Mayhew Creek will not be impacted by the proposed SMP 139R1 project, and will be retained in its existing condition. Conditions of approval to be imposed on SMP 139R1

by Riverside County would preclude the mining of the slopes and setback areas between the SMP 139 site and SMP 150 until such a time that SMP 150 is revised to identify the drop-down structure and a new drop-down structure is constructed on the SMP 150 site.

In the interim, the attached hydrology report demonstrates that the existing pit within the SMP 139 site is capable of capturing and retaining multiple 100-year storm events. Under interim conditions, the detention basin will be maintained so as to not create a public health hazard or nuisance, as would be assured by conditions of approval assigned to SMP 139R1 by Riverside County.

Slopes and Slope Treatment

In areas where slopes remain, fill slopes will be at a ratio of 3:1 (Horizontal:Vertical), based on recommendations in the "Report of Slope Stability Evaluation" by *Hilltop Geotechnical, Inc.* Slopes will be re-seeded using the Reclamation Seed Mix referenced herein, and will be applied to the slopes through the use of a hydroseeder. Prior to hydro seeding, the slopes will be prepared and roughened to create an advantageous environment for the seeds and seedlings to take hold. Seeding will be done immediately preceding the wet season when possible, to take advantage of precipitation and normal growth cycles to assist with germination.

All waste piles, tailings, etc. will be incorporated into the IDEFO or removed from the site.

Pit Areas and Excavations

The excavation areas will be backfilled utilizing available tailings and overburden from the on–site and adjacent mining operations as currently permitted under a substantial conformance as well as through the operation of an IDEFO. All slopes will be finished at a ratio of no steeper than 3:1 (Horizontal:Vertical), with the ultimate design of filling the pit to within 10' of original elevations.

Slopes will be revegetated to protect and stabilize the soil surface. The revegetation mix species list is based on recommendations from the California Office of Mine Reclamation (OMR), which are contained in a October 9, 2013 comment letter from OMR.

Soil surfaces will be roughened to reduce erosion and enhance revegetation though the use of track walking and imprinting, using on-site equipment on the slopes where possible. This will provide better results than smooth graded slopes, and provide higher success rates in seed germination and seedling survival. Topsoil and other silts/clays will be incorporated at this stage on the reclaimed 3:1 slopes, created during the IDEFO phase. Interim control measures, including silt fencing and sand or gravel bagging will be implemented if needed, until root systems sufficient to contain reapplied soils have developed.

Ponds, Reservoirs, Tailings, and Wastes

Any pond areas remaining on-site will be backfilled and/or graded to the elevations specified on the Reclamation Plot Plan. All overburden piles and stockpiles will also be graded to the specified elevations. Any residual material will be used for contouring and slope enhancement. The face of the reclaimed IDEFO slope may have an approximately depth of 40' of water on the southern slopes during 100-year storm events. The effect of this water on the reclaimed slope has been analyzed by Hilltop Geotechnical, and been added as a Technical Memorandum to the "*Geotechnical Specifications for Inert Debris Placement*", which is part of the IDEFO Operations Plan.

Clean-up

Processing Plant and Equipment

The existing stationary processing plant as well as all ancillary buildings and structures will be dismantled and removed during the final stages of mining, concurrent with reclamation. The material mined during the last stages of the project will be processed using smaller, portable equipment. None of the existing structures from the aggregate plant will remain on site post-reclamation.

Trash and Debris

The entire project site will be monitored and clean-up performed as necessary for trash and debris removal. The trash and debris will be placed in suitable containers and hauled off-site for appropriate disposal.

Prior to final reclamation, a Phase I Environmental Site Assessment will be conducted on the site to certify that the property is environmentally clean and in suitable condition for future use. The purpose of a Phase I Site Assessment is to identify, through research and visual inspection, any environmental problems resulting from the use of hazardous materials, including:

- Evaluating storage, handling, treatment, and disposal of materials and waste.
- Investigating site for evidence of underground storage tanks or spills.
- Researching history of the facility, soil type, and ground and surface water.
- Reviewing the regulatory files on sites surrounding the property and/or properties.

Contaminants

Heavy equipment operation for mining and reclamation will warrant the use of both diesel and gasoline fuels as well as various lubricants as part of operations. All fuels, lubricants, and other approved materials will be handled and stored per the site's SWPPP and SPCC plans, which are kept on-site. Additional details, where appropriate, are included in the attached Water Quality Management Plan (WQMP), prepared in August 2011. The delivery and removal of all such substances or contaminants are handled by 3rd party, approved vendors.

The WQMP, which the site must be compliant with, details control measures that include, identifying potential spill areas, specifies material handling procedures, describes spill control procedures, and details required clean-up equipment.

A few examples of routine site maintenance include the placement of drip pans or absorbent materials beneath all disabled equipment, and all potential drip and spill locations during filling and unloading of tanks. Any collected liquids or soiled absorbent materials must be reused/recycled or properly disposed. Spill control activities will follow the Spill Prevention Control and Countermeasure Plan and reporting to the Regional Water Quality Control Board will take place in the event of any potential spills.

