

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



ITEM  
1.4  
(ID # 4507)

**MEETING DATE:**  
Tuesday, June 13, 2017

**FROM :** TLMA-PLANNING:

**SUBJECT:** TRANSPORTATION AND LAND MANAGEMENT AGENCY/PLANNING: RECEIVE AND FILE THE PLANNING COMMISSION'S APPROVAL OF REVISION NO. 2 TO SURFACE MINING PERMIT NUMBER 129 - Adoption of Mitigated Negative Declaration – Applicant: Valley Rock & Sand, Inc. – Engineer/Representative: George Webber - Fourth Supervisorial District – Chuckawalla Area Zoning District – Eastern Coachella Valley Area Plan: Open Space: Open Space: Mineral Resources (OS-MIN), Conservation Habitat (OS-CH) and Water (OS-W) – Location: East of Buchanan Street and the Coachella Canal, North of 57th Avenue, South of 54th Avenue – 615.4 Gross Acres - Zoning: Mineral Resources and Related Manufacturing (M-R-A), Watercourse, Watershed & Conservation Areas (W-1) and Natural Assets (N-A) - REQUEST: Receive and File the Planning Commission's approval of Revision No. 2 to Surface Mining Permit No. 129 which expands the existing aggregate mining facility from 190 acres to 280 acres and extends the life of the mine by 25 years (20 years excavation/5 years reclamation) to 2042 at an annual extraction rate of approximately 360,000 tons per year. – APN(s): 717-150-003, 717-140-002, 717-190-005 – Related Cases: SMP No. 129, SMP No. 129R1, SMP No. 129S1. (Applicant fees 100%.)

**RECOMMENDED MOTION:** That the Board of Supervisors:

**ACTION:** Consent

Charissa Leach, Assistant TLMA Director 6/2/2017

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**MINUTES OF THE BOARD OF SUPERVISORS**

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

Ayes: Jeffries, Tavaglione, Washington, Perez and Ashley  
Nays: None  
Absent: None  
Date: June 13, 2017  
xc: Planning, Applicant

Kecia Harper-Ihem  
Clerk of the Board

By:   
Deputy

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

**RECOMMENDED MOTION:** That the Board of Supervisors:

1. **RECEIVE AND FILE** the Notice of Decision for the above referenced case acted on by the Planning Commission on May 17, 2017.

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

**ADOPTED** a **MITIGATED NEGATIVE DECLARATION** for **ENVIRONMENTAL ASSESSMENT NO. 42415**, based on the findings incorporated in the initial study and the conclusion that the project will not have a significant effect on the environment; and,

**APPROVED** Surface Mining Permit No. 129, Revision No. 2, subject to the attached conditions of approval, and based upon the findings and conclusions incorporated in the staff report.

<b>FINANCIAL DATA</b>	<b>Current Fiscal Year:</b>	<b>Next Fiscal Year:</b>	<b>Total Cost:</b>	<b>Ongoing Cost</b>
<b>COST</b>	\$ N/A	\$ N/A	\$ N/A	\$ N/A
<b>NET COUNTY COST</b>	\$ N/A	\$ N/A	\$ N/A	\$ N/A
<b>SOURCE OF FUNDS:</b> Applicant Fees 100%			<b>Budget Adjustment:</b> No	
			<b>For Fiscal Year:</b>	N/A

**C.E.O. RECOMMENDATION:** Approve

**BACKGROUND:**

**Summary**

SMP No. 129R2 is a revision to the existing mining and reclamation plan for an existing sand and gravel mine required to increase the project site from 190 acres to 280 acres and to extend the life of the mining permit.

This revision will expand excavation areas further into BLM land north of the existing excavation area and continue an annual extraction rate of approximately 360,000 tons. Excavations will be a maximum of 100 feet deep with 2:1 (H:V) slopes. The surface mining permit life will be extended to 25 years with an expiration date of December 31, 2042. This will allow for 20 years of active mining excavation and 5 years to finalize reclamation. Upon completion of mining operations, all equipment, structures and vehicles will be removed and the site will be revegetated with native plant species. The site will be reclaimed to vacant open space.

The project went before the Planning Commission on May 17, 2017. At that meeting the Planning Commission adopted the Mitigated Negative Declaration for Environmental Assessment No. 42415 and approved Surface Mining Permit No. 129 Revision No. 2 by a vote of 5-0.

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

Pursuant to Ordinance No. 555, the Planning Commission's decision on Surface Mining Permit No. 129 Revision No. 2 is final. No action by the Board of Supervisors is required unless the applicant or an interested person files an appeal within 10 days after the notice of decision appears on the Board's agenda or the Board assumes jurisdiction by ordering the matter be set for a future public hearing.

**Impact on Residents and Businesses**

The impacts of this project have been evaluated through the environmental review and public hearing process.

**SUPPLEMENTAL:**

**Additional Fiscal Information**

All fees are paid by the applicant. There is no General Fund obligation.

**Contract History and Price Reasonableness**

N/A

**ATTACHMENTS:**

**ATTACHMENT A. Planning Commission Packet (Parts 1 and 2)**

**ATTACHMENT B. Planning Commission Minutes**

  
Tina Grande, Principal Management Analyst

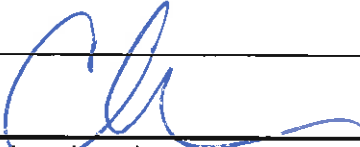
6/6/2017

  
Shellie Clack

6/11/2017

Agenda Item No.: 4.7  
Area Plan: Eastern Coachella Valley  
Zoning Area: Chuckwalla Area, Lower  
Coachella Valley District  
Supervisorial District: Fourth  
Project Planner: Brett Dawson  
Planning Commission, May 17, 2017

Surface Mining Permit No. 129, Revision No. 2  
Environmental Assessment No. 42415  
Applicant: West Coast Aggregate Supply, Inc.  
Engineer/Representative: George Webber,  
Webber and Webber and Associates



Charissa Leach  
Assistant Director of TLMA  
Community Development

## COUNTY OF RIVERSIDE PLANNING DEPARTMENT STAFF REPORT

### PROJECT DESCRIPTION AND LOCATION:

SMP No. 129R2 is a revision to the existing mining and reclamation plan for an existing sand and gravel mine required to increase the project site from 190 acres to 280 acres and to extend the life of the mining permit. There are two parcels currently being mined: one is privately owned (approximately 42.7 acres) and the other land is owned by the Bureau of Land Management (approximately 268.1 acres). This revision will add a third parcel (approximately 304.6 acres) to the project

This revision will expand excavation areas further into BLM Land north of the existing excavation area and continue an annual extraction rate of approximately 360,000 tons. Excavations will be a maximum of 100 feet deep with 2:1 (H:V) slopes. The surface mining permit life will be extended to 25 years with an expiration date of December 31, 2042. This will allow for 20 years for active mining excavation and 5 years to finalize reclamation. Upon completion of mining operations, all equipment, structures and vehicles will be removed and the site will be revegetated with native plant species. The site will be reclaimed to vacant open space.

The project site is located east of Buchanan Street and the Coachella Canal, north of 57<sup>th</sup> Avenue and south of 54<sup>th</sup> Avenue.

### ISSUES OF POTENTIAL CONCERN:

#### SUMMARY OF FINDINGS:

1. Existing General Plan Land Use (Ex. #5): Open Space - Conservation Habitat, Open Space- Mineral Resources and Open Space - Water
2. Surrounding General Plan Land Use (Ex. #5): Open Space Conservation (OS-CH), Open Space- Mineral Resources (OS-MIN), Open Space-Water (OS-W) and Open Space- Rural (OS-RUR).
3. Existing Zoning (Ex. #2): Natural Assets; Watercourse, Watershed and Conservation; and Mineral Resources and Related Manufacturing

- |                                   |  |
|-----------------------------------|--|
| 4. Surrounding Zoning (Ex. #2):   | (N-A) Natural Assets; (W-1) Watercourse, Watershed and Conservation Areas, (W-2-10) Controlled Development Areas; (A-1-20) Light Agriculture; (A-2-20) Heavy Agriculture, (M-R-A) Mineral Resources and Related Manufacturing; and (RR) Rural Residential. |
| 5. Existing Land Use (Ex. #1):    | Surface Mining Operation   |
| 6. Surrounding Land Use (Ex. #1): | Vacant, Agriculture and Surface Mining   |
| 7. Project Data:                  | Total Acreage: 615.4 Gross Acres<br>Total Proposed Mining Area: 280.6 Net Acres  |
| 8. Environmental Concerns:        | See attached environmental assessment  |

**RECOMMENDATIONS:**

**ADOPT**a **MITIGATED NEGATIVE DECLARATION** for **ENVIRONMENTAL ASSESSMENT NO. 42415**, based on the findings incorporated in the initial study and the conclusion that the project will not have a significant effect on the environment; and,

**APPROVE** Surface Mining Permit No. 129, Revision No. 2, subject to the attached conditions of approval, and based upon the findings and conclusions incorporated in the staff report.

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

1. The project site has Land Use designations of Open Space - Conservation Habitat, Open Space - Mineral Resources and Open Space - Water in the Eastern Coachella Valley Area Plan.
2. The proposed use, a surface mining operation, is consistent with these Land Use designations.
3. The project site is surrounded by properties with Land Use designations of Open Space - Conservation, Open Space - Mineral Resources, Open Space-Water and Open Space - Rural.
4. The zoning for the subject site is Natural Assets; Watercourse, Watershed and Conservation; and Mineral Resources and Related Manufacturing.
5. The proposed use, a surface mining operation, is a permitted use in all of these zones with an approved surface mining permit pursuant to County Ordinance No. 555 which has not been revoked or suspended in all of these zone.
6. Surface mining operations uses have been constructed at this site under Surface Mining Permit No. 129 and have been operating on this site pursuant to this permit and Surface Mining Permit No. 129, Revision No. 1 for over 20 years.
7. The proposed use, a surface mining operation, is consistent with the development standards set forth in the Natural Assets and Watercourse Watershed and Conservation Areas zone. The development standards include:

- a. Minimum lot size. 20 acres with a minimum gross width of 400 feet. The site is currently 190 acres, with a proposed expansion to 280 acres
- b. Minimum yard depths. Front 100 feet, sides 50 feet, rear 50 feet. The site being 280 acres, is significantly large and complies with this standard.
- c. No building shall exceed 20 feet in height. No new buildings are proposed.
- d. Automobile storage space shall be provided as required by Section 18.12 of Ordinance 348.

8. Environmental Assessment No. 42415 identified the following potentially significant impacts:

- a. Air Quality
- b. Biological Resources
- c. Geology
- d. Hazards and Hazardous Materials
- e. Hydrology/Water Quality
- f. Mineral Resources

These listed impacts will be fully mitigated by the measures indicated in the environmental assessment, and conditions of approval. No other significant impacts were identified.

9. The project site (Surface Mining Permit No. 129 Revised No. 2) is located within the Coachella Valley Multiple Species Habitat Conservation Plan (CVMSHCP). The proposed 90-acre expansion area is not located within a Conservation Area, but is located adjacent to the Mecca Hills/Orocopia Mountains Conservation Area.

Therefore, the proposed expansion is subject to the CVMSHCP Land Use Adjacency Guidelines (CVMSHCP Section 4.5). The purpose of the Land Use Adjacency Guidelines is to avoid or minimize indirect effects from development adjacent to the Conservation Areas. A condition of approval has been applied to the project requiring the project to comply with the Land Use Adjacency Guidelines.

The Original Mining Permit SMP00129 was approved in 1980. The California Department of Fish and Wildlife issued the Natural Community Conservation Plan Permit for the CVMSHCP on September 9, 2008. The U.S. Fish and Wildlife Service issued the federal permit on October 1, 2008.

- 10. No oak trees are located on the project site; therefore, the project is not subject to the County of Riverside Oak Tree Management Guidelines. The project will not conflict with any local policies or ordinances protecting biological resources. No impacts will occur.
- 11. This project is within the City Sphere of Influence of Coachella. The Project went before the Thermal Oasis Community Council Agenda on January 23, 2017, and was voted approved.
- 12. The California Department of Conservation, Office of Mine Reclamation reviewed and commented on the Reclamation Plan. The Applicant has agreed to and his Engineering Representative has incorporated the information requested by the Office of Mine Reclamation into the reclamation plan.
- 13. The California Department of Conservation, Office of Mine Reclamation has been notified of the date, time and place of the public hearing to be held for consideration of approving this mining permit and reclamation plan
- 14. The proposed project has completed all of the requirements for the State's review of a Reclamation Plan pursuant to the Surface Mining and Reclamation Act.

4. The subject site is currently designated as Assessor's Parcel Numbers 717-150-003, 717-140-002, and 717-190-005.

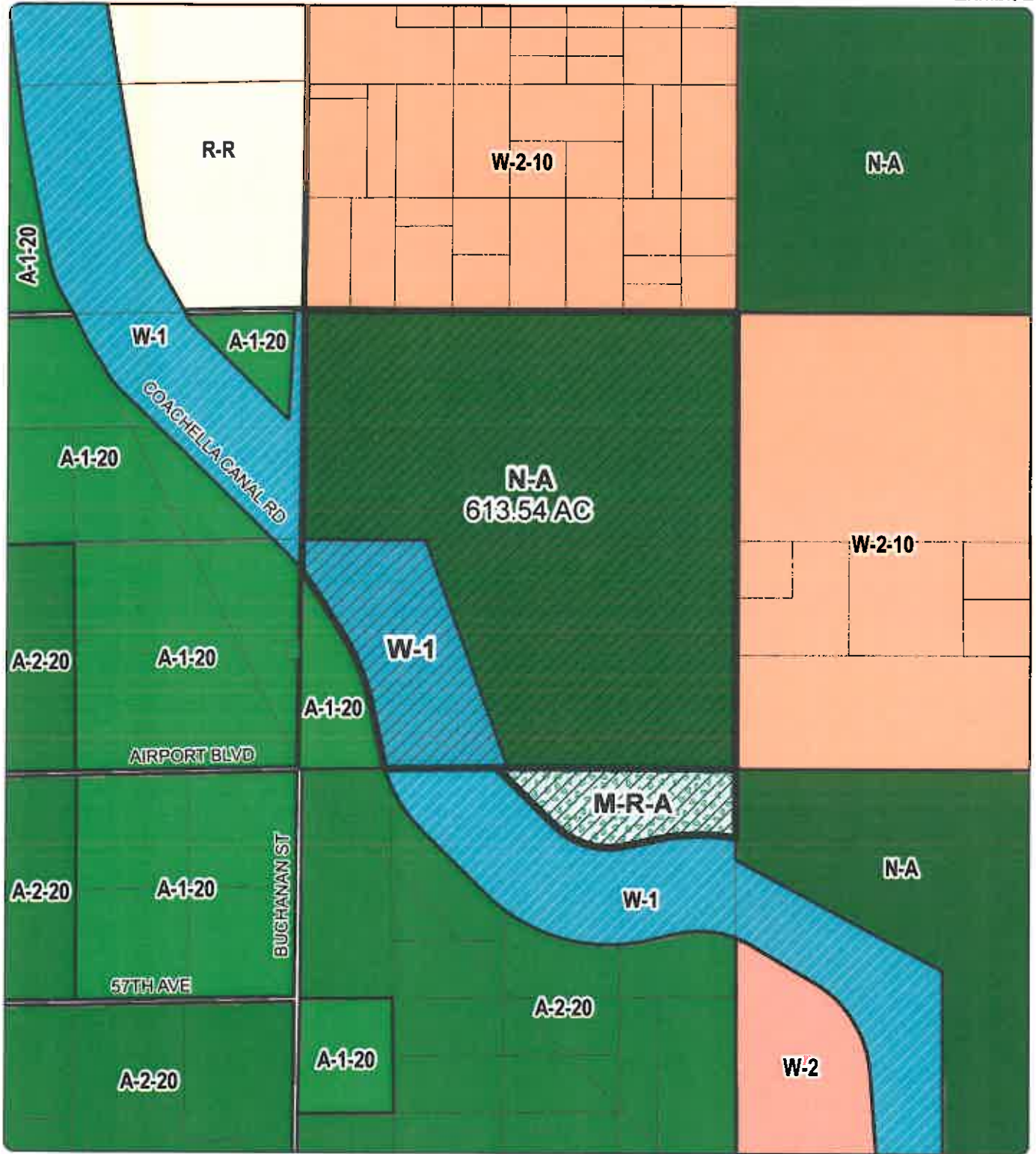
RIVERSIDE COUNTY PLANNING DEPARTMENT

SMP00129R2

EXISTING ZONING

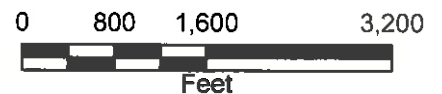
Supervisor: Benoit  
District 4

Date Drawn: 04/05/2017  
Exhibit 2



Zoning Area: Chuckawalla

Author: Vinnie Nguyen



**DISCLAIMER:** On October 7, 2003, the County of Riverside adopted a new General Plan providing new land use designations for unincorporated Riverside County parcels. The new General Plan may contain different type of land use than is provided for under existing zoning. For further information, please contact the Riverside County Planning Department offices in Riverside at (951)955-3200 (Western County) or in Palm Desert at (760)863-8277 (Eastern County) or Website <http://planning.rcplms.org>



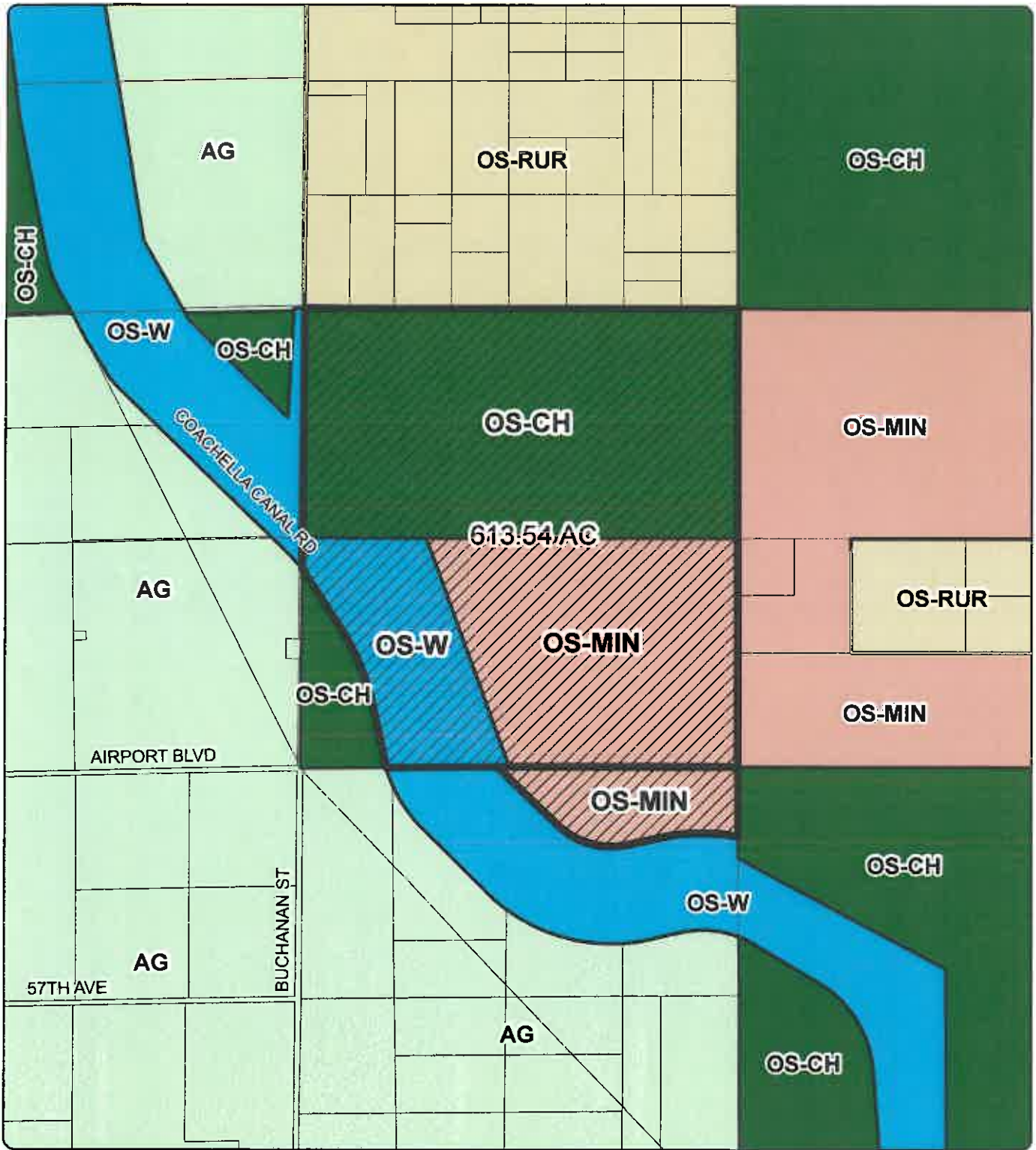
RIVERSIDE COUNTY PLANNING DEPARTMENT

SMP00129R2

EXISTING GENERAL PLAN

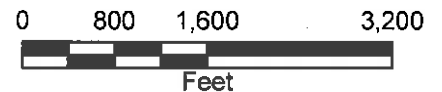
Supervisor: Benoit  
District 4

Date Drawn: 04/05/2017  
Exhibit 5



Zoning Area: Chuckawalla

Author: Vinnie Nguyen



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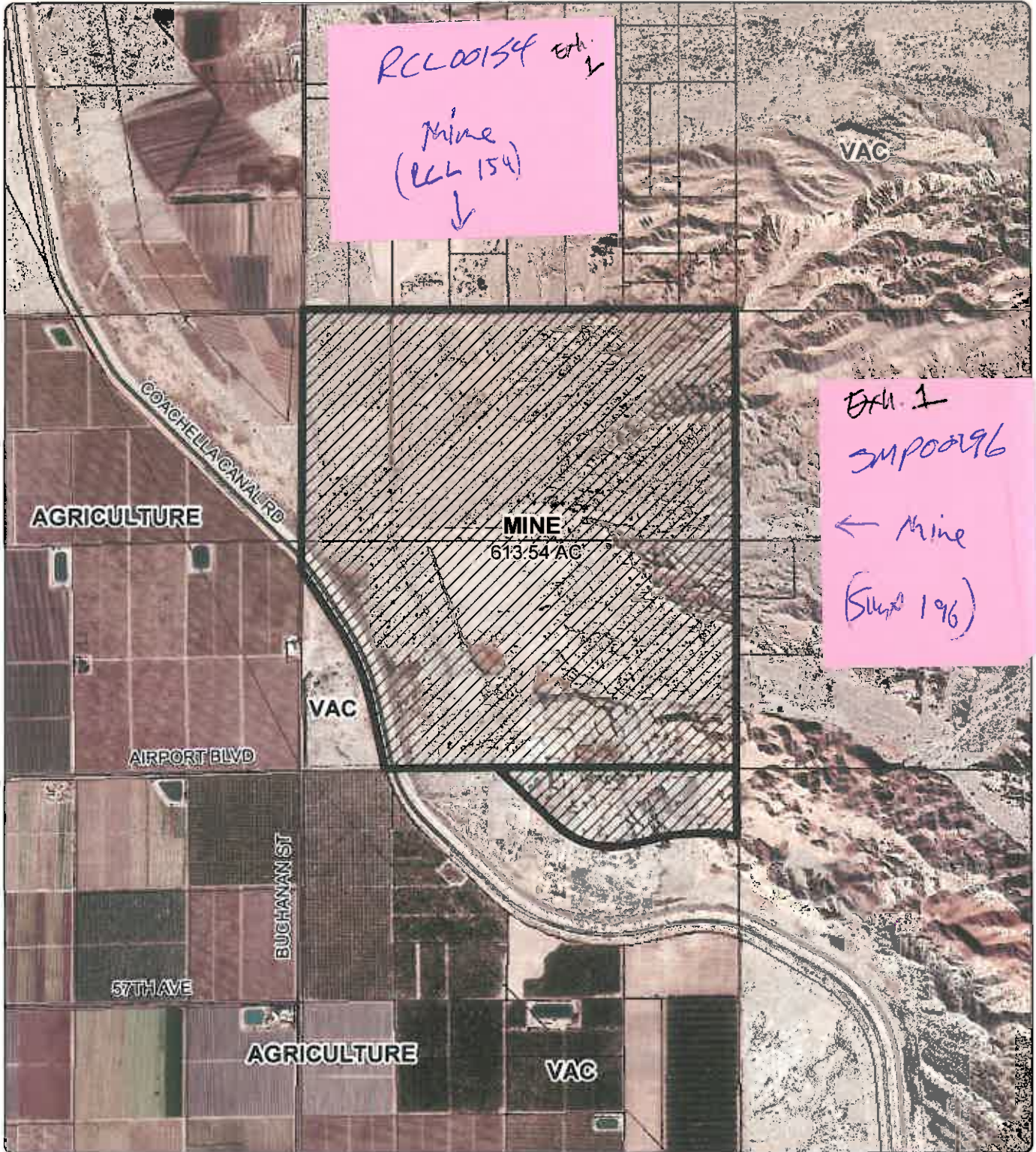
RIVERSIDE COUNTY PLANNING DEPARTMENT