Soils and Fine Textured Waste

Silts and clays resulting from the washing process will remain on site and be utilized as part of the compacted fill and the reclamation/revegetation requirements. The revegetation plan addresses the requirements for growth of plant species related to the site, and as such discusses the requirements related to proper soil preparation for this area.

Revegetation

The reclamation seed mix currently consists of the following species:

SPECIES	QUANTITY
Coyote Bush	.10 lbs/acre
California Buckwheat	2.0 lbs/acre
Brittlebush	1.0lbs/acre
Scalebroom	.10 lbs/acre
California Sagebrush	.50 lbs/acre
Sugarbush	3.0 lbs/acre
Mule Fat	.10 lbs/acre
Deerweed	3.2 lb/acre
Desert Plantain	15.0 lb/acre
Total	**25 lbs/acre**

The revegetation seed mix list is based on recommendations from the California Office of Mine Reclamation (OMR), which are contained in a October 9, 2013 comment letter from OMR.

Soil surfaces will be roughened to reduce erosion and enhance revegetation though the use of track walking and imprinting, using on-site equipment on the slopes where possible. This will provide better results than smooth graded slopes, and provide higher success rates in seed germination and seedling survival. Topsoil and other silts/clays will be incorporated at this stage on the reclaimed 3:1 slopes, created during the IDEFO phase.

Roads and compacted surfaces that require revegetation will be scarified to a depth of 12-24 inches to help establish a suitable root zone in preparation for planting. Topsoil, and silts and clays resulting from the washing process will remain on site, and be used in the revegetation process. Topsoil will be spread to a thickness of 6" and blended into existing subsurface materials. Additional salvage of topsoil as a result of this application is expected to be minimal, considering the already disturbed nature of the site.

Seed application will be accomplished with hydroseeding equipment, using both contractors and plant personnel when possible. Seeding will be done in the fall to early winter to maximize the potential benefit of limited Southern California rainfall, and this method has proved successful in revegetation efforts on the adjoining mine properties.

Test plots will be conducted on the upper benches of the eastern project boundary so as not to be disturbed by mining or IDEFO activities. Irrigation may be necessary as determined by the test plots. The test plots will help evaluate:

- How different species of plants grow and mature at the site.
- How effective seeding methods are, and whether improvements can be incorporated.
- Different soil amendments and fertilizers.
- Irrigation possibilities vs. using rainfall exclusively.
- Plant protection needs and weed control techniques.

Monitoring and Maintenance

One year after seeding, the site will be assessed for success of seeding efforts and erosion control. Remedial actions that may be employed at that time will include removal of non-native species, reseeding if necessary, and replacement of erosion control devices. Monitoring will be performed annually for a period of five years after reclamation, or until the success criteria have been met. Monitoring and sampling methods will follow protocols set forth in Section 6.0 of *"Rehabilitation of Disturbed Lands: A Manual for Decision Making"*, published by the California Geological Survey. Section 6.2.1.4 provides methodology for obtaining an 80% confidence level, and is incorporated here by reference.

The success criteria for the revegetation plan is 35 percent of the cover, density, and diversity of perennial species on-site at the end of reclamation compared to the reference areas on adjacent lands.

If an exotic plant species invades the site, it is often easiest and cheapest to eradicate the species early than to allow it time to take hold and set seed. First it must be determined if the invasive species is a threat to the goals of the project. Many projects experience a population explosion of weeds the first year or two after implementation. In some cases, these weeds naturally die out without causing any adverse effects. In other cases, they take over the site and crowd out the desired species and reduce species richness. The remediation measures in Table 6.6.2 of *"Rehabilitation of Disturbed Lands: A Manual for Decision Making"* will be used as a guideline to address noxious weeds.

Reclamation Assurance

Financial Assurances for the subject site are currently in-place, and have been prepared in accordance with the *Surface Mining and Reclamation Act* FINANCIAL ASSURANCE GUIDELINES (Rev 2004). The Financial Assurance Cost Estimate (FACE) is updated on an annual basis, and is submitted for review and approval to the Riverside County Building and Safety Department. The amount currently on-file and in-place, in the form of CD's, is $920,000.

During the SMP139R1 application, the applicant will continue to closely monitor interim reclamation progress while maintaining and updating the FACE on an annual basis.

Preliminary Project-Specific Water Quality Management Plan

The site operates under a Storm Water Pollution Prevention Plan (SWPPP), prepared in accordance with CRWQCB requirements, and will continue to do so for the duration of this permit and any subsequent permit revisions. Additionally, the site is graded so that no water will leave the site in the form of run-off, as shown in the *Water Quality Management Plan,* prepared for the facility by Joseph E Bonadiman & Associates (included as Appendix 5).