SMP00129R2

LAND USE

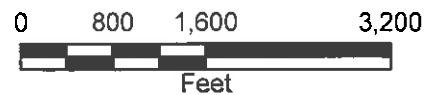
Supervisor: Benoit  
District 4

Date Drawn: 04/05/2017  
Exhibit 1



Zoning Area: Chuckawalla

Author: Vinnie Nguyen

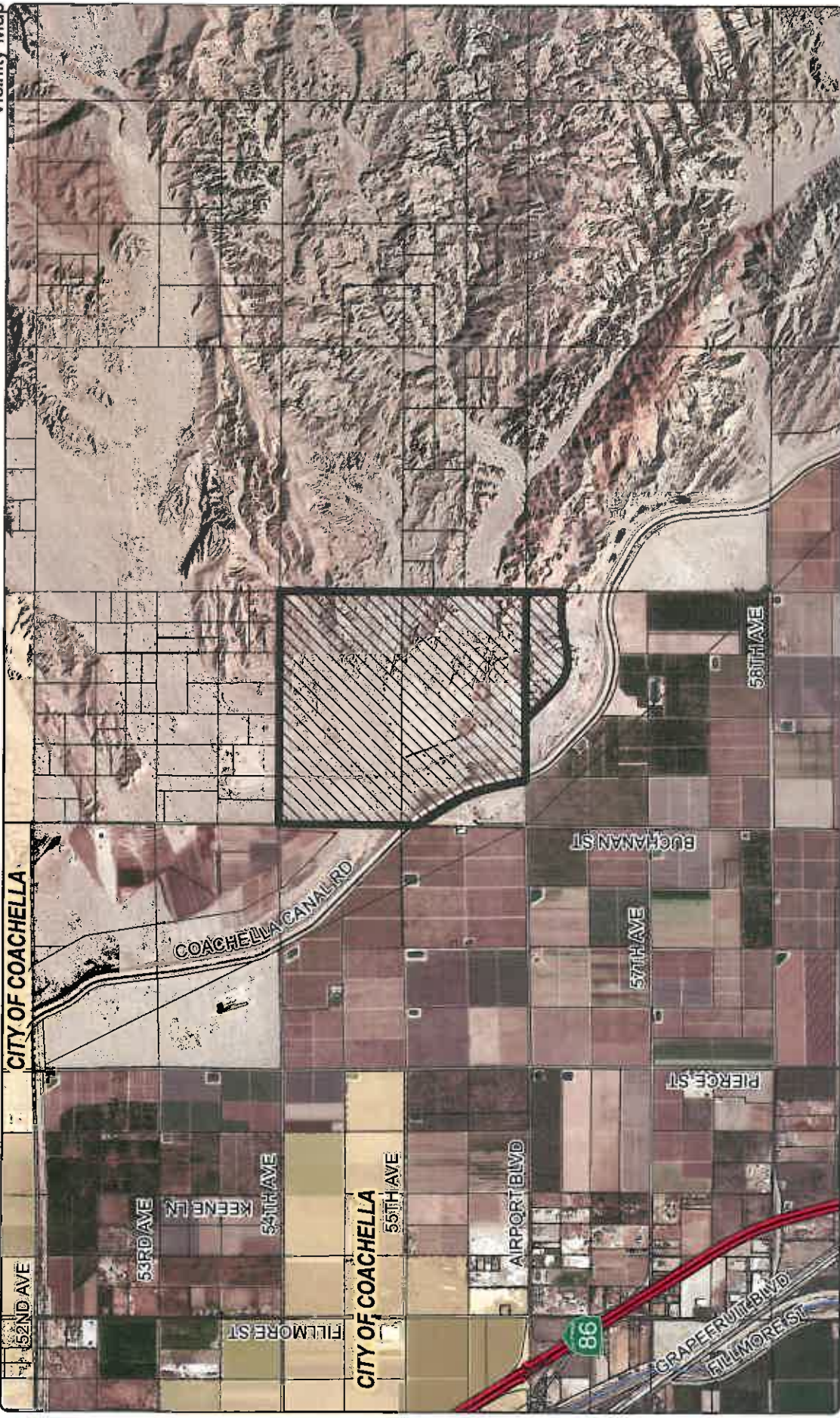


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**RIVERSIDE COUNTY PLANNING DEPARTMENT  
SMP00129R2**

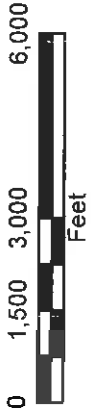
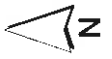
Date Drawn: 04/05/2017  
Vicinity Map

Supervisor: Benoit  
District 4



Zoning Area: Chuckawalla

Author: Vinnie Nguyen



DISCLAIMER: On October 7, 2013, the County of Riverside adopted a new General Ordinance. The new General Ordinance contains all the provisions of the previous Ordinance, with the exception of the provisions relating to the County of Riverside. For further information, please contact the Riverside County Planning Department at 951-251-1000. The County of Riverside is not responsible for any errors or omissions in this map. The County of Riverside is not responsible for any errors or omissions in this map. The County of Riverside is not responsible for any errors or omissions in this map.

# ***VALLEY ROCK & SAND***

## ***Thermal, CA Site – SMP 129R2***

### **AMENDED PLAN OF OPERATIONS and RECLAMATION PLAN**

***Prepared for:***

**WEST COAST AGGREGATE SUPPLY, INC.**  
P.O. Box 790  
Thermal, California 92274

***Prepared by:***

**WEBBER & WEBBER MINING CONSULTANTS, INC.**  
101 E. Redlands Blvd.  
Suite 240  
Redlands, California 92374

**August 4, 2010**

*Amended: December 21, 2016*

*Amended: February 9, 2017*

***Amended: March 1, 2017***

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**PROJECT MAP SHEETS**

Sheet 1 – SMP 129R2 Mining Plan .....	Map Pocket
Sheet 2 – SMP 129R2 Reclamation Plan.....	Map Pocket
Sheet 3 – SMP 129R2 Plant Site Area Detail.....	Map Pocket

***APPENDICES (On CDROM)***

Appendix 1 – Site Hydrologic Evaluation, August 1, 2005
Appendix 2 – Biological Technical Report and Focused Desert Tortoise Survey, June 27, 2005
Appendix 3 – Biological Technical Report, April 7, 2009
Appendix 4 – Biological Technical Report, May 19, 2010
Appendix 5 – Historical/Archaeological Resources Survey Report, April 15, 2005
Appendix 6 – Paleontological Resources Assessment Report, April 22, 2005
Appendix 7 – Revegetation Plan, August 30, 2005, amended February 28, 2017
Appendix 8 – Air Quality and GHG Assessment, August 2015
Appendix 9 – Jurisdictional Ephemeral Streambeds Report, July 25, 2014
Appendix 10 – BLM EA, September 19, 2011; FONSI, September 27, 2011

## **Executive Summary**

The Valley Rock & Sand Thermal Mine (Surface Mining Permit 129R1) is an existing sand and gravel mining operation located in Thermal, California, in the eastern portion of the Coachella Valley and southeast of the City of Indio. The mine site has been producing construction aggregate products since the 1980s.

This revision, SMP129 Revision No. 2, proposes an expansion to the mining area authorized allowed under SMP 129 Revision No. 1, approved in 2006, and an extension to the life of permit.

The proposal will add 90 acres of project area to the existing project area of 190 acres resulting in a new total project area of 280 acres. The expansion area is adjacent to the north of the existing mining operation and will provide two new quarrying areas on vacant public land managed by the Bureau of Land Management

This proposed expansion will provide additional aggregate material reserves and enable mineral production to continue for an additional 20 years. It proposes to extend the life of the project to 25 years from the date of approval, including twenty 20 years for active mining and five years for revegetation monitoring.

The mine will continue to use the existing aggregate processing areas, offices, maintenance and other facilities. No changes are proposed to existing permitted production practices or volumes, traffic volume or patterns, or hours of operation.

This proposed revision is summarized as follows:

- Expand the existing SMP 129R1 project area from 190 acres to 280 acres.
- Extend the project life to 25 years (20 years for excavations and 5 years for revegetation monitoring) from the date of approval, estimated to be 2042.
- Update the SMARA approved Reclamation Plan to include the BLM lands and fully provide for future uses of the site.
- No change is proposed to permitted processing or sales operations.
- No change is proposed to permitted annual extraction quantity, traffic or hours of operation.

## ***SITE AND AREA CHARACTERISTICS***

1. **ACCESS:** The proposed SMP 129R2 project expansion area is located adjacent to the existing Valley Rock & Sand SMP 129R1 project site, approximately 13 miles southeast of the City of Indio and 5 miles east of the town of Thermal, California. Access to the site is via Airport Blvd. off Highway 111 in the town of Thermal. From Hwy. 111, Airport Blvd. is traversed easterly for 2.9 miles to an existing paved access road that leads across the All American Canal, over the levee, and to the project site (see Vicinity Map—Figure 1).
2. **UTILITIES:** Site water had been acquired via an existing well located on private land within the All-American Canal Right-of-way, south of the proposed expansion site. The well had been operated by Valley Rock & Sand under Special Use Permit No. 5-07-03-L0431 from the Coachella Valley Water District, until the well casing collapsed during Summer 2010. Since the well casing collapse, an agreement was reached with the Coachella Valley Water District to temporarily install a water pump into the All American Canal and connect it to the existing piping system. Negotiations are currently ongoing with the U.S. Bureau of Reclamation to drill and construct a permanent offsite replacement water well near the location of the collapsed water well. All proposed expansion project activities will use this offsite replacement well as the source water system. Bottled water will continue to be provided to employees for drinking water. Sewage disposal will continue to be provided by onsite septic tank and portable toilets that will be regularly maintained by a local contractor. Electricity will continue to be supplied by the Imperial Irrigation District.
3. **LAND USE:** The existing and proposed project areas are located at the mouth of Thermal Canyon, just west of the designated Mecca Hills Wilderness Area (see Location Map – Figure 2). The proposed mine expansion area is immediately north of the existing site, and east of the All American Canal. The existing project site is situated on two land parcels (BLM and Private Land), and the 90-acre expansion area is situated on a portion of a land parcel managed by the Bureau of Land Management. The expansion area parcel is primarily vacant and unused with current zoning of N-A (Natural Assets). An existing asphalt-



paved roadway bifurcates the expansion area into two separate excavation areas (Phases). This roadway is utilized by Riverside County as access to the north of the proposed expansion area and as a “spreading table” to mix asphalt. There is an old Riverside County borrow pit and equipment storage area north of the proposed expansion area.

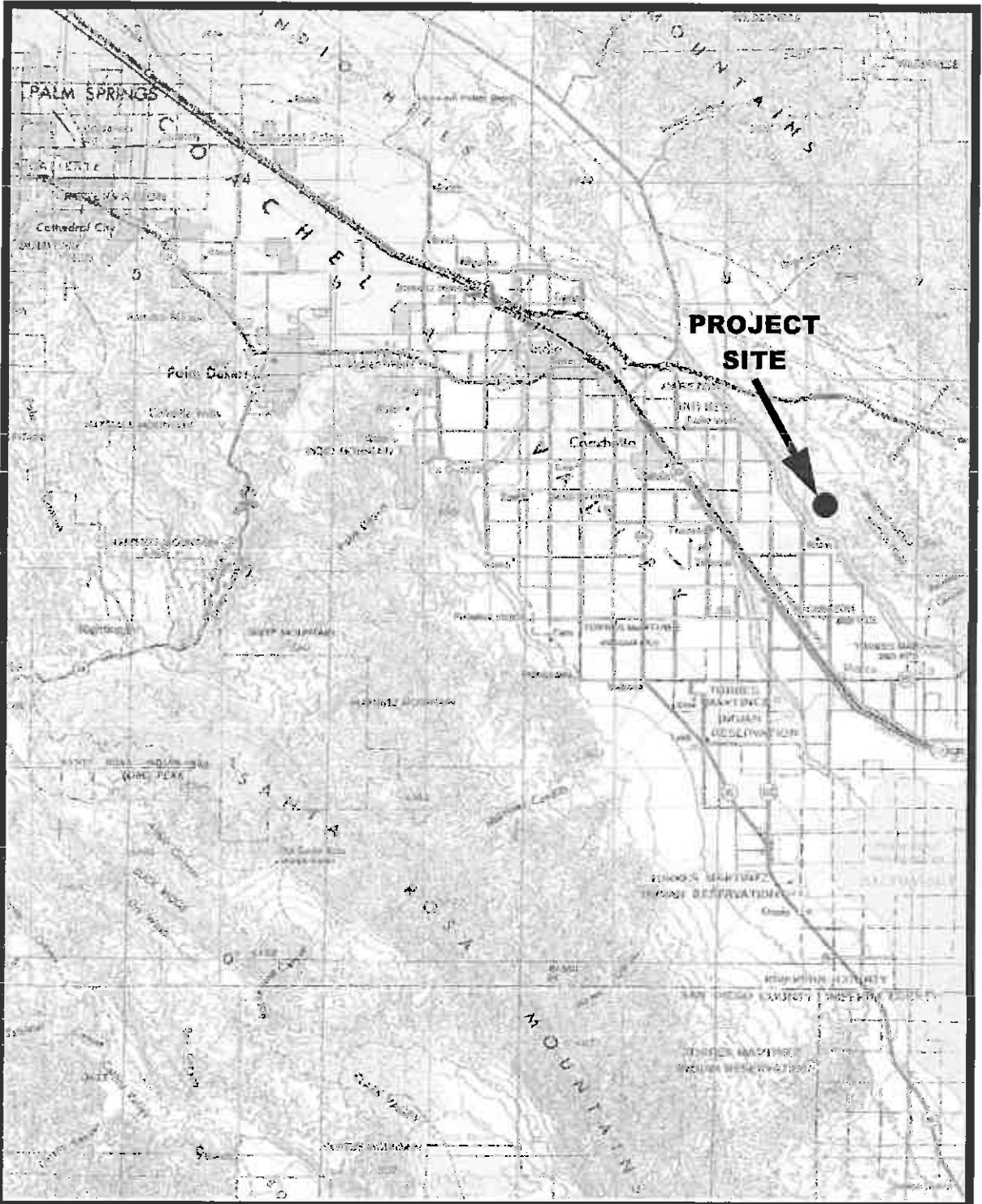
This SMP 129R2 revision plan proposes a phased mining expansion to the existing Valley Rock & Sand project that will result in two additional excavation areas:

Phase 1:	Years 2012-2023
Phase 2:	Years 2018-2037

Each new excavation area will maintain appropriate setbacks from property lines, utility towers/access roads, and the All American Canal. It is projected that these separate mining areas will be mined individually in accordance with the proposed Phases, but they may be worked concurrently with each other based on local market demands and grade/quality of the aggregate materials.

The land surrounding the expansion area to the north and east is comprised of various sized parcels that are currently vacant and unused open space managed by the BLM and private parties. An old borrow pit operated by Riverside County and an existing small equipment storage yard is situated northerly of the proposed Phase 1 expansion area. Southeast of the proposed project area is a land parcel owned by Quinn Enterprises, LP that may be used for production of sand, gravel and clay as authorized by Riverside County Surface Mining Permit 196, Revision 1.

The lands to the west of the site are privately owned and used extensively for multi-crop agricultural operations. The All American Canal separates these agricultural operations from the proposed project, including a 1,000-foot right-of-way, and is zoned W-1. South of the expansion area is the existing Valley Rock & Sand mine site (SMP 129R1) operated by West Coast Aggregate Supply, Inc.



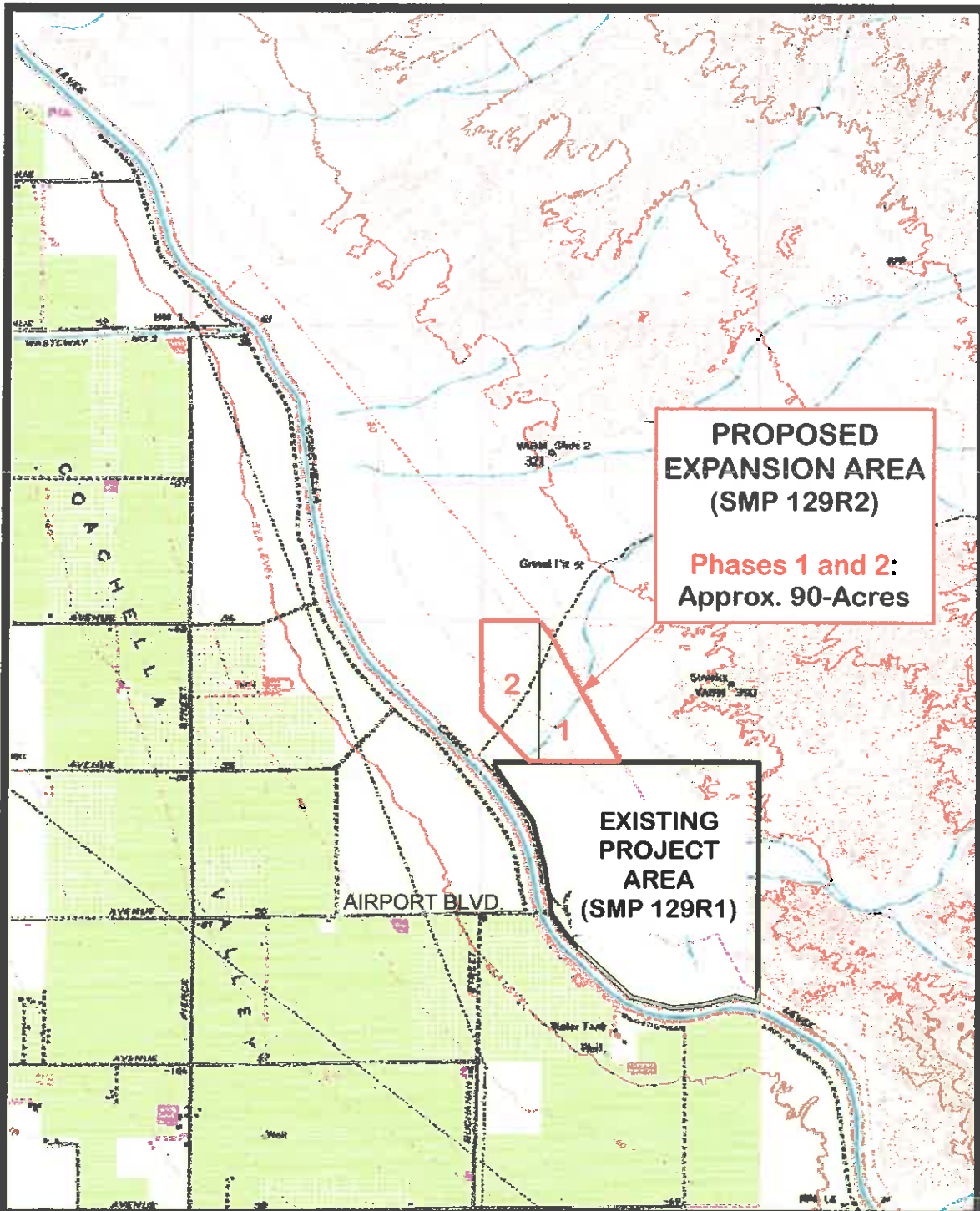
Scale: 1 Inch = ~5 Miles

**VICINITY MAP**  
**VALLEY ROCK & SAND MINE SITE (SMP 129)**



Map Source: USGS 1:250,000 Santa Ana Quadrangle (1979)

Figure 1



Scale: 1 Inch = ~2,775 Feet

**LOCATION MAP**  
**VALLEY ROCK & SAND MINE SITE (SMP 129)**



Map Source: USGS 7.5' Thermal Canyon, Calif. Quadrangle

Figure 2

The nearest residential development is located approximately 1 mile south of the proposed expansion project's southern boundary line.

4. **VISIBILITY:** The existing mine site and proposed expansion area is situated at the terminus of Airport Blvd., and east of the All American Canal and canal levee. Agricultural land development comprises virtually all of the lands to the south and west of the project. The canal levee effectively screens the project from being viewed anywhere from south or west of the project at short distances (up to approximately ½ mile). At distances further than ½ mile, some of the operation may be visible, but the extraction areas will be below the line of sight due to elevation difference. There are no highways, residences, commercial developments, or recreation areas to the north or east of the site that contain this project within its viewshed. No mitigation is proposed to further reduce visibility of this project site.
  
5. **GEOLOGY:** The project site is located on the eastern boundary of Coachella Valley, abutting the Mecca Hills, south of the Little San Bernardino Mountains. The San Andreas Fault traces along the northeastern boundary of Coachella Valley, a strand of which runs just east of the project site. This geologic setting is situated within the Colorado Geomorphic Province.

According to the California Division of Mines and Geology Special Report 159, Mineral Land Classification: Aggregate Materials in the Palm Springs Production-Consumption Region, Holocene-age alluvial fan and stream deposits dominate the project site and surrounding area to a depth of at least 30 feet. Historical mining in the immediate vicinity indicates the depth of alluvium may be as much as 100 feet. This Holocene alluvium consists of approximately 65% sand and 35% gravels. The gravel is composed of approximately 50% granitic rock and 50% metamorphic rock with a few sedimentary rocks and an occasional mud ball. It is proposed to mine the expansion area up to 100 feet in depth (depending on depth of alluvium), resulting in up to 8 million tons of sand and gravel to be extracted over the life of the project. Very little, if any, overburden material is located on the proposed project site.

The proposed project site is located within an "Extremely High" risk area for ground shaking (County of Riverside General Plan). According to Figure 14 of the Riverside County Eastern Coachella Valley Area Plan, the site lies within an area

with high susceptibility to liquefaction. An Alquist-Priolo Earthquake Fault Hazard Zone is located just east of the existing/proposed expansion areas. However, proposed mining and reclamation activities should not be impacted significantly by earthquake-related phenomenon such as ground shaking, landslides, mud flows, liquefaction or settlement because of the lack of structures onsite.

## 6. HYDROLOGY:

### Surface Water

The present drainage system of the proposed expansion area is east to west from Thermal Canyon towards the All American Canal. A blueline stream enters the eastern boundary of the Phase 1 excavation area. When Phase 1 excavations occur, all water flows will be transitioned into, and retained within, the active mining area(s). A 300-foot setback from the upstream project boundary will be utilized to prevent potential headward erosion from exiting the project site, eliminating any potential adverse effects to adjacent upstream properties. Prior to excavations disturbing the blueline stream, consultations with the U.S. Army Corps of Engineers and California Department of Fish and Game will be undertaken to ensure all federal permits and other requirements are met to allow alteration of the streambed.

In the Site Hydrologic Evaluation prepared by Thomas C. Deane, CHG dated August 1, 2005, various 100-year return storm event scenarios were analyzed with regards to possible flood flows near the project site. Please refer to Mr. Deane's Site Hydrologic Evaluation in Appendix 1.

The site is not located in a recognized floodway or a 100-year flood plain. If a locally severe storm produced a flash flood, the extraction areas would serve to reduce flow velocity, if not completely contain the flows. Therefore, additional methods to protect the project and adjacent property from intensified flooding are not proposed.

The site is not within a groundwater recharge area. The operation will not introduce any toxic substance, contaminate, or degrade the quality of stream runoff from the site. There are no stream gauging stations within two miles of the site.

## Groundwater

Groundwater south of the proposed expansion site was located 93 feet below sea level as documented by a Driller's Report to the Department of Water Resources (Permit No. 09927) when the existing Valley Rock & Sand well was installed. As of 02/12/97, the groundwater was measured at approximately 120 feet below mean sea level in this well. There are no known barriers or restrictions to subsurface groundwater flow within the alluvial soils in the vicinity.

Water to be used by the proposed project expansion will continue to be supplied by the project well that is located on a BLM land parcel just south of the existing plant site area. This water source will continue to facilitate all material washing and dust suppression requirements. The well can provide water at a rate in excess of 80,000 gallons per day; however, both existing and future operations will only require an average of 38,000 gallons per day. The amount of groundwater used for material processing and dust control activities will not affect the overall groundwater quality, quantity, or depth throughout the life of the project.