Project specific Potential Pollution Source and BMP's, taken from the facility's current SWPPP, are included here for reference:

Industrial Process: This facility is involved in sand and gravel mining. Raw aggregate is mined from active pits and directed to the processing plant where the material is then washed. The large rocks are then crushed into gravel and aggregate, and then screened to the appropriate size. Finished product is stored at the site until it is purchased and delivered or independently hauled off-site by customers. Significant materials used in this process are primarily lubricant materials. The lubricant materials are used in routine maintenance at both the processing plant and the batch plant. Both the processing plant and the batch plant are maintained on a daily basis or as needed.

BMP's for these activities include good housekeeping, preventative maintenance, regular self-inspections, and spill response training for employees.

Material Handling and Storage Area: Storage locations of the significant materials that are kept on-site for truck and plant maintenance and fueling are identified on the Facility Map in the SWPPP. Spill response for all storage areas listed includes assessing the size of the spill, obtaining absorbent material and, if needed, other emergency equipment to contain the release. If the incident is beyond immediate control, evacuation of all employees will take place and notification of the County of Riverside Hazardous Materials Management Division will occur.

BMP's for these activities include good housekeeping, preventative maintenance, regular self-inspections, and spill response training for employees.

Fueling Area: Diesel fuel is stored in a 10,000-gallon above ground tank. The fuel is dispensed into vehicles or equipment using a pump, hose and nozzle. A concrete pad surrounds the fueling area. The tank sits within a secondary containment area west of the maintenance shop. Fuel is shipped to the facility via independently licensed truck tankers. The fuel is pumped from the tanker truck into the storage tank using a hose and nozzle. Each fuel pump is equipped with an automatic shut-off valve.

BMP's for these activities include good housekeeping, preventative maintenance, regular self-inspections, and spill response training for employees. Special attention is paid to the secondary containment areas around the fuel tanks, and the apron is swept on a regular basis.

Oil, Grease and Solvent Storage: Oil, grease and solvents are stored inside the maintenance shop. The building is completely enclosed with a concrete pad surrounding it. All materials are stored in DOT approved drums.

BMP's for these activities include good housekeeping, preventative maintenance, regular self-inspections, and spill response training for employees. Proper storage and labeling of chemicals will minimize potential contaminants from coming in contact with rainfall during storm events.

Hazardous Materials Storage: Hazardous materials and waste are stored at the maintenance shop. The materials include waste oil, spent oil filters and waste antifreeze. Waste oil is stored in a 1,000-gallon above ground storage tank located behind the maintenance shop. A concrete pad surrounds the opening to the tank. Waste oil is deposited into the tank by a drum, nozzle and hose. This method reduces the possibility of a spill. Upon reaching capacity a licensed waste transporter drains the waste oil tank by inserting a locking hose into the opening and pumping out the material. Spent oil filters and waste antifreeze drums are located outside the maintenance shop. When the drums are full or reach the maximum 90-day accumulation period they are closed and are transferred onto trucks and hauled off-site by a licensed hazardous waste transporter. Waste oil is hauled off-site by a licensed hazardous waste transporter for disposal in accordance with local, state and federal regulations. Oxygen, nitrogen and acetylene are stored in the maintenance building as well.

BMP's for these activities include good housekeeping, preventative maintenance, regular self-inspections, and spill response training for employees. Proper storage and labeling of chemicals will minimize potential contaminants from coming in contact with rainfall during storm events.

Riverside County Conformance

"Mineral deposits in the County are important to many industries, including construction, transportation and chemical processing. The value of mineral deposits within the County is enhanced by their close proximity to urban areas. However, these mineral deposits are endangered by the same urbanization that enhances their value.

The non-renewable characteristic of mineral deposits necessitates the careful and efficient development of mineral resources, in order to prevent the unnecessary waste of these deposits due to careless exploitation and uncontrolled urbanization. Management of these mineral resources will protect not only future development of mineral deposit areas, but will also guide the exploitation of mineral deposits so that adverse impacts caused by mineral extraction will be reduced or eliminated."

- County of Riverside General Plan
(Section - Non-Renewable Resources 'Mineral Resources')

Analysis of SMP 139R1 Consistency with the Riverside County General Plan & Temescal Canyon Area Plan Land Use Designations and Ordinance 348

The subject site lies specifically within the Temescal Canyon Area Plan of the County of Riverside's General Plan, and does not fall within a General Plan Policy Area (as evidenced by the October 2003 County of Riverside General Plan - Temescal Canyon Area Plan - Policy Area Map (Figure 4/Page 31)) or a General Plan Policy Overlay Area. Riverside County's General Plan and the Temescal Canyon Area Plan list the Land Use Designation for the subject site as "Open Space - Mineral Resources (OS-MIN)," which allows for the currently permitted use of mineral extraction and processing facilities. This application is proposing to extend the life of the currently permitted reserves as well as expand the permitted reserves to include the reserves currently within the slopes and setbacks between the subject site and the contiguous Surface Mining Permits (SMP). Said application is designed to conform to the current "Open Space - Mineral Resources (OS-MIN)" Designation and will not require an amendment to the General Plan. In addition, the subject site is zoned "M-R-A (Mineral Resources and Related Manufacturing)" per its Ordinance 348 Zoning Designation, which allows for *"Mining, quarrying, excavating, beneficiating, concentrating, processing, and stockpiling of rock, sand, gravel, decomposed granite, clay, gypsum, limestone, metallic ores, and similar materials, and the rehabilitation of the resulting excavations."* As such, mining activities proposed as part of the SMP 139R1 project would be fully compatible with the site's current zoning designation.

The proposed Inert Debris Engineered Fill Operation (IDEFO) would be the primary mechanism for implementing our required reclamation for the subject site. Part of this application will be proposing an IDEFO as a key component to our reclamation activities. The Riverside County General Plan notes that the OS-MIN land use designation allows for "Ancillary structures or uses...which assist in the extraction, processing, or preservation of minerals" (Riverside County General Plan, Page LU-53). The IDEFO operation is necessary for the ultimate reclamation of the site as detailed in the proposed Reclamation Plan; the Reclamation Plan is, in turn, a required element of surface mining permits pursuant to SMARA and County Ordinance 555. Thus, the IDEFO operation is necessary to "...assist in the extraction...of minerals." Additionally, the proposed IDEFO operation is a permitted use pursuant to Section 12.60.b.(1) of Ordinance 348, which indicates that the M-R-A zone allows for *"Mining, quarrying, excavating, beneficiating, concentrating, processing, and stockpiling of rock, sand, gravel, decomposed granite, clay, gypsum, limestone, metallic ores, and similar materials, and the rehabilitation of the resulting*

excavations." Since the IDEFO operation is necessary for the "rehabilitation of the resulting excavations," as required by SMARA and County Ordinance 555, the IDEFO is a permitted use pursuant to Ordinance 348. Therefore, with the IDEFO as a compatible use to implement ultimate reclamation of the site, the proposed application will conform to the current General Plan Designation of Open Space Mineral (OS-MIN) and the current M-R-A zoning and no changes will be required.

Therefore, the proposed SMP139 Revision application (inclusive of the IDEFO operation) complies with the currently permitted uses as allowed in the County Zoning Ordinance and the Riverside County General Plan.

Analysis of SMP 139R1 Consistency with Applicable General Plan Policies – Land Use Element

The Riverside County General Plan and Temescal Canyon Area Plan list the land use designation as Open Space Mineral (OS-Min) for the subject site. The following policies from the General Plan Land Use Element are therefore applicable to the SMP 139 Revision:

LU 21.1 "Require that surface mining activities and lands containing mineral deposits of statewide or of regional significance comply with Riverside County Ordinances and the SMARA." The subject site currently and historically has operated within all provisions required by SMARA and the Riverside County Development Code. The proposed SMP139 Revision will help the applicant to continue to operate under the local and state guidelines and requirements while actually lowering the amount of reclamation needed to restore the subject site. This will occur by filling the current mine site through an engineered fill operation (IDEFO) which will eventually remove slopes and raise the current grade. The proposed IDEFO operation is necessary to ensure compliance with Riverside County Ordinance 555. Specifically, the IDEFO materials, acting as fill material, would be used to facilitate the "...potential uses of the reclaimed site" (as required by Section 6.b of Ordinance 555), and would be necessary to help assure the stability of reclaimed slopes (as required by Section 6.e of Ordinance 555). The IDEFO materials also are needed to preclude "...drainage and erosion problems..." and would ensure the resulting site is "coordinated with present and anticipated future land uses and compatible with the topography and general environment of surrounding property" (in conformance with Section 6.g of Ordinance 555). Accordingly, the SMP 139 Revision is consistent with Policy LU 21.1.

LU 21.2 "Protect lands designated as Open Space-Mineral Resource from encroachment of incompatible land uses through buffer zones or visual screening." The SMP 139 Revision consists of a proposal to extend an existing mining operation and allow for the operation of an IDEFO, both of which are compatible with the OS-MIN General Plan land use designation. Accordingly, the SMP 139 Revision is consistent with Policy LU 21.2.

LU 21.3 "Protect road access to mining activities and prevent or mitigate traffic conflicts with surrounding properties." As part of the SMP 139 Revision, easements would be placed over Maitri Road to ensure continued access to adjacent mining sites. Additionally, a traffic impact analysis was prepared by Urban Crossroads and is discussed in the SMP 139 Revision Mitigated Negative Declaration (MND). The MND sets forth mitigation measures to reduce cumulatively significant traffic impacts to a level below significant. Mitigation measures identified in the MND would be enforced by Riverside County as part of the conditions of approval imposed on SMP 139R1. Accordingly, the SMP 139 Revision is consistent with Policy LU 21.3.

LU 21.4 "Require the recycling of mineral extraction sites to open space, recreational, or other uses that are compatible with the surrounding land uses." As part of the SMP 139R1 project, a Reclamation Plan has been prepared that would require ultimate reclamation of the site in a manner compatible with surrounding land uses. Accordingly, the SMP 139 Revision is consistent with Policy LU 21.4.