7. **SOILS:** The existing soil on the proposed expansion site is classified as Carsitas gravely sand per the USDA Soil Conservation Service's Soil Survey of Riverside, California, Coachella Valley area. This type of soil comprises the alluvium that is very common in this geologic setting. The soil is composed of unconsolidated stony sand with larger gravels interspersed, and some silts in the upper 12" layer. The depth of this topsoil varies up to a maximum of 12" in thickness. Prior to any new extraction activities, identified topsoil material will be removed and stockpiled for subsequent use in reclamation activities.
  
8. **VEGETATION:** A baseline Biological Technical Report and Focused Desert Tortoise Survey of the proposed expansion area was conducted in April-May 2005 by biologists of White & Leatherman Bioservices (Appendix 2). A follow-up Biological Technical Report was conducted in April 2009 by Scott White Biological Consulting (Appendix 3) and another follow-up Biological Technical Report was conducted in April 2010 by Leatherman Bioconsulting (Appendix 4). The vegetation of the undisturbed expansion area was catalogued by visual observations and by some specimen collection for positive verification, whenever prudent. The existing

project area was not surveyed since it is entirely disturbed. These documents indicate the presence of the Sonoran creosote bush scrub and desert dry wash woodland communities within the expansion area, both of which have been identified as natural communities in the Coachella Valley Multi-Species Habitat and Conservation Plan (CVMSHCP). However, the desert dry wash woodland community does not provide sufficient contrast with the surrounding vegetation on aerial photographs to allow mapping. Only one special status plant, the Chaparral sand verbena (*Abronia villosa* var. *aurita*) is present within the expansion area. For additional information, please see these documents in Appendices 2-4.

9. **WILDLIFE:** Wildlife encountered on the proposed expansion site and surrounding areas includes only common birds, reptiles, and mammals. Only one special status bird, the loggerhead shrike, was observed within the expansion area. No signs of any Federally and/or State listed threatened species of Desert Tortoise have been documented on the site. It is believed that the Desert Tortoise does not utilize this region of Coachella Valley as habitat. For additional information, please see the biological documents in Appendices 2-4.
  
10. **HISTORICAL/PALEONTOLOGICAL RESOURCES:** No historical/archaeological resources, as defined by CEQA, were encountered within or adjacent to the project area. Please refer to the Historical/Archaeological Resources Survey Report compiled by CRM Tech dated April 15, 2005 enclosed as Appendix 5. The proposed mining operation is not likely to encounter paleontological resources within the surficial, younger Quaternary sediments that comprise the low-lying portions of the project area. However, without visual inspections during mining operations, the project impact on paleontological resources in the Plio-Pleistocene sediments present in the elevated northeastern portion of the project area and on the ancient lakebed sediments that may be present at depth in the low-lying portions of the project area cannot be determined. Please refer to the Paleontological Resources Assessment Report compiled by CRM Tech dated April 22, 2005 enclosed as Appendix 6.

## ***MINING***

1. **MINERAL COMMODITY:** The mineral commodity to be mined in the expansion area includes sand and gravel. Sand and gravel have been mined intermittently since approximately 1980 at the existing Valley Rock & Sand site, and are utilized in the production of Portland cement concrete, asphaltic concrete, base materials, and sand. There are zones of clay in the southeastern portion of the existing project site that are suitable for any application requiring an impermeable earthen layer such as pond lining, landfill capping, etc. Sand and gravel is the primary material to be mined at this site, and clay mining will continue to occur on an intermittent basis directly related to market demand. These are the only mineral commodities to be mined at this site.
2. **MINING OPERATION:** This plan proposes an expansion of the current mining operation northward into the lower extents of the Thermal Canyon Wash. However, this plan does not propose changes to the approved operating hours of 6:00 a.m. to 10:00 p.m., Monday through Saturday, excepting Federally- recognized holidays. This expansion to the north will greatly increase the suitable sand and gravel reserves required for the growing regional market. Mining of the existing site will continue until the permitted sand and gravel reserves are exhausted. Phase 1 of the expansion plan will commence as soon as permitted and will be mined concurrently with the existing site until existing reserves are depleted.

Mining operations within the expansion area will be accomplished utilizing a standard open pit method, exactly as occurs at the existing mine site. Any topsoil and/or vegetation that exists on the expansion area will be removed and stockpiled prior to extraction of sand and gravel material. Any overburden encountered will consist of topsoil and will be removed and stockpiled prior to mineral extraction activities.

The mining of these materials is accomplished via dozer, front-end loader, or hydraulic excavator depositing the raw material directly into a 35-ton off-road haul truck. The haul truck then transports the material to the processing plant, which will



continue to be used during the project expansion. The processing plant accepts the raw sand and gravel material where it is screened, washed if necessary, and then stockpiled according to final product size. This final product is primarily sold directly for the construction market end use; however, some is diverted to the existing batch plant for Redi-mix production.

A previously permitted concrete batch plant will be installed on the existing project site when market conditions improve and will continue to be used during the project expansion. The plant is typical of most Redi-mix plants, consisting of elevated sand and rock bins with an enclosed bulk cement silo. This batch plant will continue to operate intermittently as dictated by the local Redi-mix market.

3. **PROJECT LIFE:** The existing project site commenced in approximately 1980. The existing SMP 129R1 permits active mining until the year 2019. This plan (SMP 129R2) proposes the extension of project life for 25 years from the date of approval: For example, if the project is approved in 2017, the Mine Permit will expire and reclamation will be completed by 2042. It is proposed to extend active mining for 20 years (until the December 31, 2037), and then five years (until the December 31, 2042) for revegetation monitoring, or as long as required to ensure acceptable success rates.
4. **SIZE:** The existing project site is permitted for 190 acres of project area (SMP 129R1), with 190 acres subject to disturbance/reclamation. As of the date of this report, approximately 157 acres have been disturbed for the extraction and processing of available reserves. This expansion plan (SMP 129R2) will add approximately 90 acres of project area to the existing project area. Therefore, upon approval of this proposal, the expanded project site will comprise a total of 280 acres subject to reclamation.
5. **EXCAVATIONS:** The mine site will continue operations as approved in SMP 129R1, by excavating a maximum of 360,000 tons of material annually. This total includes a combination of sand and gravel, as well as the occasional clay excavations. Overall maximum depth of mining will be not more than 100 feet deep, to the -25 foot elevation (25 feet below mean sea level in the existing quarry area). During active sand and gravel excavations, 10-foot wide benches will be utilized

every 30 feet of vertical depth. The maximum slope angle of the final quarry slopes will be no steeper than 2:1 (horizontal:vertical), and will incorporate "V" ditches at every 30 feet of vertical depth and along tops of slopes to provide resistance to slope erosion.

The proposed SMP 129R2 expansion area will consist of two mining areas to be excavated in two phases. Phase 1 excavation area will comprise 20 acres of excavation area and will be mined to a maximum depth of 35 feet with slopes no steeper than 2:1 (horizontal:vertical). Phase 2 excavation area will comprise 34 acres of excavation area and will be mined to no deeper than 100 feet with slopes no steeper than 2:1 (h:v). As with the existing mining areas, all active excavation slopes will incorporate 10 foot wide benches for every 30 feet of vertical depth. Additionally, drainage ditches will be established on every bench and along the tops of the new slopes for erosion control.

6. **ANTICIPATED PRODUCTION OF COMMODITY:** Since permit approval in 1980, up to 360,000 tons of sand and gravel material has been mined annually; approximately 10% of which was waste material. Under this planned expansion, total annual production will remain at 360,000 tons per year. Onsite processing has been refined so that the majority of material formerly considered a waste product (waste fines) is now utilized in the production of aggregate products generated at the site. The total amount of sand and gravel to be mined over the 20-year project life will be approximately 7.2 million tons.

The clay material in the southeast portion of the existing site will continue to be mined only as needed by the local construction market. The intended use of this clay is for the lining of landfills, ponds, reservoirs, etc. It is difficult to predict these types of construction projects, but it is anticipated that no more than 50,000 tons of clay material per year will be produced throughout the life of the project, for a total of up to 1,000,000 tons.

## 7. **PLANNED ORE PROCESSING METHODS ONSITE:**

### Sand and Gravel Processing

The existing sand and gravel plant onsite consists of two Thor screening plants, one El-jay wash screen and sand screw, two PEP screens and two fine material washers. This type of equipment will continue to be used throughout the life of the proposed project expansion.

The processing operation begins with the deposit of raw mine run material into the primary Thor screening plant that removes the oversize material, which is stockpiled to be used as riprap for project erosion control. The material is then conveyed either to the second Thor screening plant for gravel classification, or to the PEP screens for finer material handling. The second Thor screening plant separates and stockpiles 3/16" and larger gravels. Sand from the second Thor plant is directed to the El-jay wash screen and sand screw to produce a washed concrete sand product. The material processed through the PEP screens is either directed to the fine material washers to produce a 12 mesh "golf sand" product, or stockpiled as small gravels, generally 3/8" and smaller.

Depending on the range of products required to meet particular construction specifications, this plant configuration may be altered slightly to accommodate market requirements.

### Clay Processing

In most cases, the clay will be excavated by dozer and stockpiled with the required amount of water to control dust. The moist clay will then be loaded directly into haul trucks for offsite delivery as an unprocessed natural bulk product for landfill linings, ponds, reservoirs, etc.

It is foreseen that clay material mined from some areas of the clay deposit may require crushing, prior to shipment. If this is the case the coarse raw clay will be reduced either by a portable hammer mill or vertical impact crusher located near the clay excavation area.

8. **PRODUCTION WATER DATA:** Water will continue to be used for material washing and dust control activities on the project site. As stated above, the water is currently acquired via the offsite pump that was temporarily installed within the All American

Canal, to be replaced by a planned new offsite replacement well to be located south of the current plant site location and adjacent to the old collapsed water well (see Map Sheet 1 of 3). The washing of raw material at this site requires approximately 120,000 gallons per day. Approximately 70% of the process wash water is recycled utilizing the onsite settling pond, therefore 36,000 gallons per day will be consumed in the washing of material. The confining earthen banks of the onsite settling pond are constructed to extend above the surrounding ground surface a sufficient height to prevent the inadvertent introduction of storm water into the recycled water. Additionally, the settling pond is not located in an area that is expected to receive significant storm surface water flow that could override the earthen banks or cause a breach of the banks. Dust control activities consume approximately 2,000 gallons per day. Total water consumption is projected to be 38,000 gallons per day or approximately 35 acre-feet per year. Given that this plan does not propose to increase the current permitted annual production limit of 360,000 tons per year of product, the projected total water consumption is not expected to increase, even incrementally, during project expansion.

No wastewater or excess processing water will be handled onsite. Possible contaminants including processing chemicals, detergents, acid drainage, fuel oil or gasoline will not come in contact with processing water or runoff. Exposure of production water to possible contamination via contact with the aforementioned hazardous materials will be prevented in accordance with the best management practices outlined in the Storm Water Pollution Prevention Plan (SWPPP) (W&W, 2006). In addition, a Spill Prevention, Control, and Countermeasures (SPCC) Plan (W&W, 2011) has been prepared for the project in accordance with current Federal regulations.

9. **MINE WASTES:** Historically, the only type of mine waste to be produced by the project has been silty fines from the crushing/screening operation. Past mining at this site has shown the waste to comprise approximately 10% of total production, or about 20,000 - 40,000 tons per year at maximum production. However, onsite processing has been refined so that nearly all materials formerly considered a waste product are now utilized in the production of aggregate products generated at the site.

- 10. IMPORTED WASTE:** Domestic garbage, chemicals or other hazardous materials will not be disposed of on the project site.

Hazardous materials imported to the project site include diesel fuel, oils, and common lubricants, which will be consumed by operating equipment. Any waste oil generated at the project site will be collected and transported for offsite disposal by approved methods via properly trained and licensed personnel. These procedures, and any lawful changes to these procedures, will be adhered to throughout the proposed project life. A Spill Prevention, Control, and Countermeasures Plan (SPCC) (W&W, 2011) has been prepared for the project and is kept onsite at all times, in accordance with current Federal regulations.

Broken concrete and asphalt debris will be imported intermittently for recycling. These inert, imported wastes are to be processed occasionally utilizing a portable crushing plant brought onsite for this purpose. Road base material will be the product produced from these intermittent activities for use in the regional construction market. No imported waste will be disposed of on-site. A project area near the clay quarry has been designated for these activities.

- 11. EROSION AND SEDIMENTATION CONTROL:** The design of this project expansion provides for complete retention of water flows onsite to prevent unnecessary sedimentation of adjacent parcels.

A Storm Water Pollution Prevention Plan (SWPPP) prepared by CLM Professional Services, Inc. is presently in place for the existing mine site, and a revised Plan is being developed for the project expansion area and will provide Best Management Practices (BMPs) for addressing site-specific erosion and sedimentation control.

Currently, the BMPs that are employed on the project site to minimize contact of significant materials, equipment, and vehicles with storm water are as follows:

1. The location(s) of stored mining equipment (loaders, dozers, conveyors, hardware, etc. that are not actively being used in production) are only in designated areas that are protected from storm water flows. Any waste oil discharged (e.g. leaked) at the project site is collected in oil drip pans or equivalent, and transported offsite for county-approved disposal.

2. All potentially polluting materials are covered at all times. These materials include: Dumpsters, waste containers, oil drums, storage tanks/containers, boxes, chemicals, paints and solvents. All potentially polluting petroleum based materials are stored only in the designated storage areas onsite (e.g. Shop/Maintenance Facility). Additionally, secondary containment structures are installed on all above-ground fuel storage tanks located onsite and as required for all material storage containers
3. Waste materials produced during project operations such as oils, solvents, tires and batteries are removed from the site and recycled at permitted offsite facilities. All other materials will be disposed of properly at approved offsite facilities. Prior to disposal/recycling, all potentially polluting materials are covered at all times.
4. The project site will continue to be kept free and clear of all litter and debris to avoid the possibility of these items from entering any storm drain system or stream bed.
5. Potentially polluting materials and equipment received onto the project site for mining/reclamation purposes are unloaded at designated areas. The project operator utilizes storm water runoff controls pursuant to the NPDES General Industrial Activities Storm Water Permit to ensure any contact of storm water with these materials is minimized.
6. The existing and proposed quarry depressions will serve to retain most sediments and other potential pollutants in a storm water event.
7. Equipment storage, cleaning and maintenance is accomplished only in the designated areas. The operator shall utilize runoff controls pursuant to the NPDES General Industrial Activities Storm Water Permit to ensure minimal contact of any storm water with the project operating equipment. Equipment shall not be stored, cleaned, or maintained near any point within the project site that would allow storm water runoff to enter offsite flow systems.
8. All project operating equipment will be maintained so as to prevent oil leaks. Drip pans will be used during all maintenance activities involving oil/fluid changes that will occur within the project boundary.
9. As required by project mitigation measures, access roads, stockpiles, screens, and crushers must be water sprayed as needed to reduce dust.

Sediment containing drainage from the project is effectively retained within the site boundaries. Water flows will be directed into the extraction areas, thereby retaining all erosion sediments. As mining excavations progress, drainage will continue to be retained within the extraction areas through grade control and "V" ditches

strategically located on the site. Additionally, brow ditches and v-ditches will be installed along the tops of all slopes, controlling water flow into the mining areas. A blueline stream enters the Phase 1 mining expansion area and a shallow Phase 1 mine design (<35 feet deep) with a 300-foot setback is utilized to retain any headward erosion within the proposed project boundary.

The drainage plan utilizing the extraction areas as retention basins effectively eliminates any offsite drainage concerns. The water retained onsite will not impact local roads or adjacent properties because of its containment in the extraction areas. Any accumulated sediments deposited within the quarries will be mined or stockpiled for use during reclamation activities.

Production material stockpiles are, and will continue to be, maintained at minimum volumes to reduce their exposure to wind and water erosion. Water erosion has not been a problem in past site operations because stockpile locations were protected from direct water flow impacts. All expansion activities will continue these stockpile protection measures.

12. **BLASTING:** Blasting, or storage of explosives, is not proposed throughout the life of this expansion project.
13. **TRUCK TRAFFIC:** Proposed annual excavations will produce up to 360,000 tons, in accordance with the current maximum permitted under SMP 129R1. The proposed level of truck traffic for the project operating at 300 days per year will be approximately 48 round trips per day with trucks of 25-ton capacity, in accordance with the current maximum permitted under SMP 129R1. Peak traffic during highway construction delivery has reached 90 round trips per day. This peak delivery, however, has been a rare occurrence during the life of the existing permitted activities since 1980. When clay is being extracted for the intermittent requirements for the landfill construction/closure market, peak truck traffic could generate 88 trips per day from the site. In addition, there will be approximately 16 round trips per day by employees and vendors in passenger vehicles.

# **RECLAMATION**

1. **SUBSEQUENT USES:** The proposed use of the reclaimed project site is vacant open space managed by the Bureau of Land Management.
  
2. **RECLAMATION SCHEDULE:** To the extent practical, reclamation activities will be accomplished concurrently with ongoing excavations. Reclamation activities will only occur on disturbed areas that will not be impacted by further project activities. For example, when Phase 1 of the expansion area is mined to the proposed design, reclamation can commence in that area as mining continues in the Phase 2 area. Final reclamation will occur within 5 years of cessation of all excavation activities, or until performance standards have been met.

Pursuant to the Revegetation Plan (White & Leatherman, 2005), amended February 28, 2017, success criteria (performance standards) for site revegetation will be:

<b>Vegetation Measure SMARA § 3705</b>	<b>Baseline Measurement</b>	<b>Revegetation Success Criteria</b>
Cover	14.6 per cent	4.4 per cent
Density	2.75 perennials per 25 M <sup>2</sup>	2.75 perennials per 25M <sup>2</sup>
Species Richness	5.5 species per 1,000 M <sup>2</sup>	5.5 species per 1,000 M <sup>2</sup>

Reclamation of the project site will begin with preparations of disturbed areas that have become idle for revegetation. These preparations will include final grading of slopes to no steeper than 2:1 (horizontal:vertical), as well as ripping along the contour. When the final grading/ripping of a particular project area is finished, revegetation activities will be accomplished as described in Section 13, REVEGETATION.

Revegetation activities will generally commence in late Fall to correspond with the rainy season of the region. The mined, inactive areas and any other slopes that



have been recontoured will be planted only with site indigenous plant species. Plant species currently not indigenous to the site or nearby environs will not be incorporated into the revegetation process.

As mining is currently ongoing in the existing project area, reclamation activities will not commence until the Phase 1 mine expansion area is activated. It is projected that this will occur sometime between 2012 and 2015. In 2015 an initial revegetation test plot area will be established to determine the most successful seed mixture and potential growth enhancements (described in Section 13). The following details the schedule to reclaim all disturbed areas, present and future:

### **RECLAMATION SCHEDULE**

2016 - 2026 -	Seed collection of plant species from the site and adjacent areas.
2015 - 2018 -	Establish the Revegetation Test Plot in the area as shown on the Mining Plan Map (Sheet 1 of 3).
2015 - 2022 -	Monitor Revegetation Test Plot and make adjustments, if necessary.
2021 - 2037 -	Rip and recontour finished project areas that will not be disturbed by further mining/reclamation activities. Revegetate based on results of the Revegetation Test Plot activities.
2037 -	Mining excavations cease. All mobile and stationary equipment not required for final reclamation is removed from the site. Recontour as required. Continue revegetation activities.
2038 -	Finalize all revegetation activities.
2038 - 2042 -	Monitoring of site revegetation to achieve a success rate required by SMARA's Standards for Revegetation.
2042-	Permit expires/site closure.

As indicated, mine excavations will terminate no later than December 31, 2037. All equipment not required to complete reclamation activities will be removed from the site during this year. Proposed final use of the reclaimed site will be vacant open space managed by the Bureau of Land Management.

The ultimate goal of the reclamation of this project is to reestablish some of the plant life that existed prior to mining as required by SMARA's Standards for Revegetation and associated regulations and the County of Riverside's Surface Mining and Regulation Ordinance (Ordinance 557). This goal will be attained under the direction of a qualified individual who will direct all revegetation efforts in accordance with the schedule and success criteria described in Section 2-RECLAMATION SCHEDULE and beginning in the Fall of 2015 with the establishment of a revegetation test plot. The results of the initial revegetation test plot activities will form the basis for continuing revegetation activities that will occur annually on finished areas. Revegetation activities will be monitored once a year by a qualified person during the life of the project. Any changes to planned revegetation methods will be reviewed in coordination with officials of Riverside County and the Bureau of Land Management.

3. **FUTURE MINING:** Reclamation of the site will not affect the possible future use of the property, or adjacent/nearby properties, for mining purposes.
  
4. **PUBLIC SAFETY:** Throughout the proposed mining and reclamation activities, the existing locking entrance/exit gate of the project site will be the controlled access point, thereby limiting unauthorized public access. During existing mining and proposed expansion/reclamation activities, the locking entrance/exit gate will continue to be unmanned. During existing mining and proposed expansion activities, visitors are required to check in at the main office. Mine personnel have been trained to communicate observed/suspected entry by unauthorized persons to each other and the main office for subsequent investigation. Also, the project will comply with all federal (MSHA) and California OSHA mine safety regulations concerning operating standards. Workers, including contract labor, will be trained in mine safety and first aid with annual refresher courses as required by Federal and State Regulations. All final slopes will be no steeper than 2:1 (horizontal:vertical). Any elevated inter-quarry roads that may exist will have safety berms where required to prevent equipment operators from trespassing onto adverse slopes.

After reclamation activities have been completed, the site will return to open space managed by the legal landowners. The access gate will remain, however, with a sign notifying the public to "Keep Off Private Property" as is typical with any other semi-remote land holding. Expansion areas will include appropriate signs notifying the public of potential dangers and that these particular areas are under Bureau of Land Management ownership and management. No fences are proposed.

5. **POST-RECLAMATION:** Upon completion of final reclamation activities, the project site will visually display manmade features, in particular the graded slopes. The site will consist of depressions (representing the mined out areas) that gently slope into the surrounding terrain. Subsequent to successful reclamation of the site, vegetation will continue to attain its full natural diversity and density and the slopes will be softened by weathering, resulting in a more natural "rolling" topography that will blend into the surrounding foothills.
  
6. **DRAINAGE AND EROSION CONTROL:** Drainage through the site currently occurs from east to west. Drainage only occurs during periods of rainfall, and rarely accounts for any significant erosion. Because the site is bordered on the west by the All American Canal and levee, natural drainage terminates at approximately the west project boundary. At the time of reclamation all altered drainage courses will drain to the excavated mine pits which provide sufficient capacity to retain storm runoff volumes exceeding the 20 year / 1 hour runoff volume. Retention of these flows will reduce downstream impacts through the capture and reduction of sediment material while increasing infiltration opportunities of the retained runoff.

Drainage into the quarry areas will be retained within the confines of the pit areas, with appropriate setbacks to prevent offsite erosion. In addition, erosion control features will be utilized during final reclamation and include: gentle sloping of quarry walls, "V" ditches to minimize slope erosion, top of slope brow ditches, revegetation, and riprap to retard flows where necessary, as described in the Site Hydrologic Evaluation (Appendix 1). During site operations, whenever erosion of rills greater in cross section than 5 square inches exceeding 5 feet in length occur due to excavations, they will be retarded by the placement of straw bales to hinder and slow concentrated runoff within one week following any rainfall event. Following successful reclamation of the site, the described erosion controls will be

sufficient to control excessive wind and water erosion as the site is allowed to return to natural weather processes consistent with the surrounding area.

7. **SLOPES AND SLOPE TREATMENT:** All proposed expansion area slopes will be mined to produce naturally stable slopes, effectively eliminating possible landslides, earth flows, or rock falls. As depicted on the Mining and Reclamation Plan Maps, all slopes will be final-graded to no steeper than 2:1 (horizontal:vertical). During active excavations, 10-foot horizontal benches will be incorporated into the cutslopes for every 30 feet of excavation depth. If project areas are excavated to the ultimate design prior to the end of the project life, and they are not expected to be disturbed by continuing mine operations, revegetation activities can commence in these areas. This continuing revegetation procedure, as well as other drainage controls mentioned, will inhibit erosion and should effectively stabilize the finished slopes. These procedures will be the only stabilization methods initially considered for the project site.
  
8. **PIT AREAS AND EXCAVATIONS:** Preparation of disturbed areas for reclamation (primarily ripping and recontouring) can occur at any time prior to the end of the project life, if those excavation slopes and project areas will not be further disturbed by continuing project activities. All quarry excavations will be final-graded to no steeper than 2:1 (horizontal:vertical). When the final grading of a particular project area is completed, revegetation will commence as detailed in Section 13, REVEGETATION.
  
9. **PONDS, RESERVOIRS, TAILINGS, WASTES:** The existing sedimentation pond system will continue to be used for water recycling and settling silt fines from the sand washing plant. No other ponds are proposed during the expansion project life. When excavations cease in 2037, the processing plant will be removed from the site in preparation for final reclamation. The sedimentation pond(s) will then be drained, recontoured, and revegetated. As previously described, nearly all the material formerly considered a mine waste (silty fine material) is now incorporated into the various aggregate products generated at the site. Any remaining fines at the end of the project life will be incorporated in the revegetation growth media.

Dams or embankments are not proposed for any excavation or processing activity during the project life. Therefore, none will exist after reclamation is finished at the site.

10. **CLEAN-UP:** Upon termination of mining activities in 2037, all mobile equipment, buildings, structures and roadways not required for final reclamation activities will be removed from the site. This will include most loaders, the crushing/screening plant, sand washing plant, concrete batch plant, conveyors, utilities, etc. Stockpiles will be consumed, as needed, during reclamation activities. If required for reclamation activities (irrigation), the replacement water well will remain operational. The well will be protected from vehicular damage by the installation of cement-filled stations and from unauthorized access via a suitable lock. Following completion of all reclamation activities, any remaining equipment, supplies, and buildings associated with reclamation activities will be removed from the site. Roads shall be stripped of roadbase materials (if applicable) and re-soiled and revegetated, unless exempted. Refuse in any form will not remain on the site and will be appropriately disposed of in a permitted landfill.
  
11. **CONTAMINANTS:** Chemicals or other hazardous materials are currently not utilized during processing of materials at this site, nor are any proposed for future use. A Spill Prevention, Control, and Countermeasures Plan (SPCC) (W&W, 2011) has been prepared for the project and is kept onsite at all times in accordance with current Federal regulations.

The only hazardous materials presently used and consumed on the site are diesel fuel, oils, lubricants, and solvents. These are used in the loaders, dozers and the processing plant equipment. All hazardous materials/wastes will be stored in appropriate containers (with secondary containment, where required) and clearly labeled until consumed or transported offsite. All waste oil generated from project operations (operating equipment) will be collected and transported for offsite disposal by approved methods. This will be conducted by properly trained and licensed personnel. These procedures, and any lawful changes to these procedures, will be adhered to during the proposed project life.

Soils in maintenance areas shall be inspected for contamination and any contaminated soils will be removed from the site in accordance with Riverside County regulations to an approved hazardous waste repository. Any remaining fuel, oils and solvents and other hazardous material will also be removed from the site and disposed of in the appropriate legal manner. Once this is accomplished, and prior to final recontouring and revegetation of the plant site and maintenance area, a final environmental site review will be conducted by a Riverside County-approved firm to certify the successful cleanup of contaminants.

12. **SOILS AND FINE-TEXTURED WASTE:** Very little topsoil exists throughout the proposed project expansion area. The top 6-12" of material ("topsoil") will be removed prior to commencing a new extraction area and stockpiled for subsequent revegetation (see Map Sheet 1 of 3). During processing of the sand and gravel material, fine material from the aggregate processing operations are produced, but no longer considered a mine waste. All of this fine material is now incorporated in the production of aggregate products generated at the site and, therefore, are no longer stockpiled for any other uses. Topsoil stockpile identification signs have been installed to clearly identify topsoil stockpiles as material to be used during reclamation. If required, all stockpiles of topsoil will be covered with coarse aggregate or planted with native vegetation for protection from wind/water erosion.
  
13. **REVEGETATION:** As portions of the project site are mined to a finished grade and will not be disturbed by continuing project activities, they can be prepared for revegetation. These areas will initially be recontoured (if required) and ripped to a depth of approximately one foot along the contour. The grading/ripping will leave a rough surface to enhance the opportunity for the natural accumulation of seeds and precipitation. Stockpiled growth medium will then be placed on portions of the prepared surface in preparation of seeding.

The seeds or plants used for the revegetation activities of this project will come primarily from site indigenous plant species. Plant species currently not indigenous to the site, or not recommended by a qualified biologist, will not be incorporated into the revegetation efforts. Any introduction of species from different areas is not advised and is not considered an acceptable revegetation method.

Seeds will be collected from undisturbed portions of the project site and areas immediately adjacent to the site. Seed collection will be accomplished by a professional seed collecting firm or monitored by a qualified biologist prior to commencement of the initial revegetation test plot. The collected seed will be tested to determine the percentage of pure live seed. It is very important during the seeding that if a pound of seed is recommended, that a pound of pure live seed be used. Seeds may also be commercially collected, tested and stored.

Additional details regarding the Revegetation schedule and success criteria refer to Section 2 - RECLAMATION SCHEDULE.

For a complete description of the Revegetation Plan developed by White & Leatherman Bioservices, amended February 28, 2017, refer to Appendix 7.

- 14. MONITORING AND MAINTENANCE:** The present expansion area is mostly undisturbed and a Baseline Biological Survey has been conducted. West Coast Aggregate Supply, Inc. will be responsible for the Valley Rock & Sand Project maintenance program in accordance with the Riverside County Officials to insure the success of the reclamation program. West Coast Aggregate Supply, Inc. will continue to submit annual Mining Operation Reports to the California Division of Mines and Geology and Riverside County as required by amendments to SMARA. These annual reports will document the size of areas being reclaimed, revegetation status, as well as general conditions of the mining operation. Ongoing monitoring of slopes, erosion control, safety measures, and revegetation activities will be accomplished by Riverside County Officials as part of their annual SMARA inspection.
- 15. RECLAMATION ASSURANCE:** A financial reclamation assurance mechanism is currently approved and in place for the existing project site. This approved financial assurance mechanism will be updated to include the proposed expansion project in order to guarantee proper and thorough reclamation of the proposed operations. This assurance mechanism will continue to comply with SMARA in the form of an irrevocable letter of credit or other approved form of financial assurance. This assurance will be reviewed and adjusted (if needed) on an annual basis.

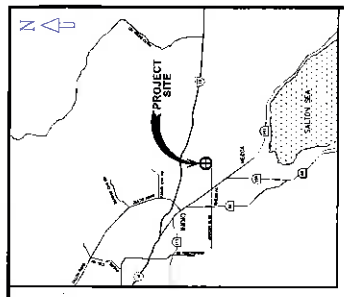
## **LIST OF PREPARERS#**

George A. Webber Webber & Webber Mining Consultants, Inc.	Mining Engineer
Lonn Richtmyer Webber & Webber Mining Consultants, Inc.	Mining Technician Draftsman
John Cairns Webber & Webber Mining Consultants, Inc.	Project Manager Draftsman
Thomas C. Deane, CHg	Site Hydrologic Evaluation
CRM Tech	Historical/Archaeological Resources Survey Report Paleontological Resources Assessment Report
White & Leatherman Bioservices	Biological Technical Report & Focused Desert Tortoise Survey, Revegetation Plan
Scott White Biological Consulting	Biological Technical Report Desert Tortoise Survey
Leatherman Bioconsulting	Biological Technical Report



## **LIST OF APPENDICES (ON CDROM)#**

- Appendix 1 – Site Hydrologic Evaluation, August 1, 2005
- Appendix 2 – Biological Technical Report and Focused Desert Tortoise Survey, June 27, 2005
- Appendix 3 – Biological Technical Report, April 7, 2009
- Appendix 4 – Biological Technical Report, May 19, 2010
- Appendix 5 – Historical/Archaeological Resources Survey Report, April 15, 2005
- Appendix 6 – Paleontological Resources Assessment Report, April 22, 2005
- Appendix 7 – Revegetation Plan, August 30, 2005, amended February 28, 2017
- Appendix 8 – Air Quality and GHG Assessment, August 2015
- Appendix 9 – Jurisdictional Ephemeral Streambeds Report, July 25, 2014
- Appendix 10 – BLM EA, September 19, 2011; FONSI, September 27, 2011

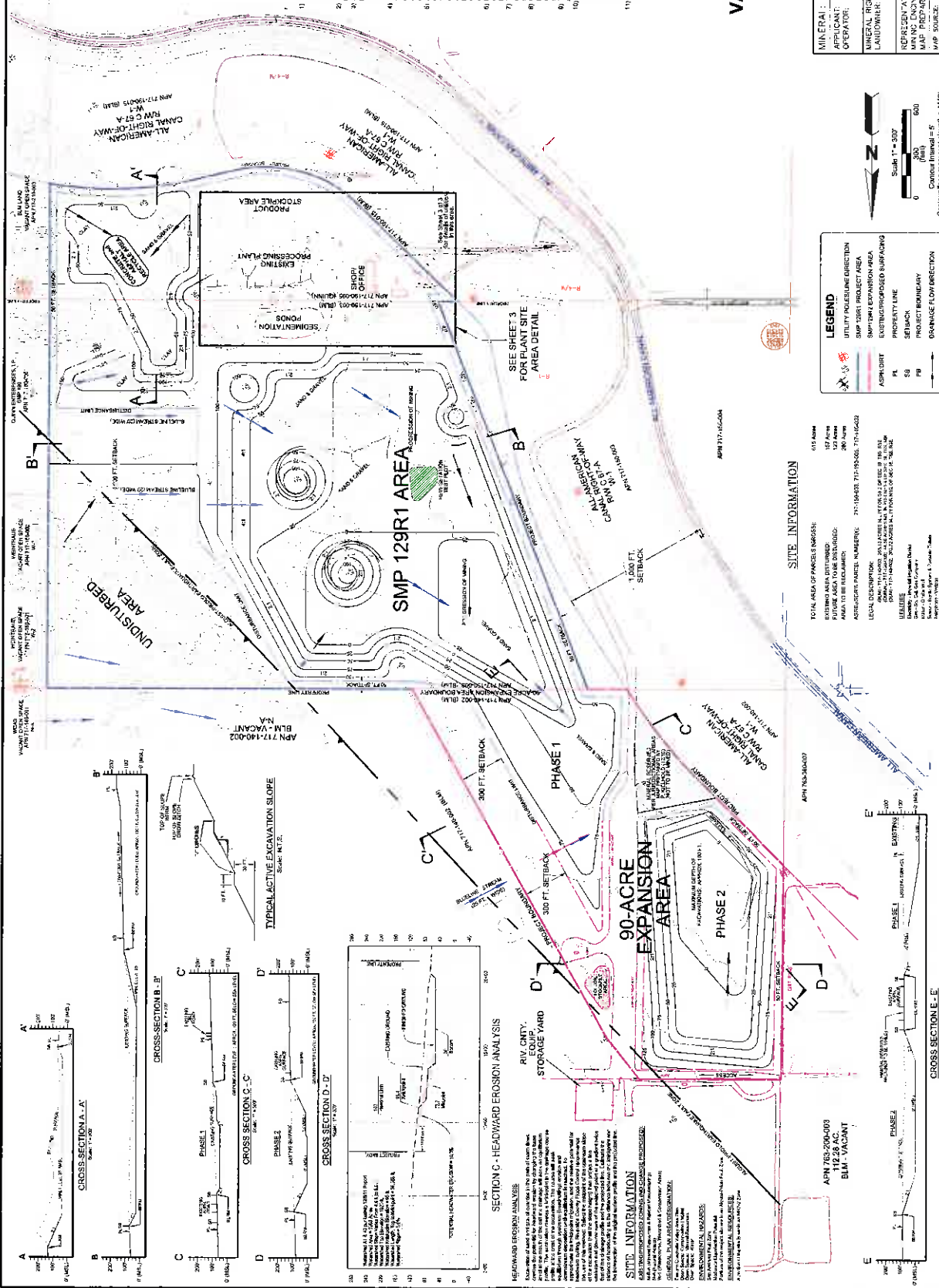


### MINING PLAN NOTES

- The plan shows the proposed mining operation. The proposed mine will be approximately 90 acres in total area. This plan is intended to be used in conjunction with the proposed mining plan. The proposed mining plan is subject to the approval of the relevant authorities. The proposed mining plan is subject to the approval of the relevant authorities. The proposed mining plan is subject to the approval of the relevant authorities.
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## SMP 129R2 AMENDED NO. 2 VALLEY ROCK & SAND THERMAL, CA MINING PLAN

MINE: Sand and Gravel / Clay	APPLICANT: West Coast Aggregates Supply, Inc.	MINERAL RIGHTS: 100% (SMP 129R2)	LANDOWNER: 100% (SMP 129R2)
OPERATOR: West Coast Aggregates Supply, Inc.	LANDOWNER: 100% (SMP 129R2)	REPRESENTATIVE: Valdez & Weber Mining Consultants, Inc.	MAP PREPARED: 10/15/2019
ADDRESS: 1001 2nd Street, Thermal, CA 92583	PHONE: (951) 266-8600	MAP SOURCE: 10/15/2019	REVISION: 10/15/2019
PROJECT NO: SMP 129R2	DATE: 10/15/2019	DRAWN BY: G. Weber	CHECKED BY: G. Weber
SCALE: 1" = 500'	DATE: 10/15/2019	SCALE: 1" = 500'	DATE: 10/15/2019



NO.	DATE	REVISION
1	10/15/2019	Initial Mining Plan
2	10/15/2019	Revised Phase 1 Expansion Area to include potential headward erosion.
3	10/15/2019	Revised Phase 2 Expansion Area to include potential headward erosion.
4	10/15/2019	Revised Phase 2 Expansion Area to include potential headward erosion.
5	10/15/2019	Revised Phase 2 Expansion Area to include potential headward erosion.

NO.	DATE	REVISION
1	10/15/2019	Initial Mining Plan
2	10/15/2019	Revised Phase 1 Expansion Area to include potential headward erosion.
3	10/15/2019	Revised Phase 2 Expansion Area to include potential headward erosion.
4	10/15/2019	Revised Phase 2 Expansion Area to include potential headward erosion.
5	10/15/2019	Revised Phase 2 Expansion Area to include potential headward erosion.

NO.	DATE	REVISION
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**WEBER & WEBER**  
MINING CONSULTANTS, INC.  
101 Sealands, California 92570  
(951) 795-3418

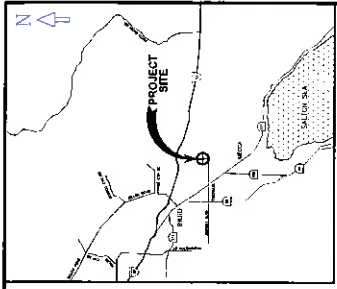
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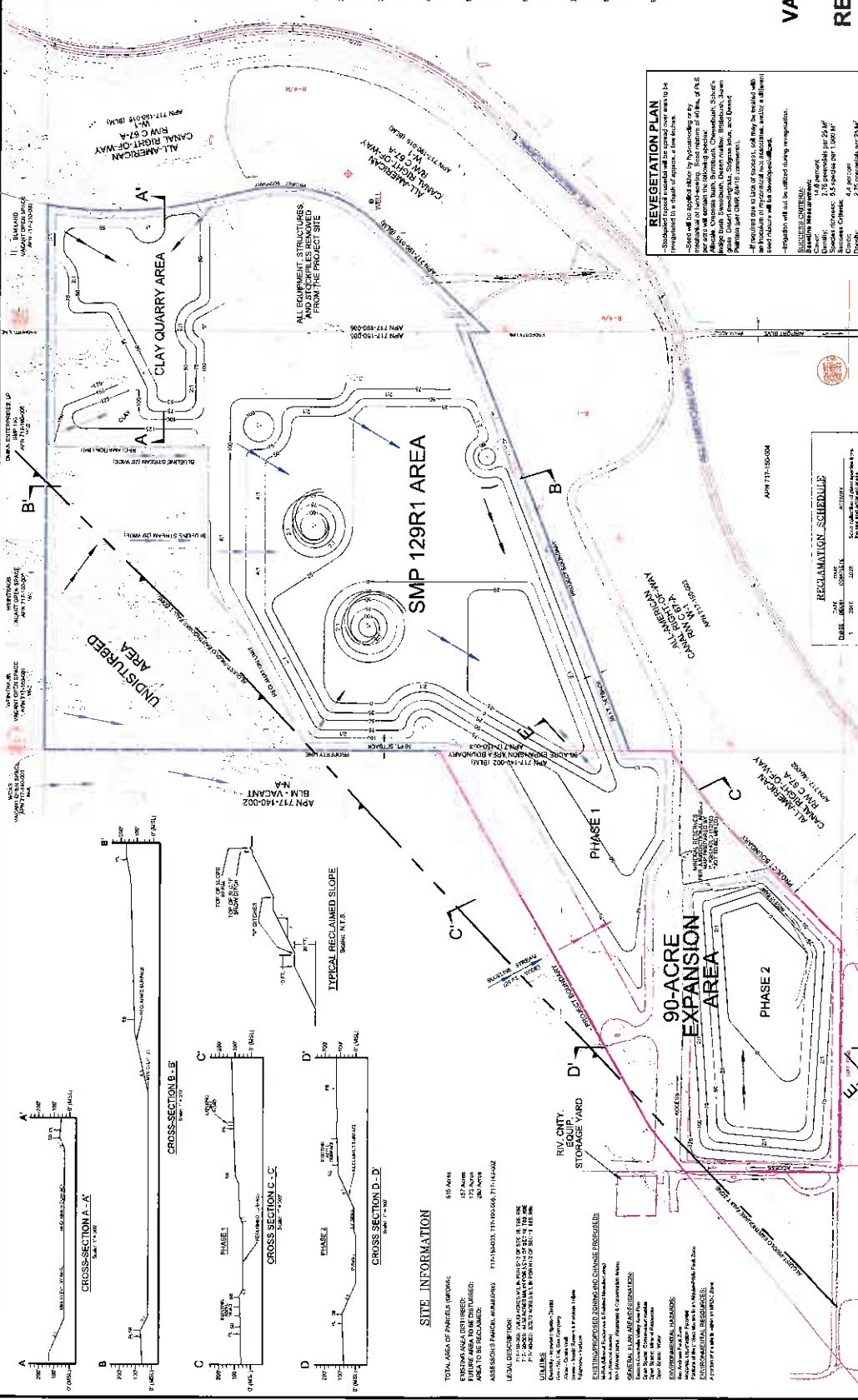
**WEBER & WEBER**  
MINING CONSULTANTS, INC.  
101 Sealands, California 92570  
(951) 795-3418



- RECLAMATION PLAN NOTES**
- 1) All excavations in the project site shown by this plan shall be completed by the start of the year reclamation working plans as per the plan. The plan shall be completed by the start of the year reclamation working plans as per the plan.
  - 2) Reclamation will occur concurrently with mine operations in the project area. The reclamation will be completed by the start of the year reclamation working plans as per the plan.
  - 3) The final reclamation depth of the project area excavations will be up to 100 feet below the existing ground surface. The final reclamation depth will be up to 100 feet below the existing ground surface.
  - 4) All excavations in this project area shall be completed by the start of the year reclamation working plans as per the plan.
  - 5) All excavations in this project area shall be completed by the start of the year reclamation working plans as per the plan.
  - 6) All excavations in this project area shall be completed by the start of the year reclamation working plans as per the plan.
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  - 9) All excavations in this project area shall be completed by the start of the year reclamation working plans as per the plan.
  - 10) All excavations in this project area shall be completed by the start of the year reclamation working plans as per the plan.

# SMP 129R2 AMENDED NO. 2 VALLEY ROCK & SAND THERMAL, CA RECLAMATION PLAN

MINERAL: Sand and Gravel / Clay
APPLICANT: Valley Rock & Sand, Inc.
OPERATOR: Valley Rock & Sand, Inc.
CONSULTANT: WEBSER & WEBBER Mining Consultants, Inc.
MAP NUMBER: 101
MAP PREPARED BY: G. Webster
MAP SCALE: 1" = 300'
CONTOUR INTERVAL: 5 Feet
DATE: August 4, 2010
DRAWN BY: L. Robinson
CHECKED BY: G. Webster
PROJECT NO.: SMP 129R2
SHEET NO.: 2 of 3



- LEGEND**
- UTILITY LOCATIONS (ELECTRIC, GAS, WATER)
  - EXISTING PROJECT AREA
  - EXISTING IMPROVED SURFACING
  - PROPERTY LINE
  - SETBACK
  - DISTURBANCE LIMIT
  - DRAINAGE FLOW DIRECTION

**SITE INFORMATION**

TOTAL AREA OF PARCELS (APN): 610 ACRES

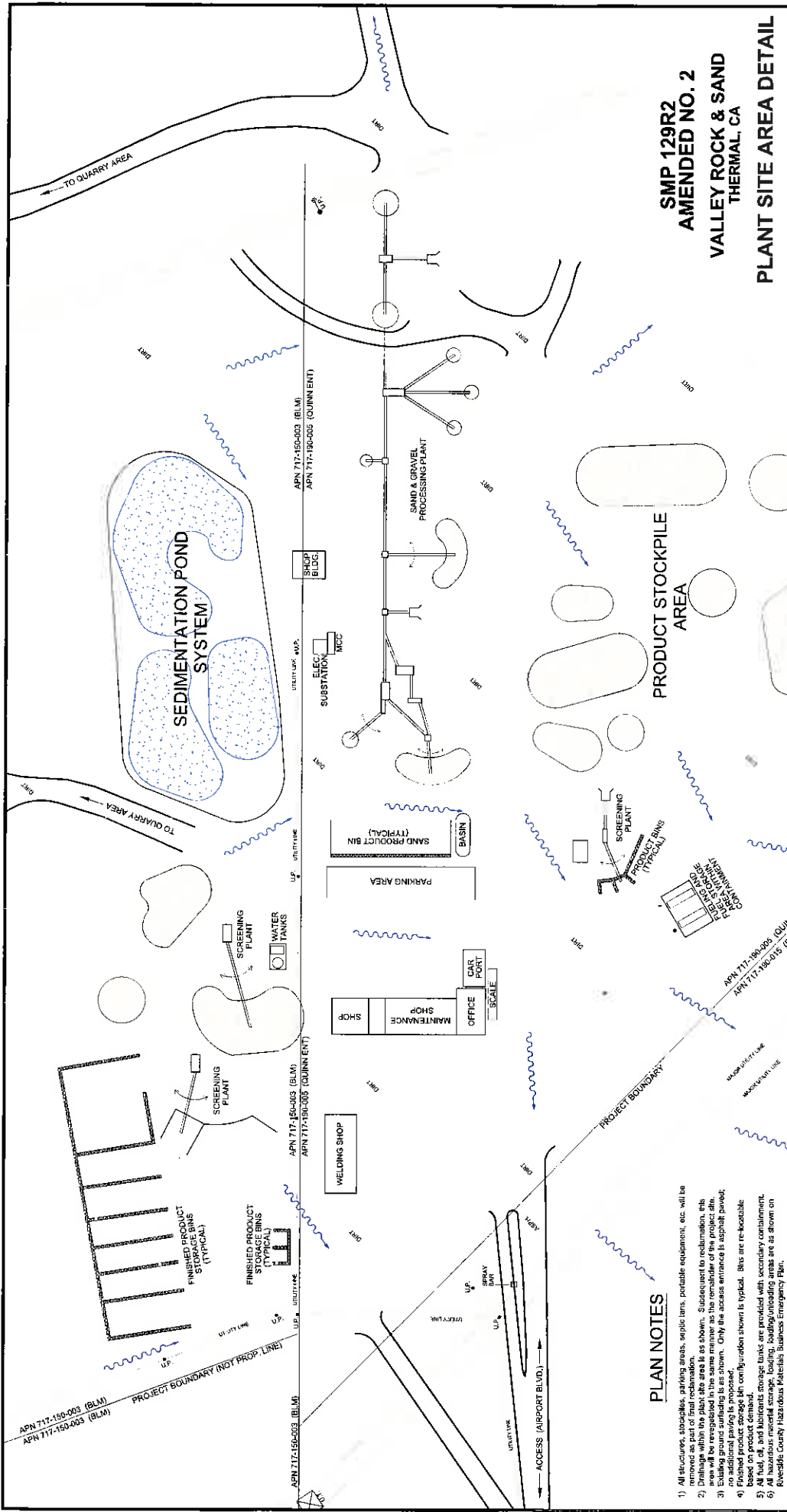
EXISTING AREA (APN): 137 ACRES

AREA TO BE RECLAIMED: 473 ACRES

ADJACENT PARCELS:

- APN 717-140-02 (BLM - VACANT)
- APN 717-140-03 (BLM - VACANT)
- APN 717-140-04 (BLM - VACANT)
- APN 717-140-05 (BLM - VACANT)
- APN 717-140-06 (BLM - VACANT)
- APN 717-140-07 (BLM - VACANT)
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- APN 717-140-29 (BLM - VACANT)
- APN 717-140-30 (BLM - VACANT)

NO.	DATE	REVISION	BY
1	10/14/10	Initial Design	GAW
2	10/27/10	Revised Preliminary Design	GAW
3	11/10/10	Revised Preliminary Design	GAW
4	12/03/10	Revised Preliminary Design	GAW
5	12/17/10	Revised Preliminary Design	GAW
6	01/07/11	Revised Preliminary Design	GAW
7	01/20/11	Revised Preliminary Design	GAW
8	02/03/11	Revised Preliminary Design	GAW
9	02/17/11	Revised Preliminary Design	GAW



**SMP 129R2  
AMENDED NO. 2  
VALLEY ROCK & SAND  
THERMAL, CA  
PLANT SITE AREA DETAIL**

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**WEBBER & WEBBER**  
MINING CONSULTANTS, INC.  
101 East Redlands Blvd., Ste. 240  
Redlands, California 92373  
(909) 793-3116

Scale: 1" = 60'  
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Compass: Inset = N/A

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4	11/11/11	11/11/11	11/11/11	11/11/11	11/11/11	11/11/11	11/11/11	11/11/11	11/11/11
5	11/11/11	11/11/11	11/11/11	11/11/11	11/11/11	11/11/11	11/11/11	11/11/11	11/11/11
6	11/11/11	11/11/11	11/11/11	11/11/11	11/11/11	11/11/11	11/11/11	11/11/11	11/11/11
7	11/11/11	11/11/11	11/11/11	11/11/11	11/11/11	11/11/11	11/11/11	11/11/11	11/11/11
8	11/11/11	11/11/11	11/11/11	11/11/11	11/11/11	11/11/11	11/11/11	11/11/11	11/11/11
9	11/11/11	11/11/11	11/11/11	11/11/11	11/11/11	11/11/11	11/11/11	11/11/11	11/11/11
10	11/11/11	11/11/11	11/11/11	11/11/11	11/11/11	11/11/11	11/11/11	11/11/11	11/11/11

**PLAN NOTES**

- 1) All structures, stockpiles, parking areas, septic tanks, portable equipment, etc. will be removed as part of final reclamation.
- 2) Drainage within the plan site area is as shown. Subsequent to reclamation, this area will be regraded in the same manner as the remainder of the project site.
- 3) All finished product storage bins are shown. Only the access entrance is asphalt paved; no additional paving is proposed.
- 4) Finished product storage bin configuration shown is typical. Bins are re-locatable based on product demand.
- 5) All fuel, oil, and lubricants storage tanks are provided with secondary containment.
- 6) All fuel, oil, and lubricants storage tanks are provided with secondary containment. Redlands County Hazardous Materials Business Emergency Plan.