LU 21.5 "Require an approved reuse plan prior to the issuing of a permit to operate an extraction operation." As part of the SMP 139R1 project, a Reclamation Plan has been prepared that would require ultimate reclamation of

the site and return it to open space. Grading required as part of the Reclamation Plan would facilitate future uses of the site, although no such uses are identified at this time. Accordingly, the SMP 139 Revision is consistent with Policy LU 21.5.

Analysis of SMP 139R1 Consistency with Applicable General Plan Policies – Open Space

Policy OS 14.1 "Requires that the operation and reclamation of surface mines be consistent with the State Surface Mining and Reclamation Act (SMARA) and County development Code provisions." The subject site currently and historically has operated within all provisions required by SMARA and the Riverside County Development Code. The proposed SMP139 Revision will help the applicant to continue to operate under the local and state guidelines and requirements while actually lowering the amount of reclamation needed to restore the subject site. This will occur by filling the current mine site through an engineered fill operation (IDEFO) which will eventually remove slopes and raise the current grade. The proposed IDEFO operation is necessary to ensure compliance with Riverside County Ordinance 555. Specifically, the IDEFO materials, acting as fill material, would be used to facilitate the "...potential uses of the reclaimed site" (as required by Section 6.b of Ordinance 555), and would be necessary to help assure the stability of reclaimed slopes (as required by Section 6.e of Ordinance 555). The IDEFO materials also are needed to preclude "...drainage and erosion problems..." and would ensure the resulting site is "coordinated with present and anticipated future land uses and compatible with the topography and general environment of surrounding property" (in conformance with Section 6.g of Ordinance 555). Accordingly, the SMP 139 Revision is consistent with Policy OS 14.1.

Policy OS 14.2 "Restricts incompatible land uses within the impact area of existing or potential surface mining areas." The SMP139 Revision is a continuation of the currently permitted and compatible use. The IDEFO is consistent with site's existing zoning designation of "M-R-A Zone, which pursuant to Ordinance 348, Article XIIb-, Section 12.60 (b) (1), requires the "rehabilitation of the resulting excavations" due to "mining, quarrying, excavating...of rock sand, gravel...". Per Ordinance 555, Section 1 (b), the IDEFO will ensure that "mined lands will be reclaimed to a useable condition" by acting as the primary mechanism for implementing final reclamation of the property per SMARA.

The proposed project also would be consistent with all zoning and General Plan designations surrounding the site. These zoning designations include the following: M-R-A to the west; M-R-A and "Natural Assets (N-A)" to the south; "Specific Plan Zone (SP Zone)" to the east; and SP Zone, "Manufacturing-Service Commercial (M-SC)," "Commercial Office (C-O)," and "Mobile Home Subdivisions & Mobile Home Parks (R-T)" to the north. General Plan designations surrounding the proposed site are consistent with the underlying zoning designations and include the following: OS-MIN to the west; OS-MIN to the south; "Open Space – Conservation (OS-C)," "Open Space Recreation (OS-R)," and "Medium Density Residential (MDR)" to the east; and "Light Industrial (LI)," "Business Park (BP)," and "Medium High Density Residential (MHDR)" to the north. The SMP 139 Revision represents the continuation of an existing mining operation, and mining operations proposed as part of the Project would be shifted westerly as compared to the currently permitted mining areas. Furthermore, mining activities proposed as part of the Project would be consistent with the M-R-A zoning designations to the west and south, and would not conflict with the N-A zoning designation to the southwest. Proposed mining activities also would be consistent with the M-SC designation to the north. With respect to the Sycamore Creek Specific Plan located to the east of the Project site, adequate buffers and an earthen berm are provided or are planned by the Sycamore Creek developer along the western boundary of the Sycamore Creek Specific Plan to ensure that land use conflicts would not occur between the existing and proposed residential land uses and proposed mining operations. The site also is adequately buffered from the existing residential uses and planned commercial office uses to the north, due the intervening Temescal Canyon Road and planned business park/light industrial uses along the southern edge of Temescal Canyon Road. Accordingly, the proposed Project would be compatible with surrounding zoning designations

Therefore, the SMP 139 Revision is consistent with Policy OS 14.2.

Policy OS 14.3 "Restricts land uses incompatible with mineral resources recovery within areas designated Open Space-Mineral Resources." The OS-MIN land use designation allows for the currently permitted and proposed uses of mineral extraction and processing facilities. The Riverside County General Plan also notes that the OS-MIN land use designation allows for "Ancillary structures or uses...which assist in the extraction, processing, or preservation of minerals" (Riverside County General Plan, Page LU-53). The IDEFO operation is necessary for the ultimate reclamation of the site as detailed in the proposed Reclamation Plan; the Reclamation Plan is, in turn, a required element of surface mining permits pursuant to SMARA and County Ordinance 555. Thus, the IDEFO operation is necessary to "...assist in the extraction...of minerals." Therefore, all uses proposed as part of the SMP 139R1 project would be fully consistent with the site's OS-MIN land use designation. Accordingly, the SMP 139 Revision is consistent with Policy OS 14.3.