**LEGEND**

ASPHALT	EXISTING SURFACES
U.P.	UTILITY POLE
U.T.	UTILITY TOWER (MILKLINE)
DL	DRAINAGE FLOW DIRECTION
---	UTILITY LINE



# RIVERSIDE COUNTY PLANNING DEPARTMENT

*Charissa Leach P.E.  
Assistant Director of TLMA  
Community Development*

## MITIGATED NEGATIVE DECLARATION

Project/Case Number: SMP00129R2

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/Initial Study and Conditions of Approval)

### COMPLETED/REVIEWED BY:

By: Brett Dawson Title: Project Planner Date: April 3, 2017

Applicant/Project Sponsor: Webber and Webber Date Submitted: December 14, 2010

**ADOPTED BY:** Planning Commission

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

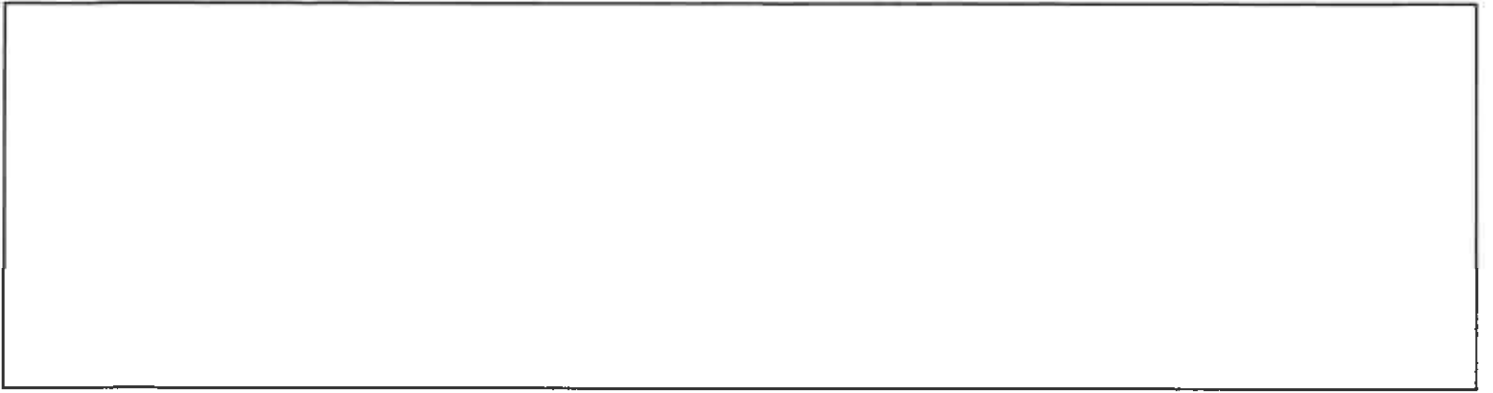
For additional information, please contact Brett Dawson at (951) 955-0972 bdawson@rivco.org.

Revised: 04/11/17

Y:\Planning Master Forms\Templates\CEQA Forms\Cover\_Sheet\_Mitigated\_Negative\_Declaration.docx

Please charge deposit fee case#: ZEA42415 ZCFG05782

**FOR COUNTY CLERK'S USE ONLY**



# COUNTY OF RIVERSIDE

## ENVIRONMENTAL ASSESSMENT FORM: INITIAL STUDY

**Environmental Assessment (E.A.) Number:** 42415  
**Project Case Type (s) and Number(s):** Surface Mining Permit No. 129, Revision No. 2  
**Lead Agency Name:** Riverside County Planning Department  
**Address:** P.O. Box 1409, Riverside, CA 92502-1409  
**Contact Person:** Brett Dawson  
**Telephone Number:** (951) 955-0972  
**Applicant's Name:** West Coast Aggregate Supply, Inc.  
**Applicant's Address:** 92500 Airport Boulevard, Thermal CA 92274

### I. PROJECT INFORMATION

**Project Description:** SMP00129R2 is a revision to the existing mining and reclamation plan for an existing sand and gravel mine required to increase the project site from 190 acres to 280.6 acres and to extend the life of the mining permit. There are two parcels currently being mined: one is privately owned (approximately 42.7 acres) and the other land is owned by the Bureau of Land Management (approximately 268.1 acres). This revision will add a portion of a third parcel (BLM, approximate parcel size 304.6 acres) to the project

This revision will expand excavation areas further into BLM Land north of the existing excavation area and continue an annual extraction rate of approximately 360,000 tons. Excavations will be a maximum of 100 feet deep with 2:1 (H:V) slopes. The project life will be extended to 25 years with a proposed expiration date of December 31, 2042. This will allow for 20 years for active mining excavation and 5 years to finalize reclamation. Upon completion of mining operations, all equipment, structures and vehicles will be removed and the site will be revegetated with native plant species. The site will be reclaimed to vacant open space..

The project site is located east of Buchanan Street and the Coachella Canal, north of 57th Avenue and south of 54th Avenue.

**A. Type of Project:** Site Specific ; Countywide ; Community ; Policy .

**B. Total Project Area:** 280.6 Acres

Residential Acres: 0      Lots: 0      Units: 0      Projected No. of Residents: 0  
Total Site Acres: 615.4  
Total Mining Acres: 280.6

**C. Assessor's Parcel No(s):** 717-150-003, 717-190-005, 717-140-002

**Street References:** 92500 Airport Boulevard, Thermal CA

**D. Section, Township & Range Description or reference/attach a Legal Description:** Sections 18/19, Township 6 South, Range 9 East, SBBM

**E. Brief description of the existing environmental setting of the project site and its surroundings:** The site is located approximately 13 miles southeast of Indio, CA and approximately 5 miles east of Thermal, CA. The site is entered from Highway 111 via Airport Boulevard. The land surrounding the site contains parcels that are privately owned as well as parcels that are publicly owned (BLM).

## II. APPLICABLE GENERAL PLAN AND ZONING REGULATIONS

### A. General Plan Elements/Policies:

1. **Land Use:** The General Plan land use designation for the proposed Project is Open space – Mineral Resources, Open Space – Rural, Open Space Water, and Open Space – Conservation Habitat. The proposed project will not conflict with any General Plan Land Use Policies.
2. **Circulation:** No circulation changes are proposed. Therefore, the proposed project will not conflict with the General Plan Circulation Element.
3. **Multipurpose Open Space:** The proposed Project meets all applicable Multipurpose Open Space element policies. The proposed Project will not conflict with areas identified for conservation, preservation, or reservation within the Multipurpose Open Space Element. The project site (Surface Mining Permit No. 129 Revised No. 2) is located within the Coachella Valley Multiple Species Habitat Conservation Plan (CVMSHCP). The proposed 90-acre expansion area is not located within a Conservation Area, but is located adjacent to the Mecca Hills/Orocopia Mountains Conservation Area. Therefore, the proposed expansion is subject to the CVMSHCP Land Use Adjacency Guidelines (CVMSHCP Section 4.5). The purpose of the Land Use Adjacency Guidelines is to avoid or minimize indirect effects from development adjacent to the Conservation Areas. A general information condition has been applied to the project by the County of Riverside requiring the project to comply with the Land Use Adjacency Guidelines.
4. **Safety:** The proposed Project is not located within a Fault Zone or active subsidence zone and has a low potential for liquefaction. The Project is not located within an airport land use zone, within a 100-year flood plain, or dam inundation area. There are no known hazardous waste sites in the area. Therefore, the proposed Project will not conflict with any General Plan safety policies.
5. **Noise:** The project is not adjacent to a highway, railroad or within the vicinity of an airport. The Riverside County General Plan's policy is to protect noise-sensitive land uses from high levels of noise by restricting noise-producing land uses from these areas. Compliance with the "Noise Element" section of the Riverside County General Plan, which states that noise-tolerant land uses should be guided to areas irrevocably committed to land uses that are noise-producing. The short-term impacts from site grading, as opposed to long-term impacts to ambient noise levels, would result in temporarily increasing ambient noise levels in the site vicinity. The site would not expose sensitive receptors or generation of long-term noise levels in excess of standards established in the local general plan and/or noise ordinance, or applicable standards of other agencies.
6. **Housing:** Implementation of the Project does not entail the displacement of significant numbers of existing housing nor does it create a need for new housing; thus, the Modified Project will not conflict with General Plan Housing Element policies.
7. **Air Quality:** The The proposed project would be subject to conditions of approval, which implement the appropriate mitigation measures, including State (SCAQMD) requirements and County regulations designed to reduce air quality impacts. Therefore, with mitigation, impacts to air quality are considered to be at a level of less than significant.



**8. Healthy Communities:** The proposed project is located in a very low density open space area. All potential impacts will be mitigated to less than significant through the proposed mitigation measures and conditions of approval. The project includes a mine reclamation plan, that details how once the mine is completely used up, the owners are required to return the mine to a natural state with native vegetation to closely resemble the surrounding environment.

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

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

**D. Land Use Designation(s):** Open Space Mineral Resources, Open Space Conservation Habitat, Open Space Rural and Open Space Water

**E. Overlay(s), if any:** None

**F. Policy Area(s), if any:** None

**G. Adjacent and Surrounding:**

1. **Area Plan(s):** Eastern Coachella Valley

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

3. **Land Use Designation(s):** Open Space Conservation, Open Space- Mineral Resources, Open Space-Water and Agriculture.

4. **Overlay(s), if any:** None

5. **Policy Area(s), if any:** None

**H. Adopted Specific Plan Information**

1. **Name and Number of Specific Plan, if any:** Not within a Specific Plan

2. **Specific Plan Planning Area, and Policies, if any:** N/A

**I. Existing Zoning:** Natural Assets (N-A) and Mineral Resources and Related Manufacturing (M-R-A).

**J. Proposed Zoning, if any:** Natural Assets (N-A) and Mineral Resources and Related Manufacturing (M-R-A).

**K. Adjacent and Surrounding Zoning:** North - N-A (Natural Assets); East - W-2-20 (Controlled Development 20 acres minimum) and N-A (Natural Assets); South - W-1 (Watercourse, Watershed and Conservation); West - A-2-20 and A-1-20 (Heavy Agriculture 20 acres minimum).

### **III. ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED**

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

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

#### IV. DETERMINATION

On the basis of this initial evaluation:

<b>A PREVIOUS ENVIRONMENTAL IMPACT REPORT/NEGATIVE DECLARATION WAS NOT PREPARED</b>
<input type="checkbox"/> I find that the proposed project <b>COULD NOT</b> have a significant effect on the environment, and a <b>NEGATIVE DECLARATION</b> will be prepared.
<input checked="" type="checkbox"/> I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project, described in this document, have been made or agreed to by the project proponent. <b>A MITIGATED NEGATIVE DECLARATION</b> will be prepared.
<input type="checkbox"/> I find that the proposed project <b>MAY</b> have a significant effect on the environment, and an <b>ENVIRONMENTAL IMPACT REPORT</b> is required.

<b>A PREVIOUS ENVIRONMENTAL IMPACT REPORT/NEGATIVE DECLARATION WAS PREPARED</b>
<input type="checkbox"/> I find that although the proposed project could have a significant effect on the environment, <b>NO NEW ENVIRONMENTAL DOCUMENTATION IS REQUIRED</b> because (a) all potentially significant effects of the proposed project have been adequately analyzed in an earlier EIR or Negative Declaration pursuant to applicable legal standards, (b) all potentially significant effects of the proposed project have been avoided or mitigated pursuant to that earlier EIR or Negative Declaration, (c) the proposed project will not result in any new significant environmental effects not identified in the earlier EIR or Negative Declaration, (d) the proposed project will not substantially increase the severity of the environmental effects identified in the earlier EIR or Negative Declaration, (e) no considerably different mitigation measures have been identified and (f) no mitigation measures found infeasible have become feasible.
<input type="checkbox"/> I find that although all potentially significant effects have been adequately analyzed in an earlier EIR or Negative Declaration pursuant to applicable legal standards, some changes or additions are necessary but none of the conditions described in California Code of Regulations, Section 15162 exist. An <b>ADDENDUM</b> to a previously-certified EIR or Negative Declaration has been prepared and will be considered by the approving body or bodies.
<input type="checkbox"/> I find that at least one of the conditions described in California Code of Regulations, Section 15162 exist, but I further find that only minor additions or changes are necessary to make the previous EIR adequately apply to the project in the changed situation; therefore a <b>SUPPLEMENT TO THE ENVIRONMENTAL IMPACT REPORT</b> is required that need only contain the information necessary to make the previous EIR adequate for the project as revised.
<input type="checkbox"/> I find that at least one of the following conditions described in California Code of Regulations, Section 15162, exist and a <b>SUBSEQUENT ENVIRONMENTAL IMPACT REPORT</b> is required: (1) Substantial changes are proposed in the project which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; (2) Substantial changes have occurred with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or (3) New information of substantial importance, which was not known and could not have been known

with the exercise of reasonable diligence at the time the previous EIR was certified as complete or the negative declaration was adopted, shows any the following:(A) The project will have one or more significant effects not discussed in the previous EIR or negative declaration;(B) Significant effects previously examined will be substantially more severe than shown in the previous EIR or negative declaration;(C) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measures or alternatives; or,(D) Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR or negative declaration would substantially reduce one or more significant effects of the project on the environment, but the project proponents decline to adopt the mitigation measures or alternatives.

\_\_\_\_\_  
Signature

Brett Dawson

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Date

\_\_\_\_\_  
For Charissa Leach, Assistant Director of  
TLMA – Community Services

**V. ENVIRONMENTAL ISSUES ASSESSMENT**

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

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

Source: Riverside County General Plan Figure C-8 "Scenic Highways"

Findings of Fact: a-b) The site is located east of the east end of Airport Boulevard and has public land to the north and southwest. The adjacent properties are currently zoned for agriculture, controlled development, and a watercourse. Interstate 10 is located approximately 3 miles west of the site. There are no scenic roads or highways that will be impacted by the project and the site is screened from public view by the All American Canal, and no impact would occur.

Mitigation: No mitigation required.

Monitoring: No monitoring required.

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

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

Findings of Fact: a) The site is 48.95 miles away from Mt. Palomar Observatory, outside of the zones of concern, as defined by County Ordinance No. 655. Therefore, the project would not interfere with the nighttime use of Mt. Palomar Observatory and no impacts would occur.

Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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Mitigation: No mitigation required.

Monitoring: No monitoring required.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>3. Other Lighting Issues</b>				
a) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Expose residential property to unacceptable light levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Source: On-site Inspection, Project Application Description

Findings of Fact: a-b) No new light source(s) is/are expected due to the present/future operation of the project. Site lighting currently meets County Ordinance No. 655, therefore no impacts would occur.

Mitigation: No mitigation is required.

Monitoring: No monitoring is required.

<b>AGRICULTURE &amp; FOREST RESOURCES</b> Would the project				
<b>4. Agriculture</b>				
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland) as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with existing agricultural zoning, agricultural use or with land subject to a Williamson Act contract or land within a Riverside County Agricultural Preserve?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Cause development of non-agricultural uses within 300 feet of agriculturally zoned property (Ordinance No. 625 "Right-to-Farm")?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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

Findings of Fact: a-d) The site is not located in or adjacent to, or within 300 feet of, an agricultural preserve, agriculturally zoned property, or Prime or Unique Farmlands, or Farmlands of Statewide Importance. The site will not conflict with a property that is party to a Williamson Act contract. Nor would expanded grading/development of this property involve other changes, which due to their location or nature, could result in conversion of Farmland to non-agricultural uses, and no impact would occur.

Mitigation: No mitigation required.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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Monitoring: No monitoring required.

<b>5. Forest</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
a) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Govt. Code section 51104(g))?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in the loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Source: Riverside County General Plan Figure OS-3a "Forestry Resources Western Riverside County Parks, Forests, and Recreation Areas," Figure OS-3b "Forestry Resources Eastern Riverside County Parks, Forests, and Recreation Areas," and Project Application Materials.

Findings of Fact: a-c) The site is not located in or adjacent to forest, forest-zoned, timberland, or timberland-zoned land. Nor would expanded grading/development of this property involve other changes, which due to their location or nature, could result in conversion of forest or timberland to non-forest or non-timberland uses, and no impact would occur.

Mitigation: No mitigation required.

Monitoring: No monitoring required.

<b>AIR QUALITY</b> Would the project	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>6. Air Quality Impacts</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Expose sensitive receptors which are located within 1 mile of the project site to project substantial point source emissions?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Involve the construction of a sensitive receptor located within one mile of an existing substantial point source emitter?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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Source: SCAQMD CEQA Air Quality Handbook, Air Quality and Green House Gas Assessment for Valley Rock and Sand Quarry SMP00129R2, Lilburn Corporation Updated August 2015.

Findings of Fact: a-f) The Lilburn Corporations air Quality and Green House Gas Assessment provides in the Cumulative Impact Section, "As noted the SSAB is currently in violation of federal and State air quality standards for ozone and PM10. Any new project within the SSAB, even if it does not have a significant impact by itself, will contribute emissions to the air basin regionally. Combined with the emissions of existing sources and other projected development, the total emissions may contribute to the exceedance of air quality standards in the region. Neither CEQA nor the SCAQMD have any methods to quantify the contributions of any one project to the violation of air quality standards. Each individual project of this size will have a nearly negligible effect on the basin's overall emissions and air quality."

"The slight increase of 2.5 lbs/day of NOx to 85.7 lbs/day due to the increase in haul truck use could constitute a potentially significant cumulative impact since the existing baseline of 83.2 lbs/day exceeds the current SCAQMD's CEQA threshold of 55 lbs/day. Note that this standard was 100 lbs/day when the SMP129 Revision 1 was approved in 1997. Therefore. In order to reduce the estimated NOx emissions at maximum production by at minimum of 2.5 lbs/day, the applicant has agreed to implement the following mitigation measures"

Mitigation: In order for the increase in NOx emissions from on-site equipment to not increase over existing permitted NOx emissions and create a potential cumulative air quality impact at maximum production, the operator shall implement the following mitigation measure: If mining exceeds 324,000 tons/year of 90% of the maximum 360,000 tons/year, then the operator shall be required to utilize a loader or a haul truck rated at Tier 4 or Tier 4 Interim emission standards. (COA 10. PLANNING.40)

Monitoring: Annual mine inspections by the County shall be conducted to ensure compliance with the approved Plan of Operations and Reclamation Plan, and the Conditions of Approval, as required by County Ordinance No. 555.

**BIOLOGICAL RESOURCES** Would the project

**7. Wildlife & Vegetation**

a) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Conservation Community Plan, or other approved local, regional, or state conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Have a substantial adverse effect, either directly or through habitat modifications, on any endangered, or threatened species, as listed in Title 14 of the California Code of Regulations (Sections 670.2 or 670.5) or in Title 50, Code of Federal Regulations (Sections 17.11 or 17.12)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U. S. Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
e) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U. S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Source: Final Recirculated Coachella Valley Habitat Conservation Plan – September 2007 (CVMSHCP); CDFW Jurisdictional Delineation dated December 19, 2016 prepared by Paul Kielhold; Valley Rock & Sand Proposed Quarry Expansion: Biological Technical Report and Desert Tortoise Survey date June 27, 2005 prepared by White & Leatherman BioServices; Project Memorandum dated November 2, 2011 from Scott White, Senior Biologist with Aspen Environmental Group to Chad Young with the Riverside County Planning Department

Findings of Fact:

The proposed project will add 90 acres of project area to the existing project area of 190 acres resulting in a new total project area of 280 acres. The proposed 90-acre expansion area consists of Phase 1 and Phase 2

a) The project site (Surface Mining Permit No. 129 Revised No. 2) is located within the Coachella Valley Multiple Species Habitat Conservation Plan (CVMSHCP). The proposed 90-acre expansion area is not located within a Conservation Area, but is located adjacent to the Mecca Hills/Orocopia Mountains Conservation Area. Therefore, the proposed expansion is subject to the CVMSHCP Land Use Adjacency Guidelines (CVMSHCP Section 4.5). The purpose of the Land Use Adjacency Guidelines is to avoid or minimize indirect effects from development adjacent to the Conservation Areas. A general information condition has been applied to the project by the County of Riverside requiring the project to comply with the Land Use Adjacency Guidelines.

4.5.1 Drainage

Proposed Development adjacent to or within a Conservation Area shall incorporate plans to ensure that the quantity and quality of runoff discharged to the adjacent Conservation Area is not altered in an adverse way when compared with existing conditions. Stormwater systems shall be designed to prevent the release of toxins, chemicals, petroleum products, exotic plant materials or other elements that might degrade or harm biological resources or ecosystem processes within the adjacent Conservation Area.

4.5.2 Toxics

Land uses proposed adjacent to or within a Conservation Area that use chemicals or generate bioproducts such as manure that are potentially toxic or may adversely affect wildlife and plant species, Habitat, or water quality shall incorporate measures to ensure that application of such chemicals does not result in any discharge to the adjacent Conservation Area.



Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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**4.5.3 Lighting**

For proposed Development adjacent to or within a Conservation Area, lighting shall be shielded and directed toward the developed area. Landscape shielding or other appropriate methods shall be incorporated in project designs to minimize the effects of lighting adjacent to or within the adjacent Conservation Area in accordance with the guidelines to be included in the Implementation Manual.

**4.5.4 Noise**

Proposed Development adjacent to or within a Conservation Area that generates noise in excess of 75 dBA Leq hourly shall incorporate setbacks, berms, or walls, as appropriate, to minimize the effects of noise on the adjacent Conservation Area in accordance with the guidelines to be included in the Implementation Manual.

**4.5.5 Invasives**

Invasive, non-native plant species shall not be incorporated in the landscape for land uses adjacent to or within a Conservation Area. Landscape treatments within or adjacent to a Conservation Area shall incorporate native plant materials to the maximum extent Feasible; recommended native species are listed in Table 4-112. The plants listed in Table 4-113 shall not be used within or adjacent to a Conservation Area. This list may be amended from time to time through a Minor Amendment with Wildlife Agency Concurrence.

**4.5.6 Barriers**

Land uses adjacent to or within a Conservation Area shall incorporate barriers in individual project designs to minimize unauthorized public access, domestic animal predation, illegal trespass, or dumping in a Conservation Area. Such barriers may include native landscaping, rocks/boulders, fencing, walls and/or signage.

**4.5.7 Grading/Land Development**

Manufactured slopes associated with site Development shall not extend into adjacent land in a Conservation Area.

Impacts will be less than significant with adherence to the County of Riverside Conditions of Approval.

b-c) As mentioned in part a), the proposed project site is located within the CVMSHCP. Take Authorization is the ability to incidentally Take species pursuant to the Section 10(a)(1)(B) Federal Endangered Species Act Permit and/or the State Natural Community Conservation Plan Act Permit. The CVMSHCP provides Take Authorization for 27 plant, insect, fish, amphibian, reptile, bird and mammal species that have special statuses such as threatened, endangered, candidate, sensitive, or special status. The proposed project is required to pay the CVMSHCP Local Development Mitigation Fee pursuant to Riverside County Ordinance No.875. Impacts to threatened, endangered, candidate, sensitive, or special status species covered by the CVMSHCP will be less than significant with payment of the required CVMSHCP Local Development Mitigation Fee.

Some special status species within the region are not covered under the CVMSHCP. In a November 2, 2011 project memorandum from Scott D. White with Aspen Environmental Group to the County Biologist, the likelihood of four special status species not covered under the CVMSHCP to occur on the project site was discussed: chaparral sand verbena, pallid San Diego pocket mouse, loggerhead shrike, and American badger.

Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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Project impacts to chaparral sand verbena were determined to be adverse but less than significant, as generally interpreted under CEQA. Chaparral sand verbena is not a covered species under the CVMSHCP, but the project's impacts, though less than significant, would be mitigated through the CVMSHCP. For example, the CVMSHCP will conserve land in the Whitewater River sand transport corridor, where chaparral sand verbena occurs. Therefore, specific mitigation measures or follow-up botanical surveys for this species was not recommended by Scott D. White.

Project impacts to Pallid San Diego pocket mouse were determined to be adverse but less than significant, as generally interpreted under CEQA. Pallid San Diego pocket mouse is not a covered species under the CVMSHCP, but the project's impacts, though less than significant, would be mitigated through the CVMSHCP. Specific mitigation measures or follow-up live-trapping surveys for this species was not recommended by Scott D. White.

According to Scott D. White's memorandum to the County dated November 2, 2011, the project has the potential to take loggerhead shrikes, or active nests, eggs, or nestlings of loggerhead shrikes or of other native birds protected under state and federal statute. Scott D White recommended a pre-construction nesting bird survey to prevent the take or disturbance to bird nests. This recommendation was applied to the project by the County of Riverside as a condition of approval prior to grading permit issuance.

According to Scott D. White's memorandum to the County dated November 2, 2011, the project has the potential to entrap a badger within the project area. We recommend a measure, above, to prevent badgers from becoming entrapped within the fenced area. Implementation of this measure, in combination with badger habitat to be conserved through the CVMSHCP, would reduce any potential project impacts to American badger to less than significant, as defined by CEQA.

Impacts to endangered, threatened, candidate, sensitive, or special status species will be less than significant with adherence to County of Riverside Conditions of Approval.

d) As discussed in part a) of this section, the project site (Surface Mining Permit No. 129 Revised No. 2) is located within the Coachella Valley Multiple Species Habitat Conservation Plan (CVMSHCP). The proposed 90-acre expansion area is not located within a Conservation Area, but is located adjacent to the Mecca Hills/Orocopia Mountains Conservation Area. Therefore, the proposed expansion is subject to the CVMSHCP Land Use Adjacency Guidelines (CVMSHCP Section 4.5). The purpose of the Land Use Adjacency Guidelines is to avoid or minimize indirect effects from development adjacent to the Conservation Areas. A general information condition has been applied to the project by the County of Riverside requiring the project to comply with the Land Use Adjacency Guidelines.

Birds and their nests are protected by the Migratory Bird Treaty Act (MBTA) and California Department of Fish and Wildlife (CDFW) Codes. As recommended within the Project Memorandum dated November 2, 2011 from Scott White, Senior Biologist with Aspen Environmental Group to Chad Young with the Riverside County Planning Department, the project has been conditioned for a pre-construction nesting bird survey if grading or vegetation removal is planned to occur within the avian nesting season (February 1 through August 31).

Impacts will be less than significant with adherence to County of Riverside Conditions of Approval.

Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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e) The proposed 90-acre expansion area consists of Phase 1 and Phase 2 that are occupied by multiple intermittent drainages have California Department of Fish and Wildlife (CDFW) jurisdiction. The Jurisdictional Delineation prepared by Paul Keilhold (dated December 19, 2016) mapped 0.8 acres (34,712.3 SF) of existing channels within 38 acres of the northern portion of Phase 2 Expansion Area which are most likely subject to concentrations of flow. The Riverside County Planning Department has conditioned the project to provide documentation that confirms a CDFW Lake or Streambed Alteration Agreement is in effect and executed prior to grading permit issuance.

The southern portion of Expansion Area Phase 2 is hydrologically active and contains channels that are considered to be CDFW jurisdictional streambeds. According to the Jurisdictional Delineation, the southern portion of Expansion Area Phase 2 will be excluded from mining in order to avoid impacts to CDFW jurisdictional features. The Mining Plan (Sheet 1 of 3, Map Revision No. 8 dated February 9, 2017) for SMP129R2 Amended No. 2 shows avoidance in the southern portion of Expansion Area Phase 2 in order to be consistent with the Jurisdictional Delineation project description. The area is labeled as "Mineral Reserves Per Jurisdictional Areas Mapped and Prepared by P.Kielhold (12/16) Not To Be Mined".

Impacts will be less than significant with adherence to Riverside County Conditions of Approval.

f) According to the Jurisdictional Delineation prepared by Paul Keilhold (dated December 19, 2016), the proposed 90-acre expansion area consists of Phase 1 and Phase 2 that are occupied by multiple intermittent drainages have California Department of Fish and Wildlife (CDFW) jurisdiction. These impacts are discussed in part e) in this section. The proposed project will not have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act. No impacts will occur.

g) No oak trees are located on the project site; therefore, the project is not subject to the County of Riverside Oak Tree Management Guidelines. The project will not conflict with any local policies or ordinances protecting biological resources. No impacts will occur.

Mitigation: No mitigation measures are required.

Monitoring: No monitoring measures are required

**CULTURAL RESOURCES** Would the project

8. Historic Resources	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Alter or destroy an historic site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Cause a substantial adverse change in the significance of a historical resource as defined in California Code of Regulations, Section 15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Source: On-site Inspection, Project Application Materials

Findings of Fact: a) Based upon analysis of records and a survey of the property by a County approved archaeologist, it has been determined that there will be no impacts to historical resources as defined in California Code of Regulations, Section 15064.5 because they do not occur on the project site. Results of the survey can be found in archaeological survey report entitled "PDA)5037; Historical/Archaeological resources Survey Report, Valley Rock and Sand Mine Expansion, Near the Community of Thermal, Riverside County, California", authored by CRM Tech and dated April 15, 2005.

Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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Because the survey failed to identify any historic resources the project will not alter or destroy a historic site. Therefore, there will be no impacts to historic resources.

b)Based upon analysis of records and a survey of the property by , it has been determined that there will be no impacts to significant historical resources as defined in California Code of Regulations, Section 15064.5 because they do not occur on the project site. As such, no change in the significance of historical resources will occur with the implementation of the proposed project because there are no significant historical resources. Therefore, there will be no impacts in this regard.

Mitigation: No mitigation measures are required.

Monitoring: No monitoring measures are required.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>b) Archaeological Resources</b>				
a. Alter or destroy an archaeological site.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Cause a substantial adverse change in the significance of an archaeological resource pursuant to California Code of Regulations, Section 15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Restrict existing religious or sacred uses within the potential impact area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. Cause a substantial adverse change in the significance of a tribal cultural resource as defined in Public Resources Code 21074?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Source: On-site Inspection, Project Application Materials, County Archaeologist Review, Historical/Archaeological Resources Report, Valley Rock & Sand Mine Expansion, prepared by CRM Tech on April 15, 2005.

Findings of Fact: a) Based upon analysis of records and a survey of the property by a County approved archaeologist, it has been determined that there will be no impacts to archaeological resources as defined in California Code of Regulations, Section 15064.5 because they do not occur on the project site. Results of the survey can be found in archaeological survey report entitled "PDA)5037; Historical/Archaeological resources Survey Report, Valley Rock and Sand Mine Expansion, Near the Community of Thermal, Riverside County, California", authored by CRM Tech and dated April 15, 2005. Because the survey failed to identify any archaeological resources, the project will not alter or destroy an archaeological site. Therefore, there will be no impacts to archaeological resources.

B) Based upon analysis of records and a survey of the property by , it has been determined that there will be no impacts to significant archaeological resources as defined in California Code of Regulations, Section 15064.5 because they do not occur on the project site. As such, no change in the significance of archaeological resources will occur with the implementation of the proposed project because there are no significant archaeological resources. Therefore, there will be no impacts in this regard.

C) Based on an analysis of records and archaeological survey of the property, it has been determined that the project site does not include a formal cemetery or any archaeological resources that might contain interred human remains. Nonetheless, the project will be required to adhere to State Health and Safety Code Section 7050.5 if in the event that human remains are encountered and by ensuring

Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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that no further disturbance occur until the County Coroner has made the necessary findings as to origin of the remains. Furthermore, pursuant to Public Resources Code Section 5097.98 (b), remains shall be left in place and free from disturbance until a final decision as to the treatment and their disposition has been made. This is State Law, is also considered a standard Condition of Approval and as pursuant to CEQA, is not considered mitigation. Therefore impacts in this regard are considered less than significant.

D-E)Based on an analysis of records and Native American consultation, it has been determined the project property is currently not used for religious or sacred purposes. Therefore, the project will not restrict existing religious or sacred uses within the potential impact area because there were none identified. Therefore, there will be no impacts in this regard.

Mitigation: No mitigation measures are required.

Monitoring: No monitoring measures are required.

**c) Tribal Cultural Resources**

a. Would the project cause a substantial adverse change in the significance of a Tribal Cultural Resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American Tribe, and that is:

Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1 (k); or,

b. A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1? In applying the criteria set forth in subdivision (c). of Public Resources Code Section 5024.1 for the purpose of this paragraph, the lead agency shall consider the significance to a California Native tribe.

**Source:** Native American Consultation

**Findings of Fact:**

a-b) In compliance with Assembly Bill 52 (AB52), notices regarding this project were mailed to all requesting tribes on July 16, 2015 and November 14, 2016. Consultations were requested by Twenty-Nine Palms and Agua Caliente Band of Cahuilla Indians. Soboba Band of Luiseno Indians deferred to Torres Martinez. Agua Caliente requested the record search, survey reports, site records and any cultural resource documents associated with this project. These were provided to the Tribe. The final conditions of approval were sent to the tribe on February 9, 2017 and the Tribe concurred with these conditions on the same day. Twenty-nine Palms responded with a request to

Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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consult on December 1, 2016 and requested a copy of the cultural report. This was provided to the Tribe on December 16, 2016 and February 2, 2017. The final conditions of approval which included a condition for Tribal Cultural Sensitivity Training, was provided to both Tribes on February 22, 2017. No Tribal Cultural Resources were identified by either tribe and both concurred with the cultural sensitivity training condition. Because no Tribal Cultural Resources were identified, there will be no impacts in this regard.

**Mitigation:** No Mitigation Measures are required.

**Monitoring:** No Monitoring Measures are required.

**GEOLOGY AND SOILS** Would the project

**d) Alquist-Priolo Earthquake Fault Zone or County Fault Hazard Zones**

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

b. Be subject to rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault?

**Source:** Riverside County General Plan Figure S-2 "Earthquake Fault Study Zones," GIS database, Geologist Comments, Slope Stability Investigation Proposed Expansion of Thermal Quarry (SMP 129R2) prepared by CHJ, Inc., March 2011.

**Findings of Fact:** (a-b) According to RCLIS (GIS database) and CHJ Slope Stability Investigation indicates a small area of the northeast portion of the site is included within an Alquist-Priolo Earthquake Fault Zone (APZ) as designated by the State of California for the San Andreas fault zone. The results of the Slope Stability Investigation also show a mapped trace of the San Andreas fault zone is located approximately 600 feet northeast of the expansion area boundary (USGS, 2010). This trace exhibited surface creep as a result of the 1968 Borrego Mountain earthquake (Clark, 1984).

On the existing mining site the majority of work is performed outside of buildings. There are no buildings being proposed as part of Revised Permit 129R2. With no new buildings or structures being proposed, the risk of loss, injury or death is significantly reduced. Therefore, impacts are considered less than significant.

**Mitigation:** No Mitigation Measures are required.

**Monitoring:** No Monitoring Measures are required.

**e) Liquefaction Potential Zone**

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

Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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**Source:** Riverside County General Plan Figure S-3 "Generalized Liquefaction", County Geologist Review, Slope Stability Investigation Proposed Expansion of Thermal Quarry (SMP 129R2) prepared by CHJ, Inc., March 2011.

**Findings of Fact:** a) According to the County Geologist review of CHJ, Inc.'s Slope Stability Investigation, groundwater surface elevation is estimated to be 100 feet below mean sea level or approximately 100 feet below the bottom of the proposed expansion. Therefore, liquefaction is not anticipated at the site based on this estimated depth to groundwater. There are no permanent buildings being proposed as part of the Revised Permit 129R2. With no new permanent buildings or structures being proposed, the risk of loss, injury or death is significantly reduced. Therefore impacts are considered less than significant.

**Mitigation:** No Mitigation Measures are required.

**Monitoring:** No Monitoring Measures are required.

**f) Ground-shaking Zone**

a. Be subject to strong seismic ground shaking?





**Source:** Riverside County General Plan Figure S-4 "Earthquake-Induced Slope Instability Map," and Figures S-13 through S-21 (showing General Ground Shaking Risk), County Geologist Review, Slope Stability Investigation Proposed Expansion of Thermal Quarry (SMP 129R2) prepared by CHJ, Inc., March 2011.

**Findings of Fact:** a) According to RCLIS (GIS database) and CHJ Slope Stability Investigation indicates a small area of the northeast portion of the site is included within an Alquist-Priolo Earthquake Fault Zone (APZ) as designated by the State of California for the San Andreas fault zone. The results of the Slope Stability Investigation also show a mapped trace of the San Andreas fault zone is located approximately 600 feet northeast of the expansion area boundary (USGS, 2010). This trace exhibited surface creep as a result of the 1968 Borrego Mountain earthquake (Clark, 1984). Severe seismic shaking of the site can be expected to occur during the lifetime of the proposed mining and reclamation. On the existing mining site the majority of work is performed outside of buildings. There are no permanent buildings being proposed as part of Revised Permit 129R2. With no new buildings or structures being proposed, the risk of loss, injury or death is significantly reduced. In addition, the proposed 2:1 cut slopes up to 100 feet in height are suitably stable against gross failure for the various anticipated long term conditions, including the effect of seismic shaking. Therefore, impacts are considered less than significant.

**Mitigation:** No Mitigation Measures are required.

**Monitoring:** No Monitoring Measures are required.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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**g) Landslide Risk**

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

Source: On-site Inspection, Riverside County General Plan Figure S-5 "Regions Underlain by Steep Slope", County Geologist Review, Slope Stability Investigation Proposed Expansion of Thermal Quarry (SMP 129R2) prepared by CHJ, Inc., March 2011.

Findings of Fact: a) According to the County's General Plan, slope angles for the project site are less than 15% and the site is not located near any existing landslide areas. A Newmark Analysis was conducted by CHJ, Inc. with mean and median displacements of less than 15 cm., which are unlikely to correspond to serious landslide movement and damage. Accordingly, the site has limited susceptibility to seismically induced landslides and rockfalls and therefore impacts are considered less than significant.

Mitigation: No Mitigation Measures are required.

Monitoring: No Monitoring Measures are required.

**h) Ground Subsidence**

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

Source: Riverside County General Plan Figure S-7 "Documented Subsidence Areas Map", County Geologist Review.

Findings of Fact: a) According to the County's General Plan, the site is located within areas that are susceptible to subsidence. The site is located on alluvial materials which are not generally considered susceptible to subsidence. However, localized settlements may occur in younger sediments, and may require that structures built onsite be mitigated with ground improvement (excavation and compaction) or foundation reinforcement. However, there are no permanent buildings being proposed as part of the Revised Permit 129R2. With no new permanent buildings or structures being proposed, the risk of loss, injury or death is significantly reduced. Therefore impacts are considered less than significant.

Mitigation: No Mitigation Measures are required.

Monitoring: No Monitoring Measures are required.

**i) Other Geologic Hazards**

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

Source: On-site Inspection, Project Application Materials, County Geologist Review.



Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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**Findings of Fact:** a) The project site is not located within any geological special studies zone, and tsunamis and seiching are not potential hazards to the site. Therefore impacts are considered less than significant.

**Mitigation:** No Mitigation Measures are required.

**Monitoring:** No Monitoring Measures are required.

j) Slopes	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Change topography or ground surface relief features?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Create cut or fill slopes greater than 2:1 or higher than 10 feet?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. Result in grading that affects or negates subsurface sewage disposal systems?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**Source:** Riv. Co. 800-Scale Slope Maps, Project Application Materials, County Geologist Review, Slope Stability Investigation Proposed Expansion of Thermal Quarry (SMP 129R2) prepared by CHJ, Inc., March 2011.

**Findings of Fact:** a-c) The project will produce final slopes with a maximum height of 100 feet. Proposed slopes were analyzed for gross and surficial stability under static and seismic conditions and found to meet minimum safety factors of 1.5. and 1.1, respectively. 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 10-feet in width. Working slopes below benches shall not be steeper than 1:1 (horizontal to vertical). Therefore impacts are considered less than significant with mitigation measures incorporated.

Finished slopes may not exceed 2:1 or as identified in another condition of approved exhibit to this case (COA 10. BS GRADE. 18). A certified engineering geologist or geotechnical engineer shall inspect all excavated slopes within the permitted boundaries (active and inactive) for slope stability (10. BS GRADE. 2). 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. Therefore impacts are considered less than significant with mitigation measures incorporated.

Subsurface sewage disposal systems will not be impacted by the project. Therefore impacts are considered less than significant.

**Mitigation:** Finished slopes may not exceed 2:1 or as identified in another approved condition or approved exhibit to this case (COA 10. BS Grade. 18). A certified engineering geologist or geotechnical engineer shall inspect all excavated slopes (10. BS GRADE. 2). 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 (COA 10. BS GRADE. 18).

**Monitoring:** Periodic inspections by MSHA and annual inspections by the County shall ensure compliance with Riverside County Ordinance No. 555 (SMARA) and the Mining and Reclamation Plan.

Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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Additionally, a Certified engineering Geologist shall perform annual inspections to confirm slope stability. The results of these inspections shall be included with the annual mine reports.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>k) Soils</b>				
a. Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Be located on expansive soil, as defined in Section 1802.3.2 of the California Building Code (2007), creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Have soils incapable of adequately supporting use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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

Findings of Fact: a-c) The soils situated on the proposed project site are composed predominately of Carsitas gravelly sand and Carsitas cobbly sand. Topsoil will be removed and stockpiled for use during revegetation activities. Portions of the stockpiles topsoil will be used for re-seeding revegetation test areas during revegetation activities. The project is required to comply with the State of California Surface Mining and Reclamation Act and Riverside County Ordinance No. 555. Through implementation of the Reclamation Plan, the project will have a less than significant impact from soil erosion or the loss of topsoil. In addition, subsurface sewage disposal systems will not be impacted by the project. Therefore impacts are considered less than significant.

Mitigation: No mitigation measures are required.

Monitoring: No monitoring measures are required.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>l) Erosion</b>				
a. Change deposition, siltation, or erosion that may modify the channel of a river or stream or the bed of a lake?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Result in any increase in water erosion either on or off site?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Source: U.S.D.A. Soil Conservation Service Soil Surveys, Project Application Materials

Findings of Fact: a-b) There is one intermittent blue-line stream that enters the Phase 1 area of the Revised Permit 129R2. A potential for headward erosion exists upstream northeasterly from the Phase 1 area and this revision has a 300-foot setback to mitigate for that possible headward erosion potential. The Permittee shall, during the proposed mining operations, ensure that off-site storm runoff through the property outlets are in substantially the same location as exists under the natural conditions and that the existing watercourses do not pond or stagnate at any time during the mining operation (10. PLANNING. 12).

Prior to any disturbance within or along any other natural watercourse or wetland located on-site or on any required off-site improvement areas, the owner or Permittee shall provide written notification to the

Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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Planning Department that appropriate notification has been made to CA Department of Fish and Wildlife (formerly CA Dept. of Fish and Game) pursuant to Sections 1601 through 1603 of the California Department of Fish and Game Code or the applicant shall obtain an "Agreement" for Streambed or Lake Alteration pursuant to California Fish and Game Code Sections 1601 through 1603 (COA 60. PLANNING. 23).

**Mitigation:** Prior to any disturbance within or along any natural watercourse or wetlands, the Permittee shall obtain a Streambed or Lake Alteration Agreement pursuant to CFG Code Sections 1601 through 1603 (COA 60. PLANNING. 23).

**Monitoring:** Annual inspections by the County shall ensure compliance with Riverside County Flood Control District guidelines.

**m) Wind Erosion and Blowsand from project either on or off site.**                       

a. Be impacted by or result in an increase in wind erosion and blowsand, either on or off site?

**Source:** Riverside County General Plan Figure S-8 "Wind Erosion Susceptibility Map," Ord. No. 460, Article XV & Ord. No. 484

**Findings of Fact:** a) The mining operations will create stockpiles of material that may be susceptible to wind erosion on-site. No blowsand issues are expected. Throughout active mining operations, the operator will be required to comply with the requirements of AQMD by instituting erosion control procedures. Reclamation of the project site will include revegetation of all disturbed areas, minimizing any erosion that may occur due to the winds in the area.

**Mitigation:** The project will implement particulate matter and dust controls (COAs 10. PLANNING. 10, and 10. BS GRADE. 28).

**Monitoring:** Annual inspections by the Riverside County shall ensure compliance with Riverside County Ordinance No. 555 and the approved Mining and Reclamation Plan.

**n) Paleontological Resources**                       

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

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

**Findings of Fact:** a) According to the County's General Plan, the project site has been mapped as having "Low Potential" for paleontological resources. This category encompasses lands for which previous field surveys and documentation demonstrates a low potential for containing significant paleontological resources subject to adverse impacts. However, if fossil remains and paleontological resources are encountered, all site earthmoving activities shall cease and the County Geologist notified (COA 10.PLANNING. 3). This is a standard condition and therefore, is not considered unique mitigation pursuant to CEQA. Therefore impacts are considered less than significant.

**Mitigation:** No Mitigation Measures are required.

Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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**Monitoring:** No Monitoring Measures are required.

**GREENHOUSE GAS EMISSIONS** Would the project

**o) Greenhouse Gas Emissions**

a. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?

b. Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

Source: Project Application Materials, Greenhouse Gas Assessment prepared by Lilburn Corporation dated March 2012. Greenhouse Gas Assessment for Valley Rock and Sand Quarry SMP00129R2 (Lilburn Corporation, Updated August 2015)

Findings of Fact: a) An Air Quality Assessment was prepared by Lilburn Corporation dated December 2012 which analyzed stationary and mobile greenhouse gas emissions from both existing (SMP 129R1) and proposed (Project Revision 129R2) operations. The assessment concluded that the total combined project related greenhouse gas emissions of 2,499 MTCO<sub>2</sub>e would not exceed the SCAQMD GHG threshold of 10,000 MTCO<sub>2</sub>e. No change to the maximum annual quantity of 360,000 tons is proposed. Therefore, the existing project and the planned revision will not significantly increase GHG emissions or significantly impact climate change.

b) As of the creation of the environmental analysis, the only adopted policy that would impact this project at the time of approval would be AB 32. This project does not conflict with the requirements of AB 32. Therefore impacts are considered less than significant.

**Mitigation:** No mitigation measures are required.

**Monitoring:** No monitoring measures are required.

**HAZARDS AND HAZARDOUS MATERIALS** Would the project

**p) Hazards and Hazardous Materials**

a. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?

b. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?

c. Impair implementation of or physically interfere with an adopted emergency response plan or an emergency evacuation plan?

d. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
e. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Source: Project Application Materials, Amended Plan of Operations and Reclamation Plan by Webber and Webber Mining Consultants, Inc.

Findings of Fact: a-e) Diesel fuel, common lubricants and oils used by mining equipment will be imported to the site. All waste oil will be stored in appropriate containers and disposed at an offsite permitted facility. The Reclamation Plan states, "Any waste oil generated at the project site will be collected and transported for offsite disposal by approved methods via properly trained and licensed personnel. These procedures, and any lawful changes to these procedures, will be adhered to throughout the proposed project life. A spill prevention, control, and countermeasures plan (SPCC) (W 7 W), 2011) has been prepared for the project and is kept onsite at all times, in accordance with current Federal regulations.

Broken concrete and asphalt debris will be imported intermittently for recycling. These inert, imported wastes are to be processed occasionally utilizing a portable crushing plant brought onsite for this purpose. Road base material will be the product produced from these intermittent activities for use in the regional construction market. No imported waste will be disposed of on-site. A project area near the clay quarry has been designated for these activities." With these mitigation procedures, impacts will be reduced to less than significant.