Policy OS 14.4 "Imposes conditions as necessary on mining operations to minimize or eliminate the potential adverse impacts of mining operations on surrounding properties, and environmental resources". Impacts of proposed mining operations on surrounding properties and environmental resources were fully evaluated as part of the SMP 139R1 Mitigated Negative Declaration (MND). Where impacts were identified, mitigation measures were imposed to reduce such impacts to a level below significance. Mitigation measures specified in the MND would be enforced by Riverside County as part of the SMP 139R1 conditions of approval. Therefore, with mandatory compliance with the MND mitigation measures, the SMP 139 Revision will not result in adverse impacts to surrounding properties or environmental resources. Accordingly, the SMP 139 Revision is consistent with Policy OS 14.4.

Policy OS 14.5 "Requires that new non-mining land uses adjacent to existing mining operations be designed to provide a buffer between the new development and the mining operations. The buffer distance shall be based on an evaluation of noise, aesthetics, draining, operating conditions, biological resources, topography, lighting, traffic, operating hours, and air quality." Both the SMP139 Revision and IDEFO are mining related uses that are specifically tied together under the reclamation plan as governed by SMARA. Therefore, the proposed SMP139 Revision and IDEFO will not create any new non-mining land uses adjacent to the existing mining operations. Accordingly, the SMP 139 Revision is consistent with Policy OS 14.5.

Policy OS 14.6 "Accept California Land Conservation (Williamson Act) contracts on land identified by the state as containing significant mineral deposits subject to the use and acreage limitations established by the County." All parcels contained within the SMP139 Revision application are not contracted within the Williamson Act Program, and no Williamson Act contracts are proposed. Accordingly, the SMP 139 Revision would not conflict with Policy OS 14.6.

Analysis of SMP 139R1 Consistency with Ordinance 348

Riverside County Ordinance 348, "Article XIIb M-R-A Zone (Mineral Resources and Related Manufacturing) Section 12.60 – Uses Permitted" is the zoning designation for the project site. Section 12.60 (a.) Uses Permitted is not applicable as this application pertains to subsection (b.).

Section 12.60. (b.) Uses Permitted. *The following uses are permitted in conformance with the development and performance standards of the article, provided that the operator thereof holds a permit to conduct surface mining operations, issued pursuant to County Ordinance No. 555, which has not been revoked or suspended:*

> *(1) Mining, quarrying, excavating, beneficiating, concentrating, processing, and stockpiling of rock, sand, gravel, decomposed granite, clay, gypsum, limestone, metallic ores, and similar materials, and the rehabilitation of the resulting excavations.*

(2) Rock crushing plants, aggregate washing, screening and drying facilities and equipment, and concrete batching plants.

(3) Ore reduction plants, and specialty plants for processing mineral products; and the manufacture of block, pipe, tile, bricks, cement, plaster, and asphaltic concrete, provided that such plants and manufacturing operations observe a minimum setback of 300 feet from any zone, other than the M-R, M-R-A, C2 and C4 Zones.

Current and proposed operations include the continued mining, excavating, processing, and stockpiling of rock, sand, gravel, etc. at the site. As allowed in the Section 12.60. (b.) (2) & (3), this includes the continued operation of the various related facilities and equipment. The applicant's SMP139 revision does not include any additional uses outside of those uses related to the current operations which are currently permitted in accordance with Section 12.60. (b.) of Ordinance 348. As the reclamation mechanism for SMP139, the IDEFO will ensure the effective and efficient reclamation of the site. The IDEFO is consistent with Section 12.60.(b.)(1), which permits activities associated with "...the rehabilitation of the resulting excavations." Since the IDEFO materials are an essential component of the Reclamation Plan proposed as part of SMP 139R1, operation of an IDEFO in support of the Reclamation Plan is permitted in the M-R-A zone when approved as part of a "...permit to conduct surface mining operations, issued pursuant to Ordinance No. 555." Accordingly, the SMP 139 Revision is consistent with Section 12.60.(b) of Ordinance 348.

Section 12.60. (c.) Accessory Uses Permitted. *The uses and structures permitted in the section below and any accessory use established as a part thereof shall assume a nonconforming status pursuant to the provisions of Section 18.6 of Ordinance 348 on the date that the mineral resource on the site of such use or structure is depleted.*

Accessory Uses Permitted. Premises in the M-R-A Zone may be used for accessory uses provided such uses are established on the same parcel of land, are incidental to, and do not substantially alter the character of any permitted use, including but not limited to:

(1) Retail and wholesale distribution of materials produced on the site.
(2) Storage of trucks and excavating vehicles.
(3) Storage of materials and machinery used in the operation.
(4) Scales and weighing equipment.
(5) Offices and maintenance shop structures, including use of mobile-homes.
(6) Residences and mobile-homes for caretakers or watchmen and their families provided no compensation is received for the use of any such residence, mobile-home or mobile-home space.
(7) Sign, on-site advertising.