Mitigation: All onsite generated waste oil will be stored in appropriate containers and disposed at an offsite permitted facility by properly trained and licensed personnel. The Plan of Operations and Reclamation Plan include provisions for the removal of all equipment following termination of mining operations. COA (10.PLANNING.41)

Monitoring: Annual mine inspections by the County shall be conducted to monitor storage and cleanup activities in compliance with the approved Plan of Operations and Reclamation Plan, and the Conditions of Approval, as required by County Ordinance No. 555. And COA (10.BS GRADE.2)

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

Source: Riverside County General Plan Figure S-20 "Airport Locations," GIS database

Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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**Findings of Fact:** a-d) The site is not located in the vicinity of a private airstrip or heliport, or public-use airport, and would not result in an inconsistent use with a Master Airport Plan, or require review by the Airport Land Use Commission. Nor is the site within an Airport Land Use Plan. The site is not within two miles of a private or public airport, and would not result in a safety hazard for people working in the project area, therefore there will be no impacts.

**Mitigation:** No mitigation required.

**Monitoring:** No monitoring required.

**r) Hazardous Fire Area**

a. Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?

**Source:** Riverside County General Plan Figure S-11 "Wildfire Susceptibility," GIS database

**Findings of Fact:** a) The proposed site would not expose people or structures to a significant risk or loss, injury, or death involving wildland fires. The site is not located within a wildland high-risk fire area.

**Mitigation:** No mitigation required.

**Monitoring:** No monitoring required.

**HYDROLOGY AND WATER QUALITY** Would the project

**s) Water Quality Impacts**

a. Substantially alter the existing drainage pattern of the site or area, including the alteration of the course of a stream or river, in a manner that would result in substantial erosion or siltation on- or off-site?

b. Violate any water quality standards or waste discharge requirements?

c. Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?

d. Create or contribute runoff water that would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
e. Place housing within a 100-year flood hazard area, as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f. Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g. Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h. Include new or retrofitted stormwater Treatment Control Best Management Practices (BMPs) (e.g. water quality treatment basins, constructed treatment wetlands), the operation of which could result in significant environmental effects (e.g. increased vectors or odors)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Source: Riverside County Flood Control District Flood Hazard Report/Condition.

Findings of Fact: a) Proposed Development adjacent to or within a Conservation Area shall incorporate plans to ensure that the quantity and quality of runoff discharged to the adjacent Conservation Area is not altered in an adverse way when compared with existing conditions. Stormwater systems shall be designed to prevent the release of toxins, chemicals, petroleum products, exotic plant materials or other elements that might degrade or harm biological resources or ecosystem processes within the adjacent Conservation Area.

b-h) The site is not located within a Flood Hazard Zone. Therefore, the project would not impede or redirect flood flows. Grading of the site would not substantially deplete groundwater supplies or interfere substantially with groundwater recharge or cause the groundwater levels within nearby wells to drop. Neither would the project create or contribute runoff water, which would exceed the capacity of existing or planned stormwater drainage systems or contribute substantial additional sources of polluted runoff water

Mitigation: The property's grading shall be designed in a manner that perpetuates the existing natural drainage patterns with respect to the tributary drainage area, outlet points and outlet conditions; otherwise, a drainage easement shall be obtained from the affected property owners for the release of concentrated or diverted storm flows.

Monitoring: A copy of the recorded easement shall be submitted to the Flood Control District for review per COA (10.FLOOD.2)

**t) Floodplains**

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

NA - Not Applicable  U - Generally Unsuitable  R - Restricted

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

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
c. Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam (Dam Inundation Area)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Changes in the amount of surface water in any water body?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Source: Riverside County General Plan Figure S-9 "Special Flood Hazard Areas," Figure S-10 "Dam Failure Inundation Zone," Riverside County Flood Control District Flood Hazard Report/ Condition, GIS database

Findings of Fact: a-d) The site is not located within a Flood Hazard Zone. Therefore, the project would not redirect or alter the existing drainage patterns, or alter the course of the Whitewater River. Grading of the site would not substantially cause changes in adsorption rates or amount of surface runoff water. Neither would the site expose people or structures to a significant risk of loss, injury, or death involving flooding, including flooding as a result of the failure of a levee or dam, or create or contribute to runoff water, which would exceed the capacity of any water body, therefore there are no impacts.

Mitigation: No mitigation required.

Monitoring: No monitoring required.

**LAND USE/PLANNING** Would the project

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>u) Land Use</b>				
a. Result in a substantial alteration of the present or planned land use of an area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Affect land use within a city sphere of influence and/or within adjacent city or county boundaries?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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

Findings of Fact: a-b) The site is consistent with the General Plan Land Use Element of the Eastern Coachella Valley Area Plan. The Land Use designations are: OS-W (Open Space - Water) and OS-MR (Open Space - Mineral Resources). The proposed project would not result in a substantial alteration to the present or planned land use of the area. The site is within the city sphere of influence of Coachella, however, the project is not anticipated to have a significant impact on land use in the surrounding area.

Mitigation: No mitigation required.

Monitoring: No monitoring required.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>v) Planning</b>				
a. Be consistent with the site's existing or proposed zoning?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Be compatible with existing surrounding zoning?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>



	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
c. Be compatible with existing and planned surrounding land uses?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Be consistent with the land use designations and policies of the General Plan (including those of any applicable Specific Plan)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. Disrupt or divide the physical arrangement of an established community (including a low-income or minority community)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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

Findings of Fact: a-e) The existing zoning includes: W-1 (Watercourse, Watershed and Conservation Area); NA (Natural Assets), and M-R-A (Mineral Resources and Related Manufacturing). The site is not proposing to change the zoning designations, and is compatible with and adjacent and surrounding zoning, therefore there are no impacts.

Mitigation: No mitigation required.

Monitoring: No monitoring required.

**MINERAL RESOURCES** Would the project

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>w) Mineral Resources</b>				
a. Result in the loss of availability of a known mineral resource that would be of value to the region or the residents of the State?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Be an incompatible land use located adjacent to a State classified or designated area or existing surface mine?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Expose people or property to hazards from proposed, existing or abandoned quarries or mines?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Source: Riverside County General Plan Figure OS-6 "Mineral Resources Area"

Findings of Fact: a-d) This case consists of mining known mineral resources. The reclamation plan has been reviewed and commented on by the California Department of Conservation Division of Mine Reclamation. The mined slopes may expose the public to potential safety hazards. The site would result in the utilization of a known mineral resource (sand, gravel, and clay). The site is not located adjacent to an incompatible land use, or a State classified or designated area, or existing surface mine.

Mitigation: Adherence to the mining and reclamation plan requiring quarry slopes not greater than 2:1 (H:V), fencing with warning signs, and berming along inter-quarry roads to prevent trespass onto adverse slopes.

Monitoring: Annual mine inspections by the County shall be conducted to ensure compliance with the approved Plan of Operations and Reclamation Plan, and the Conditions of Approval, as required by County Ordinance No. 555 and COA (10.BS GRADE.2).

Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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**NOISE** Would the project result in

**Definitions for Noise Acceptability Ratings**

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

NA - Not Applicable

A - Generally Acceptable

B - Conditionally Acceptable

C - Generally Unacceptable

D - Land Use Discouraged

**x) Airport Noise**

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

NA  A  B  C  D

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

NA  A  B  C  D

Source: Riverside County General Plan Figure S-20 "Airport Locations," County of Riverside Airport Facilities Map

Findings of Fact: a-b) The site is not within the vicinity of a private or public airstrip and, therefore, is not subject to any airport or flyover noise. Nor is the site located in the vicinity of a private airstrip or heliport, or public-use airport, and would not result in an inconsistent use with a Master Airport Plan, or require review by the Airport Land Use Commission. Nor is the site within an Airport Land Use Plan. The site is not within two miles of a private or public-use airport, and would not result in a safety hazard for people working in the site area, therefore there are no impacts.

Mitigation: No mitigation required.

Monitoring: No monitoring required.

**y) Railroad Noise**

NA  A  B  C  D

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

Findings of Fact: Railroad tracks are located in the site vicinity. However, railroad noise is not expected to adversely impact the site because the site is considered an industrial area and not particularly susceptible to adverse railroad noise impacts.

Mitigation: No mitigation required.

Monitoring: No monitoring required.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>z) Highway Noise</b>				
NA <input checked="" type="checkbox"/> A <input type="checkbox"/> B <input type="checkbox"/> C <input type="checkbox"/> D <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Source:** On-site Inspection, Project Application Materials

**Findings of Fact:** The site is located approximately three miles from the nearest major highway, south of the I-10 freeway and east of SH-111. Noise from these highways is not expected to impact the site.

**Mitigation:** No mitigation required.

**Monitoring:** No monitoring required.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>aa) Other Noise</b>				
NA <input checked="" type="checkbox"/> A <input type="checkbox"/> B <input type="checkbox"/> C <input type="checkbox"/> D <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Source:** Project Application Materials, GIS database

**Findings of Fact:** The site would not be adversely impacted by any other noise.

**Mitigation:** No mitigation required.

**Monitoring:** No monitoring required.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>bb) Noise Effects on or by the Project</b>				
a. A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Exposure of persons to or generation of excessive ground-borne vibration or ground-borne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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

**Findings of Fact:** a-d) The Riverside County General Plan's policy is to protect noise-sensitive land uses from high levels of noise by restricting noise-producing land uses from these areas. Compliance with the "Noise Element" section of the Riverside County General Plan, which states that noise-tolerant land uses should be guided to areas irrevocably committed to land uses that are noise-producing. The short-term impacts from site grading, as opposed to long-term impacts to ambient noise levels, would result in temporarily increasing ambient noise levels in the site vicinity. The site would not expose sensitive

Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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receptors or generation of long-term noise levels in excess of standards established in the local general plan and/or noise ordinance, or applicable standards of other agencies.

Mitigation: No mitigation required.

Monitoring: No monitoring required.

**POPULATION AND HOUSING** Would the project

**cc) Housing**

a. Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Create a demand for additional housing, particularly housing affordable to households earning 80% or less of the County's median income?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Affect a County Redevelopment Project Area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. Cumulatively exceed official regional or local population projections?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f. Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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

Findings of Fact: The site will not displace any existing housing or necessitate the construction of replacement housing. The site will not create any additional demand for housing. The site will not displace any amount of people. The site is not located within a redevelopment area. The site will not have a cumulative effect on regional or local population projections. The site is served by Riverside County Fire and Police services, and these departments do no object to this particular site. The site is consistent with the planned land use designation set forth in the Eastern Coachella Valley Area Plan, therefore there are no impacts.

Mitigation: No mitigation required.

Monitoring: No monitoring required.

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

**dd) Fire Services**

Source: Riverside County General Plan Safety Element

Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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**Findings of Fact:** The Riverside County Fire Department serves the site. The site developer shall pay fire mitigation fees pursuant to County ordinances. Established development review and building permit procedures, as reiterated in planning Conditions of Approval, provide a mechanism to verify successful implementation of the Conditions of Approval. It is anticipated that the site will have a less than significant impact on fire services.

**Mitigation:** No mitigation required.

**Monitoring:** No monitoring required.

**ee) Sheriff Services**

**Source:** Riverside County General Plan

**Findings of Fact:** The Riverside County Sheriff Department serves the site. The site land use plan proposes the continuation of mining operations on the site. As required by the RCIP, the site is evaluated for adequate safeguards for crime prevention and police protection. The development of the site will include payment of required fees pursuant to County ordinances. The site will be required to meet the standard requirements of the County Sheriff's Department. Payment of the required fees will offset impacts to the sheriff services and will result in a less than significant impact.

**Mitigation:** No mitigation required.

**Monitoring:** No monitoring required.

**ff) Schools**

**Source:** Coachella Valley Unified School District correspondence, GIS database

**Findings of Fact:** The site is located within the boundaries of the Coachella Valley Unified School District. The site operates under an existing Surface Mining Permit, not involving the development of residential dwellings. The site may result in additional employment opportunities. If employees live near the site, potential impacts to area schools may occur. Such potential impacts will be reduced to a less than significant impact by payment of school fees in accordance with State law.

**Mitigation:** No mitigation required.

**Monitoring:** No monitoring required.

**gg) Libraries**

**Source:** Riverside County General Plan

**Findings of Fact:** The existing Surface Mining Permit use will not create a significant incremental demand for library services. However, it is noted that the existing project will be subject to the County Development Mitigation fee as set forth in County Ordinance No. 659, which includes a public facilities

Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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component that may be directed to library facilities at the discretion of the County Board of Supervisors. Therefore, the site will not impact library services.

**Mitigation:** No mitigation required.

**Monitoring:** No monitoring required.

hh) <b>Health Services</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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**Source:** Riverside County General Plan

**Findings of Fact:** The Riverside County Department of Health Services serves the site. Development Impact Fees would be required to be paid at the time of permit issuance. Payment of these fees will mitigate potential cost impacts to a level less than significant. County Ordinance No. 659 permits the assessment of Development Impact Fees in order to mitigate potential effects to services. The Riverside County will ensure that health care service cost mitigation is accomplished through the permitting process, therefore impacts are considered less than significant.

**Mitigation:** No mitigation required.

**Monitoring:** No monitoring required.

**RECREATION**

**ii) Parks and Recreation**

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

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

**Findings of Fact:** a-c) The site would not include recreational facilities and would not have an adverse physical effect on the environment, or create a physical deterioration of existing neighborhood or regional parks or any other recreational facilities, therefore there are no impacts.

**Mitigation:** No mitigation required.

**Monitoring:** No monitoring required.

jj) <b>Recreational Trails</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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Source: Riv. Co. 800-Scale Equestrian Trail Maps, Open Space and Conservation Map for Western County trail alignments

Findings of Fact: The site would not include recreational trails and would not have an adverse physical effect on the environment, or create a physical deterioration of existing neighborhood or regional parks or any other recreational facilities, therefore there are no impacts.

Mitigation: No mitigation required.

Monitoring: No monitoring required.

**TRANSPORTATION/TRAFFIC** Would the project

**kk) Circulation**

	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
a. Conflict with an applicable plan, ordinance or policy establishing a measure of effectiveness for the performance of the circulation system, taking into account all modes of transportation, including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. Alter waterborne, rail or air traffic?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g. farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. Cause an effect upon, or a need for new or altered maintenance of roads?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g. Cause an effect upon circulation during the project's construction?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h. Result in inadequate emergency access or access to nearby uses?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
i. Conflict with adopted policies, plans or programs regarding public transit, bikeways or pedestrian facilities, or otherwise substantially decrease the performance or safety of such facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Source: Riverside County General Plan

Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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**Findings of Fact:** a-i) The existing Surface Mining Permit is located within the Eastern Coachella Valley Area Plan, with zoning designations Open Space Mineral - Resources (OS-MR) and Open Space - Water (OS-W). Cumulative and indirect traffic impacts that are related to the existing Surface Mining Permit shall be mitigated via Conditions of Approval requiring mitigation through the payment of various impact mitigation fees such as County Development Impact Fees, Road and Bridge Benefit District Fees, and Transportation Uniform Mitigation Fees to the extent that these programs provide funding for the improvement of facilities impacted by development. The site-generated traffic will average 45 truck roundtrips per day and approximately 16 employee and vendor roundtrips per day, the low number of overall trips can be considered less than significant.

**Mitigation:** No mitigation required.

**Monitoring:** No monitoring required.

**II) Bike Trails**

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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**Source:** Riverside County General Plan

**Findings of Fact:** The site would not include recreational facilities or trails, and would not have an adverse physical effect on the environment, or create a physical deterioration of existing neighborhood or regional parks or any other recreational facilities, therefore there are no impacts.

**Mitigation:** No mitigation required.

**Monitoring:** No monitoring required.

**UTILITY AND SERVICE SYSTEMS** Would the project

**mm) Water**

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

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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b. Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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**Source:** Department of Environmental Health Review

**Findings of Fact:** a-b) The site will not result or require construction of new water treatment facilities or the expansion of existing facilities. The site will not impact water service. All water will be imported by an onsite well. An estimated recycling rate of the site is 70 percent and total water consumption per day is anticipated to be approximately 38,000 gallons, therefore there are no impacts.

**Mitigation:** No mitigation required.

**Monitoring:** No monitoring required.



	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>nn) Sewer</b>				
a. Require or result in the construction of new wastewater treatment facilities, including septic systems, or expansion of existing facilities, the construction of which would cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Result in a determination by the wastewater treatment provider that serves or may service the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Source: Department of Environmental Health Review

Findings of Fact: a-b) The site will not result in the construction of or need for new wastewater treatment facilities, including the expansion of existing facilities, therefore there are no impacts.

Mitigation: No mitigation required.

Monitoring: No monitoring required.

<b>oo) Solid Waste</b>				
a. Is the project served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Does the project comply with federal, state, and local statutes and regulations related to solid wastes including the CIWMP (County Integrated Waste Management Plan)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Source: Riverside County General Plan, Riverside County Waste Management District correspondence

Findings of Fact: a-b) The site does not have the potential to substantially impact landfill capacities from the generation of solid waste, therefore there are no impacts.

Mitigation: No mitigation required.

Monitoring: No monitoring required.

<b>pp) Utilities</b>				
Would the project impact the following facilities requiring or resulting in the construction of new facilities or the expansion of existing facilities; the construction of which could cause significant environmental effects?				
a) Electricity?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Natural gas?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Communications systems?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Storm water drainage?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Street lighting?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
f) Maintenance of public facilities, including roads?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Other governmental services?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Source: Staff review

Findings of Fact: a-g) The site would not substantially impact electrical, natural gas, communication systems, storm water drainage, street lighting, or maintenance of public facilities (including roads), or other governmental services, therefore there are no impacts.

Mitigation: No mitigation required.

Monitoring: No monitoring required.

<b>qq)Energy Conservation</b>				
a) Would the project conflict with any adopted energy conservation plans?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Source: Staff Review.

Findings of Fact: The County has not adopted any energy conservation plans, nor do any State or Federal energy conservation plans apply to the project site. The proposed projects will meet all requirements of Title 24 California Code of Regulations construction for energy savings. The proposed project would not conflict with any adopted energy conservation plans. No impact would occur.

Mitigation: No mitigation required.

Monitoring: No monitoring required.

<b>OTHER</b>				
rr) Other:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Source: Staff review

Findings of Fact: N/A

Mitigation: N/A

Monitoring: N/A

<b>MANDATORY FINDINGS OF SIGNIFICANCE</b>				
ss) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?

Source: Staff review, Project Application Materials

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

tt) Does the project have impacts which are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, other current projects and probable future projects)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Source: Staff review, Project Application Materials

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

uu) Does the project have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Source: Staff review, project application

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

**VI. EARLIER ANALYSES**

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

Earlier Analyses Used, if any:

US Department of the Interior Bureau of Land Management Palm Springs – South Coast Field Office Environmental Assessment EA Number DOI-BLM-CA-660-0011-0050-EA September 19, 2011.

Air Quality Impact Analysis Valley Rock and Sand Quarry and Plant, Thermal California by Giroux and Associates January 21, 1997.

Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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Greenhouse Gas Assessment for Valley Rock and Sand Quarry SMP00129R2 (Lilburn Corporation, March 2012)

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

Location: County of Riverside Planning Department  
 4080 Lemon Street, 12th Floor  
 Riverside, CA 92505

**VII. AUTHORITIES CITED**

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

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SURFACE MINING PERMIT Case #: SMP00129R2

Parcel: 717-140-002

10. GENERAL CONDITIONS

EVERY DEPARTMENT

10. EVERY. 1 SMP - HOLD HARMLESS

RECOMMND

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

(a) any claim, action, or proceeding against the COUNTY to attack, set aside, void, or annul an approval of the COUNTY, its advisory agencies, appeal boards, or legislative body concerning the SURFACE MINING PERMIT; and,

(b) any claim, action or proceeding against the COUNTY to attack, set aside, void or annul any other decision made by the COUNTY concerning the SURFACE MINING PERMIT, including, but not limited to, decisions made in response to California Public Records Act requests.

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

The obligations imposed by this condition include, but are not limited to, the following: the applicant/permittee shall pay all legal services expenses the COUNTY incurs in connection with any such claim, action or proceeding, whether it incurs such expenses directly, whether it is ordered by a court to pay such expenses, or whether it incurs such expenses by providing legal services through its Office of County Counsel.

10. EVERY. 2 SMP - PROJECT DESCRIPTION

RECOMMND

SMP00129R2 is a revision to the existing mining and reclamation plan for an existing sand and gravel mine required to increase the project site from 190 acres to 280 acres and to extend the life of the mining permit. There are two parcels currently being mined: one is privately owned (approximately 42.7 acres) and the other land is owned by the Bureau of Land Management (approximately 268.1 acres). This revision will add a third parcel

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Riverside County LMS  
CONDITIONS OF APPROVAL

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10. GENERAL CONDITIONS

10. EVERY. 2 SMP - PROJECT DESCRIPTION (cont.) RECOMMND

(approximately 304.6 acres) to the project

This revision will expand excavation areas further into BLM Land north of the existing excavation area and continue an annual extraction rate of approximately 360,000 tons.

Excavations will be a maximum of 100 feet deep with 2:1 (H:V) slopes. The project life will be extended to 25 years with a proposed expiration date of December 31, 2042.

This will allow for 20 years for active mining excavation and 5 years to finalize reclamation. Upon completion of mining operations, all equipment, structures and vehicles will be removed and the site will be revegetated with native plant species. The site will be reclaimed to vacant open space.

10. EVERY. 3 SMP - DEFINITIONS RECOMMND

The words identified in the following list that appear in all capitals in the attached conditions of Surface Mining Permit No. SMP00129R2 shall be henceforth defined as follows:

APPROVED EXHIBIT NO. "A" = Mining Plan Approved Exhibit No. "A", SMP Case No. SMP00129R2, dated 3/1/17.

APPROVED EXHIBIT NO. "B" = Reclamation Plan Approved Exhibit No. "B", SMP Case No. SMP00129R2, dated 3/1/17.

APPROVED EXHIBIT NO. "C" = Project Description Approved Exhibit No. "C", SMP Case No. SMP00129R2, Dated 3/1/17.

BS GRADE DEPARTMENT

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

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

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

2) Certification letter certifying maximum depth of excavated areas.

SURFACE MINING PERMIT Case #: SMP00129R2

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10. GENERAL CONDITIONS

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

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

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

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

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

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

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

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

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

10.BS GRADE. 6 SMP - IMPORTING VEGETATION RECOMMND

There shall be no importing and/or storage of any cut vegetation without specific approval of the Bureau of Land Management (BLM), the Planning Department and the Environmental Health Department.

SURFACE MINING PERMIT Case #: SMP00129R2

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10. GENERAL CONDITIONS

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

Construction of a private road requires a grading permit.

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

THE PROVISIONS OF ALL RIVERSIDE COUNTY ORDINANCES SHALL APPLY DURING THE LIFE OF THIS SURFACE MINING PERMIT/ RECLAMATION PLAN, SPECIFICALLY, ORDINANCE 457 SHALL APPLY FOR ALL BUILDING PERMITS AND OTHER CONSTRUCTION WITHIN THE SURFACE MINING BOUNDARIES AND PROPERTY LINES OF SAID PARCELS. RADING PERMITS SHALL BE OBTAINED PRIOR TO THE ISSUANCE OF ANY BUILDING PERMITS, THE OPERATOR SHALL OBTAIN APPROVAL TO CONSTRUCT FROM THE BUILDING AND SAFETY DEPARTMENT.

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

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

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

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

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

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

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

10.BS GRADE. 11 SMP - OFFSITE EXCAVATION RECOMMND

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



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10. GENERAL CONDITIONS

10.BS GRADE. 12 SMP - MISCELLANOUS INSPECT RECOMMND

In addition to the Special Inspection for the Annual Report, at any time during normal business hours, persons from the Building & Safety Department in conjunction with the Bureau of Land Management (BLM) may conduct site inspection(s) for compliance with the conditions of approval, complaints by individuals or other reasons as identified at the time of inspection.

10.BS GRADE. 13 SMP - FAULT LOCATIONS RECOMMND

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

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

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

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

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

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

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

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

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10. GENERAL CONDITIONS

10.BS GRADE. 18 SMP - MAX SLOPE RATIO RECOMMND

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

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

10.BS GRADE. 19 SMP - DRAINAGE DESIGN Q-100 RECOMMND

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

10.BS GRADE. 20 SMP -MINIMUM DRAINAGE GRADE RECOMMND

Minimum drainage grade shall be 1% except on portland cement concrete where 0.35% shall be the minimum.

10.BS GRADE. 21 SMP - DRAINAGE & TERRACING RECOMMND

Provide drainage facilities and terracing in conformance with the California Building Code's chapter on "Excavation and Grading".

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

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

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

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

SURFACE MINING PERMIT Case #: SMP00129R2

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10. GENERAL CONDITIONS

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

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

10.BS GRADE. 29 SMP - CONTRACTOR EQUIPMENT RECOMMND

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

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

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

The parcel(s) where the mine is located shall be kept free of trash (including old tires) and other debris. There shall be no importing of recyclable materials or construction debris without a specific permit for that activity; other than what is expressly approved as part of this project; concrete and asphalt recycling.