The applicant's SMP139 Revision application complies with the "Section 12.60 – Uses Permitted" portion of Ordinance 348. In fact, the SMP139 Revision will be an extension and expansion of the currently permitted uses on site. The IDEFO will allow the applicant to effectively and efficiently implement the reclamation as mandated by SMARA.

Processing plants and equipment on-site have been installed in compliance with this standard over the years, and will be maintained in conformance going forward. The IDEFO, proposed as a part of this application, will also be in compliance with above. Accordingly, the SMP 139 Revision is consistent with Section 12.60.(c) of Ordinance 348.

Section 12.61. Development Standards. *Premises in the M-R Zone shall be subject to the following development standards.*

a. Lot Area. Not less than five acres gross.
b. Lot Width. Not less than 200 feet.

c. *Yards. Front, rear, and side, not less than 50 feet for any use permitted, except those uses permitted in Section 12.50 a. of this ordinance; provided further, however, that any structure exceeding 50 feet in height shall have front, side, and rear yard spaces equal to the height of said structure.*

d. *Structure Height. No 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.*

e. *Off-Street Parking. Off-street parking shall be provided and improved as required in Section 18.12.*

The applicant's SMP139 Revision application complies with the "Section 12.61 – Development Standards" portion of Ordinance 348. The site comprises approximately 215 acres in size, and is more than 200 feet in width. All current structures on site are set back from property lines by a minimum of 50 feet, and no proposed structures on-site would exceed a height of 50 feet. Parking is accommodated as required by Section 18.12. Therefore the SMP 139 Revision would be in compliance with Section 12.61, Development Standards, of Ordinance 348.

Section 12.62. Special Development and Performance Standards. *Premises in the M-R-A Zone used for any mining and quarry operations, and related manufacturing shall be subject to the following standards:*

a. Noise Suppression. All equipment and premises employed in conjunction with any of the uses permitted in the M-R-A Zone shall be constructed, operated and maintained so as to suppress noise and vibrations which are or may be injurious to persons living on adjoining property.

b. Roads and Driveways. All roads and driveways shall be kept wetted while being used or shall be treated with oil, asphaltic concrete or concrete, or other palliative to prevent the emission of dust.

c. Access Roads. All private access roads leading off any paved public street onto property used for any purpose permitted in Section 12.60.b. or c. of this ordinance shall be paved to a minimum width of 24 feet with asphaltic concrete or equal, not less than three inches in thickness with adequate compacted base material for not less than the first 100 feet of said access road.

d. Air and Water Pollution. All operations shall be conducted in compliance with the requirements of the Riverside County Air Pollution Control District and the State Water Quality Control Board.

e. Slopes of Excavations. No production from an open pit quarry shall be permitted which creates an average slope steeper than one foot horizontal to one foot vertical; provided, however, that a steeper slope may be permitted where the soil content or material is such that a vertical-cut excavation is safe in the opinion of the Division of Industrial Safety, Department of Industrial Relations of the State of California.

f. Landscaping and Fencing. Excavation operations which are located at any time within 500 feet of at least ten buildings or mobile homes used or designed for dwelling purposes shall be screened to a height of at least six feet by either landscaping, berms, walls or solid fencing and the outer boundaries of the area being excavated shall be enclosed with a six foot high chain link fence, including all necessary gates, except where such a fence would be impracticable as in the bed or flood channel of a wash or watercourse.

g. Hours of Operation. All uses shall confine operations on the property, other than maintenance, to the hours between 6:00 a.m. and 10:00 p.m. of any day, except those operations that are located not less than 300 feet from the outer boundary of such property.

h. Insurance. Before commencing operation in any quarry, the owner or operator shall show continuing evidence of insurance against liability in tort in the amount of $300,000.00 arising from the production activities, or operations

incident thereto, conducted or carried on under or by virtue of any law or ordinance. Such insurance shall be kept in full force and effect during the period of such operations.

i. Ponding. Where practicable, all excavation operations shall be conducted in such a manner as to prevent unnecessary ponding or accumulation of storm or drainage water.

j. Rehabilitation. All property partially or totally depleted of its mineral resources as a result of a use permitted by this Article shall be rehabilitated in accordance with the mining reclamation plan which has been approved pursuant to the provisions of County Ordinance No. 555.

Previous and current operations at the site operate within all of the standards stated in Section 12.62. This is evidenced by annual inspections by Riverside County inspectors as well as our status of good standing with all agencies including the Riverside County Air Pollution Control District and the State Water Quality Control Board. In fact, current SMP139 Conditions of Approval provide even more stringent regulations than those stated in Section 12.62. Specifically, the SMP 139R1 MND evaluates potential impacts to noise, and determined that no noise impacts would occur that are injurious to persons living on adjoining property. SMP 139R1 would be conditioned by Riverside County to control fugitive dust associated with roadways. Maitri Road, which provides access to the site, is paved with widths exceeding 24 feet with asphaltic concrete that is not less than three inches thick. Per easements specified as part of SMP 139R1 and County conditions of approval, Maitri Road would be retained for access of adjacent properties as part of the project; when mining activities require relocation of Maitri Road, the relocated facility would be constructed at a minimum width of 24 feet and minimum thickness of three inches for a minimum distance of 100 feet from Temescal Canyon Road. All operations proposed as part of SMP 139R1 conform to the requirements of the Riverside County Air Pollution Control District and the State Water Quality Control Board, as would be ensured by County conditions of approval or permits issued by these agencies. Mined slopes within the project will be 1.3:1 (H:V), and final reclaimed slopes in the IDEFO fill area will be 3:1 (H:V). Landscaped berms are accommodated within the adjacent Sycamore Creek Specific Plan, ensuring that nearby dwelling units would be screened from view of proposed mining operations. A six-foot high chain link fence also surrounds the SMP 139 site, and would be retained as part of the proposed project. The SMP 139 Revision would be conditioned by Riverside County to comply with the hours of operation specified in Section 12.62(g). Liability Insurance, in the amount of $3,000,000 is in place, and will be kept in force throughout the period of operations. The site has been designed to accommodate flows from Mayhew Creek, which are retained on-site and allowed to infiltrate into the ground. The drainage plan has been reviewed by the Riverside County Flood Control and Water Conservation District and found to adequately prevent unnecessary ponding. The site also would be reclaimed in conformance with the Reclamation Plan included as part of the SMP 139 Revision. Accordingly, the SMP 139R1 project would be consistent with the Special Development and Performance Standards specified in Section 12.62.

Ordinance 555

Ordinance 555 addresses Riverside County's implementation of the Surface Mining and Reclamation Act of 1975 (SMARA). This project, through the attached Mining and Reclamation Plans, will continue to operate in compliance with both State and County requirements.

More specifically, the current SMP139 as well as the proposed, revised SMP139 application covers all items specifically mentioned within Section 5 of the Ordinance 555. This includes "the location of equipment, offices, stockpiles, settling ponds, interim drainage, machinery, and waste-dumps, parking and areas to be mined... the progression of stripping and excavating through the use of cross sections, elevations, and topographic maps... the method of handling simultaneous excavation and reclamation, the location of all streams, roads, railroads, utility facilities, etc."

All reclamation requirements as described in Section 6 of Ordinance 555 are addressed in detail within the reclamation plan portion of the SMP revision. These applications contain specific text, maps, and studies explaining the applicant's plan for ultimate site reclamation.

Per Section 8 of Ordinance 555, the applicant has paid all fees, submitted all required operator's reports, and complied with all annual inspections for all sites affiliated with the SMP139 Revision.

Per Section 9 of Ordinance 555, the applicant has continued to successfully update their financial assurance as required by SMARA. The applicant's proposed applications will modernize their current reclamation plans to ensure the efficient and successful implementation of their reclamation plan. The proposed IDEFO will allow the applicant an opportunity to fill the current mine site with inert construction debris thereby eliminating slope walls over time and eventually providing developable and usable land at some point in the future.

Per Section 13 of Ordinance 555, the applicant is working diligently to follow all application protocol for revised permits as designed and implemented by the County of Riverside within Ordinance 555.

This site has and is currently compliant with all sections and requirements as listed within Ordinance 555. The applicant has maintained a good-standing with the County on all inspections, reporting and County interaction to date. In addition, the site has been operating in compliance with the SMARA since enactment in 1975. The applicant's Permit 139 revision application will continue to strictly operate under the requirements and guidelines as set for by the Riverside County Board of Supervisors within Ordinance 555, as well as any conditions of approval affiliated with the issuance of the permit revision. The proposed applications will allow the applicant to continue to mine out much-needed aggregate reserves, in accordance with Ordinance 555, in previously disturbed areas while substantially improving the applicant's ability to reclaim the land.

Statement of Responsibility

The California Surface Mining and Reclamation Act (SMARA) of 1975, Section 2779 states, "Whenever one operator succeeds to the interest of another in any uncompleted surface mining operation by sale, assignment, transfer, conveyance, exchange, or other means, the successor shall be bound by the provisions of the approved reclamation plan and the provisions of this chapter."

As a representative for **Mayhew Aggregates and Mine Reclamation**, I certify that the information contained in this 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 **Mayhew Aggregates and Mine Reclamation** will accept all responsibility for the reclamation of mined lands associated with this site:

Assessor's Parcel Numbers: 290-060-043, 290-110-012, -015, -017, -019, -024, -025

Containing approximately 215 acres.

In accordance with the approved Surface Mining and Reclamation Plan and within the time limits of said plan.

Executed on this 17th day of October, 2013

Signature of Company Representative

PATRICK BROYLES

Print Name

ATTACHMENTS FILED WITH THE CLERK OF THE BOARD

LARGE MAPS