10.BS GRADE. 31 SMP - QUARRY SIGNS RECOMMND

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

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10. GENERAL CONDITIONS

10.BS GRADE. 32 SMP - BENCHES & SLOPES RECOMMND

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

Working slopes below benches shall not be steeper than 1:1 (horizontal to vertical). Finished slopes may not exceed 2:1 unless it has been demonstrated to be stable by the engineering geologist and geotechnical engineer and is approved by the Building and Safety Department and County Geologist.

10.BS GRADE. 33 SMP - SAFETY BERMS RECOMMND

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

10.BS GRADE. 34 SMP - SECONDARY CONTAINMENT RECOMMND

Waste materials produced during project operations including but not limited to oils, solvents, tires and batteries shall be covered, placed on pallets and shall be provided with secondary containment to prevent contact of storwater to these potentially polluting materials.

10.BS GRADE. 35 SMP - VEHICLE STORAGE RECOMMND

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

10.BS GRADE. 36 SMP - BUSINESS LICENSING RECOMMND

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

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10. GENERAL CONDITIONS

10.BS GRADE. 41 SMP - SOURCE CONTROL BMP'S

RECOMMND

The facility must maintain compliance with the State General Industrial Activities Stormwater Permit and shall maintain and implement a site specific Industrial SWPPP, with Source Control BMP's implemented on site.

E HEALTH DEPARTMENT

10.E HEALTH. 1 USE - PORTABLE TOILETS

RECOMMND

Per Ordinance 712, portable toilets shall be commercially manufactured units built and maintained to standards established by Resolution 91-474 of the Board of Supervisors. The employer and/or promoter of businesses, construction and demolition sites and public events where permanent toilet facilities of sufficient number are not available shall provide these sites/events with portable toilets in the numbers specified by Resolution 91-474 of the Bard of Supervisors.

Portable toilets are to be cleaned and sanitized by the permittee at least once a week. A permanent maintenance record for each unit, listing the dates the unit has been serviced and the deodorizer used, is to be maintained on the inside wall of the portable toilet.

Deodorizing/sanitizing additives, used in the waste container shall be in accordance with applicable federal, state and local provisions. Portable toilets shall be thoroughly cleaned and sanitized before being moved to a different location. If repairs are needed, the portable toilets shall be taken to the company's maintenance facility and repaired to meet the standards set by resolution 91-474 of the Board of Supervisors.

10.E HEALTH. 2 USE - PERMANENT RESTROOMS

RECOMMND

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

10.E HEALTH. 3 USE - EXISTING WELL

RECOMMND

Per Valley Rock and Sand's Plan of Operations and Reclamation Plan, it states that "Water will continue to be acquired via an existing well located on private land within the All-American Canal right of way, south of the proposed expansion site. The well is currently operated by Valley Rock and Sand, Inc. under Special Use Permit No.

SURFACE MINING PERMIT Case #: SMP00129R2 Parcel: 717-140-002

10. GENERAL CONDITIONS

10.E HEALTH. 3 USE - EXISTING WELL (cont.) RECOMMND  
5-07-03L0431 from the Coachella Valley Water District".

10.E HEALTH. 4 SMP 129 R2 - LEA CONTACT RECOMMND

This facility shall be required to contact the Department of Environmental Health, Local Enforcement Agency (LEA) to determine the appropriate regulatory requirements if solid waste material and/or inert debris engineered fill material is imported to the project site. For further information, please contact the LEA at (760) 863-7570.

EPD DEPARTMENT

10.EPD. 1 EPD - CVMSHCP LUAG RECOMMND

Coachella Valley Multiple Species Habitat Conservation Plan Land Use Adjacency Guidelines (CVMSHCP Section 4.5)

The proposed project site is adjacent to the Mecca Hills/Orocopia Mountains Conservation Area. The purpose of Land Use Adjacency Guidelines is to avoid or minimize indirect effects from Development adjacent to or within the Conservation Areas. Adjacent means sharing a common boundary with any parcel in a Conservation Area. Such indirect effects are commonly referred to as edge effects, and may include noise, lighting, drainage, intrusion of people, and the introduction of non-native plants and non-native predators such as dogs and cats. Edge effects will also be addressed through reserve management activities such as fencing. The following Land Use Adjacency Guidelines shall be considered by the Permittees in their review of individual public and private Development projects adjacent to or within the Conservation Areas to minimize edge effects, and shall be implemented where applicable.

4.5.1 Drainage

Proposed Development adjacent to or within a Conservation Area shall incorporate plans to ensure that the quantity and quality of runoff discharged to the adjacent Conservation Area is not altered in an adverse way when compared with existing conditions. Stormwater systems shall be designed to prevent the release of toxins, chemicals, petroleum products, exotic plant materials or other elements that might degrade or harm biological resources or ecosystem processes within the adjacent Conservation Area.

SURFACE MINING PERMIT Case #: SMP00129R2

Parcel: 717-140-002

## 10. GENERAL CONDITIONS

10.EPD. 1

EPD - CVMSHCP LUAG (cont.)

RECOMMND

### 4.5.2 Toxics

Land uses proposed adjacent to or within a Conservation Area that use chemicals or generate bioproducts such as manure that are potentially toxic or may adversely affect wildlife and plant species, Habitat, or water quality shall incorporate measures to ensure that application of such chemicals does not result in any discharge to the adjacent Conservation Area.

### 4.5.3 Lighting

For proposed Development adjacent to or within a Conservation Area, lighting shall be shielded and directed toward the developed area. Landscape shielding or other appropriate methods shall be incorporated in project designs to minimize the effects of lighting adjacent to or within the adjacent Conservation Area in accordance with the guidelines to be included in the Implementation Manual.

### 4.5.4 Noise

Proposed Development adjacent to or within a Conservation Area that generates noise in excess of 75 dBA Leq hourly shall incorporate setbacks, berms, or walls, as appropriate, to minimize the effects of noise on the adjacent Conservation Area in accordance with the guidelines to be included in the Implementation Manual.

### 4.5.5 Invasives

Invasive, non-native plant species shall not be incorporated in the landscape for land uses adjacent to or within a Conservation Area. Landscape treatments within or adjacent to a Conservation Area shall incorporate native plant materials to the maximum extent Feasible; recommended native species are listed in Table 4-112. The plants listed in Table 4-113 shall not be used within or adjacent to a Conservation Area. This list may be amended from time to time through a Minor Amendment with Wildlife Agency Concurrence.

### 4.5.6 Barriers

Land uses adjacent to or within a Conservation Area shall incorporate barriers in individual project designs to minimize unauthorized public access, domestic animal predation, illegal trespass, or dumping in a Conservation Area. Such barriers may include native landscaping, rocks/boulders, fencing, walls and/or signage.

SURFACE MINING PERMIT Case #: SMP00129R2

Parcel: 717-140-002

10. GENERAL CONDITIONS

10.EPD. 1                      EPD - CVMSHCP LUAG (cont.) (cont.)                      RECOMMND

4.5.7 Grading/Land Development

Manufactured slopes associated with site Development shall not extend into adjacent land in a Conservation Area.

FLOOD RI DEPARTMENT

10.FLOOD RI. 1                      USE FLOOD HAZARD REPORT                      RECOMMND

Surface Mining Permit 00129, Revised Permit No. 2, is a proposal to expand an existing mining operation from 190-acres to 280-acres (on a 615-acre site) and extend the life of the project 25 years. No changes to the production amounts, equipment or processes are proposed. The site is located in Thermal of the Eastern Coachella Valley east of the Coachella Canal at Airport Boulevard.

A watercourse with a large tributary drainage area, identified as a blue line stream on the exhibit, impacts the project at Phase 1. Some smaller watercourses are also tributary to the site. Based on a headward erosion analysis submitted to the District, a 300 foot setback from the project boundary has been provided to accommodate potential headcutting. It should be noted that the adjacent land southeast of the project has been recently acquired by the applicant, therefore any headcutting that may occur from the two stream within that area would be well within the project boundary.

The proposed development of this site would adversely impact water quality. To mitigate for these impacts, site design and source control Best Management Practices (BMPs) are proposed. No treatment BMPs are proposed. This is acceptable since, other than small areas of perimeter access roads, the entire site is self-contained by draining into mining pit. It should be noted that any future grading of the access roads shall be minor and avoid being graded towards the pit to avoid head cutting.

The facility must maintain compliance with the State General Industrial Activities Stormwater Permit. The facility must maintain and implement a site specific Industrial SWPPP, with Source Control BMP's implemented on site.



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10. GENERAL CONDITIONS

10.FLOOD RI. 2 USE PERP DRAINAGE PATTERNS

RECOMMND

The property's grading shall be designed in a manner that perpetuates the existing natural drainage patterns with respect to tributary drainage area, outlet points and outlet conditions; otherwise, a drainage easement shall be obtained from the affected property owners for the release of concentrated or diverted storm flows. A copy of the recorded drainage easement shall be submitted to the District for review.

PLANNING DEPARTMENT

10.PLANNING. 1 GEN - IF HUMAN REMAINS FOUND

RECOMMND

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

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

10.PLANNING. 2 GEN - INADVERTANT ARCHAEO FIND

RECOMMND

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

If during ground disturbance activities, cultural resources

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## 10. GENERAL CONDITIONS

### 10.PLANNING. 2 GEN - INADVERTANT ARCHAEO FIND (cont.) RECOMMND

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

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

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

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

### 10.PLANNING. 3 SMP - LOW PALEO RECOMMND

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

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

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60. PRIOR TO GRADING PRMT ISSUANCE

EPD DEPARTMENT

60.EPD. 1 EPD - CDFW 1600 DOCUMENTS

RECOMMND

Prior to issuance of grading permits, the applicant must provide documentation demonstrating that a Notification of Lake or Streambed Alteration was submitted to the California Department of Fish and Wildlife pursuant to Fish and Game Code section 1602. If CDFW determines that a Lake or Streambed Alteration Agreement is required as a result of the Notification process, the applicant shall provide the final Agreement documentation.

60.EPD. 2 EPD - MBTA SURVEY

RECOMMND

Birds and their nests are protected by the Migratory Bird Treaty Act (MBTA) and California Department of Fish and Wildlife (CDFW) Codes. Since the project supports suitable nesting bird habitat, removal of vegetation or any other potential nesting bird habitat disturbances shall be conducted outside of the avian nesting season (February 1st through August 31st). If habitat must be cleared during the nesting season, a preconstruction nesting bird survey shall be conducted. The preconstruction nesting bird survey must be conducted by a biologist who holds a current MOU with the County of Riverside. If nesting activity is observed, appropriate avoidance measures shall be adopted to avoid any potential impacts to nesting birds. The nesting bird survey must be completed no more than 3 days prior to any ground disturbance. If ground disturbance does not begin within 3 days of the survey date a second survey must be conducted. Prior to the issuance of a grading permit the project proponent must provide written proof to the Riverside County Planning Department, Environmental Programs Division (EPD) that a biologist who holds an MOU with the County of Riverside has been retained to carry out the required survey. Documentation submitted to prove compliance prior to grading permit issuance must at a minimum include the name and contact information for the Consulting Biologist and a signed statement from the Consulting Biologist confirming that they have been contracted by the applicant to conduct a Preconstruction Nesting Bird Survey. In some cases EPD may also require a Monitoring and Avoidance Plan prior to the issuance of a grading permit. Prior to finalization of a grading permit or prior to issuance of any building permits the projects consulting biologist shall prepare and submit a report, documenting the results of the survey, to EPD for review.

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60. PRIOR TO GRADING PRMT ISSUANCE

PLANNING DEPARTMENT

60.PLANNING. 5 SMP - RCL RECLAMATION PLAN

RECOMMND

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

60.PLANNING. 6 SMP- YR RECLAMATION REPORT

RECOMMND

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

60.PLANNING. 8 SMP - 1ST FINANCIAL ASSURANCE

RECOMMND

Prior to commencement of any surface disturbance, construction of any processing plant, surface mining operation, the permittee shall establish financial assurances to ensure reclamation of the surface mining operation with the County.

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

b. The specific amount of financial assurance for this mining operation shall be based upon actual calculations of reclamation costs and shall be subject to review and approval by the County and review by the California Department of Conservation. Calculations shall be provided on forms created by the Department of Conservation, as appropriate.

SURFACE MINING PERMIT Case #: SMP00129R2

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60. PRIOR TO GRADING PRMT ISSUANCE

60.PLANNING. 8 SMP - 1ST FINANCIAL ASSURANCE (cont.) RECOMMND

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

d. The financial assurance shall remain in effect for a twenty-five (25) year period and/or shall be released by the County on approval of the site's final reclamation by the County and the Department of Conservation, Division of Mine Reclamation.

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

60.PLANNING. 11 SMP - 1ST ACCESS THRU BLM RECOMMND

Prior to the commencement of expanded surface disturbance the permittee shall provide written proof to the Riverside County Planning Department that the Right-of-Way application for use of the proposed access road on public land has been approved by the Bureau of Land Management.

60.PLANNING. 13 SMP- YR REPORT REQUIREMENTS RECOMMND

The permittee shall provide the following information as part of the annual report required by Condition 10.Planning.26. This report shall be prepared by a qualified, CA-licensed professional.

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

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

c. Maximum depth of excavation.

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

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60. PRIOR TO GRADING PRMT ISSUANCE

60.PLANNING. 13 SMP- YR REPORT REQUIREMENTS (cont.)

RECOMMND

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

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

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

h. The permittee shall report the discovery of any fossil remains in the annual report. Upon discovery of such fossil remains, the permittee shall cause a paleontologist to be retained for the project to immediately evaluate the fossils to determine their significance and develop a collection and study plan in conformance with the Paleontological Survey prepared for the site under PDP01555, a copy of which is on file at the Riverside County Planning Department. The report of findings shall be submitted with the annual report.

60.PLANNING. 15 SMP- YR ADJUST ASSURANCES

RECOMMND

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

60.PLANNING. 16 SMP- 1ST ROAD ACCESS

RECOMMND

Prior to the commencement of any expanded surface mining operation, the access roads connecting the project with the paved County maintained roads shall be paved with asphaltic concrete and/or covered with aggregate base materials, as approved by TLMA.

60.PLANNING. 18 SMP - FEE BALANCE

RECOMMND

Prior to expanding mining operations, the Planning Department shall determine if the deposit based fees for

SURFACE MINING PERMIT Case #: SMP00129R2

Parcel: 717-140-002

60. PRIOR TO GRADING PRMT ISSUANCE

60.PLANNING. 18 SMP - FEE BALANCE (cont.)

RECOMMND

SMP No. 129R2 are in a negative balance. If so, any outstanding fees shall be paid by the applicant/developer.

60.PLANNING. 21 SMP - CULTURAL SENSITIVITY

RECOMMND

A representative from the Agua Caliente and/or 29 Palms Band of Indians shall attend the pre-grading meeting with the contractors to provide Cultural Sensitivity Training for all Construction Personnel. Training will include a brief review of the cultural sensitivity of the Project and the surrounding area; what resources could potentially be identified during earthmoving activities; the requirements of the monitoring program; the protocols that apply in the event unanticipated cultural resources are identified, including who to contact and appropriate avoidance measures until the find(s) can be properly evaluated; and any other appropriate protocols. This is a mandatory training and all construction personnel must attend prior to beginning work on the project site. A sign-in sheet for attendees of this training shall be submitted to the County Archaeologist in order to clear this condition.

60.PLANNING. 23 MAP - SECTION 1601/1603 PERMIT

RECOMMND

Should any grading or construction be proposed within or along the banks of any natural watercourse or wetland located either on-site or on any required off-site improvement areas, the land divider/permit holder shall provide written notification to the County Planning Department that the appropriate California Department of Fish and Game notification pursuant to Sections 1601/1603 of the California Fish and Game Code has taken place. Or, the land divider shall obtain an "Agreement Regarding Proposed Stream or Lake Alteration" (Section 1601/1603 Permit). Copies of any agreement shall be submitted with the notification.

TRANS DEPARTMENT

60.TRANS. 1 SMP - EVIDENCE/LEGAL ACCESS

RECOMMND

Provide evidence of legal access.

SURFACE MINING PERMIT Case #: SMP00129R2

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70. PRIOR TO GRADING FINAL INSPECT

PLANNING DEPARTMENT

70.PLANNING. 1 SMP- 1ST CHECK CLEARANCES

RECOMMND

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

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

RECOMMND

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

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

RECOMMND

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

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

RECOMMND

The outer boundary of the mining, processing, maintenance and access road areas shall be posted with "No Trespassing" signs as delineated on Mining Plan, Exhibit "A". Said "No Trespassing" signs shall be maintained to the completion of the project.

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

RECOMMND

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

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

RECOMMND

The outer boundary of the surface mining areas approved as part of this permit shall be surveyed and staked with visible markers such as white PVC pipe. These stakes shall be placed at no more than 300-foot intervals along the boundary of these areas. This staking shall be maintained throughout the life of this permit.



04/11/17  
16:14

Riverside County LMS  
CONDITIONS OF APPROVAL

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Parcel: 717-140-002

70. PRIOR TO GRADING FINAL INSPECT

70.PLANNING. 7 SMP - YR TEMPORARY SLOPES

RECOMMND

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

80. PRIOR TO BLDG PRMT ISSUANCE

PLANNING DEPARTMENT

80.PLANNING. 2 USE - FEE BALANCE

RECOMMND

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

TRANS DEPARTMENT

80.TRANS. 1 SMP - EVIDENCE/LEGAL ACCESS

RECOMMND

Provide evidence of legal access.

80.TRANS. 3 SMP - TUMF

RECOMMND

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

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

DATE: March 14, 2011

**TO:**

Riv. Co. Transportation Dept. - Desert  
Riv. Co. Environmental Health Dept. - Desert  
Riv. Co. Flood Control District  
Coachella Valley Water Dist.  
Riv. Co. Fire Department-Desert  
Riv. Co. Dept. of Bldg. & Safety – Grading  
Riv. Co. Dept. of Bldg. & Safety – Plan Check  
Regional Parks & Open Space District.  
Riv. Co. Environmental Programs Dept.

P.D. Archaeology Section-L. Mouriquand  
Riv. Co. Surveyor-Bob Roberson  
Riv. Co. Waste Management Dept.  
4th District Supervisor  
4th District Planning Commissioner  
Coachella Valley Unified School Dist  
Imperial Irrigation Dist.  
Southern California Gas  
RWQCB-Colorado River

Air Quality Management Dist. –South Coast  
Eastern Information Center (UCR)  
CA Dept. of Fish & Game  
U.S. Fish & Wildlife Service  
Bureau of Land Management  
City of Coachella  
Thermal Community Council  
Mecca Community Council

**SURFACE MINING PERMIT NO. 129 REVISED PERMIT NO. 2 – EA42415** –Applicant: Valley Rock & Sand, Inc. – Engineer/Representative: George Webber - Fourth Supervisorial District – Chuckawalla Area Zoning District – Eastern Coachella Valley Area Plan: Open Space: Open Space: Mineral Resources (OS-MIN), Conservation Habitat (OS-CH) and Water (OS-W) – Location: East of Buchanan Street and the Coachella Canal, North of 57<sup>th</sup> Avenue, South of 54<sup>th</sup> Avenue – 615.4 Gross Acres - Zoning: Mineral Resources and Related Manufacturing (M-R-A), Watercourse, Watershed & Conservation Areas (W-1) and Natural Assets (N-A) - **REQUEST:** 90-acre expansion of aggregate mining from current 190 acres to 280 acres and extend life of project 25 years (20 years excavation/5 years reclamation) to 2035 at an annual extraction rate of approximately 400,000 tons per year (estimated 45 to 88 offsite trips per day by trucks). **Under the current operation there are 60 acres with a projected volume of 1.4 million tons. The additional 94 acres will provide a projected additional volume of 7.6 million tons. The current rate of production is 200,000 tons per year. The proposed revision will not increase the maximum permitted annual production, nor require additional processing equipment.** – APN(s): 717-150-003, 717-140-002, 717-190-005 – Related Cases: SMP00129, SMP00129R1, SMP00129S1

Please review the attached map(s) and/or exhibit(s) for the above-described project. This case is scheduled for a **LDC Meeting Agenda on April 7, 2011**. All LDC Members please have draft conditions in the Land Management System on or before the above date. 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 on or before the above date. Once the route is complete, and the approval screen is approved with or without corrections, the case can be scheduled for a public hearing.

All other 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@rctfma.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.*



State of California • Natural Resources Agency  
Department of Conservation  
**Office of Mine Reclamation**  
801 K Street • MS 09-06  
Sacramento, CA 95814  
(916) 323-9198 • FAX (916) 445-6066

Edmund G. Brown Jr., Governor  
Pat Perez, Assistant Director

August 4, 2016

**VIA EMAIL: BDawson@rctlma.org**  
**ORIGINAL SENT BY MAIL**

Mr. Brett Dawson  
Riverside County Planning Department  
PO Box 1409  
Riverside, CA 92502-1409

Dear Mr. Dawson:

**THERMAL MINE  
AMENDED RECLAMATION PLAN  
CA MINE ID# 91-33-0071; SMP 129R2**

The Department of Conservation's Office of Mine Reclamation (OMR) has reviewed the amended reclamation plan for the Thermal Mine, also known as Valley Rock and Sand Quarry. The purpose of this letter is to provide Riverside County Planning Department (the County) with OMR's comments regarding the reclamation plan pursuant to the Surface Mining and Reclamation Act (SMARA), Public Resources Code (PRC) Section 2710 et seq., including PRC §2774.

The applicant, West Coast Aggregate Supply, Inc., is proposing to expand an existing 190-acre mining operation by 90 acres for a total of 280 acres. The applicant estimates that a maximum of 360,000 tons of aggregate material will be removed annually for an additional 25 years (20 years for mining and 5 years for revegetation monitoring). The project site is located 13 miles southeast of Indio. OMR staff conducted a site visit on July 21, 2016 to observe site conditions.

The Surface Mining and Reclamation Act of 1975 (SMARA) (Public Resources Code Section 2710 et seq.) and the State Mining and Geology Board Regulations (California Code of Regulations (CCR) Title 14, Division 2, Chapter 8, Subchapter 1) require that specific items be addressed or included in reclamation plans. The following comments, prepared by a restoration ecologist and a geologist, are offered to assist in your review of this project. The amended reclamation plan should be revised and/or supplemented to address these items.

**Mining Operation and Closure**

(Refer to SMARA Sections 2770, 2772, and 2773 and CCR Sections 3502, 3709, and 3713)

There are discrepancies between some of the acreage figures reported in the reclamation plan text and on the maps. Please ensure that acreage amounts are accurate and consistent between all documentation submitted for the mining operation.

**Environmental Setting and Protection of Fish and Wildlife Habitat**

(Refer to CCR Sections 3502, 3503, 3703, 3704, 3705, 3706, 3710, and 3713)

Since the project is in the early stage of environmental review under CEQA, we recommend the amended reclamation plan not be finalized or approved until mitigation is determined, since

mitigation measures recommended under CEQA may substantially change the manner in which mining and reclamation are accomplished.

**Resoiling**

(Refer to CCR Sections 3503, 3704, 3705, 3707, and 3711)

On page 4 of the Revegetation Plan (Appendix 7) under "*Soil Storage*," it states, "As an alternative to on-site storage, Valley Rock and Sand will consider transferring soil directly to a revegetation site within its operation or elsewhere in the Coachella Valley." This last phrase (underlined) should be deleted. Salvaged topsoil is a valuable resource that should be used exclusively for on-site reclamation and should not be transferred elsewhere. The last sentence of this paragraph should also be deleted as it also refers to off-site use of the topsoil.

**Revegetation**

(Refer to SMARA Section 2773 and CCR Sections 3503 and 3705)

The sentence on page 3 of the revegetation plan (Appendix 7): "*Any area 5 acres or larger will be subject to revegetation requirements at the close of planned surface disturbance under the terms of the permit*" should be deleted. All areas of the mining operation will be subject to reclamation and revegetation requirements.

There are two proposed seed mixes on pages 5-6 of the revegetation plan. OMR suggests the two lists be merged into a single list as shown below. This list has been augmented with species listed in Appendix 4, Biological Technical Report to include more species known for successful desert revegetation. Having one seed mix will also simplify the calculation of costs in the Financial Assurance Cost Estimate (FACE). The list should also be revised on Map Sheet 2.

We understand the final seed mix may change slightly based on current availability and test plot results. As stated in the plan, the total application rate will be 40 pounds PLS (pure live seed) per acre. Additionally, seed may be purchased from a native seed supply company rather than being collected on-site.

**Recommended species for revegetation seed mix**

<b>Common name</b>	<b>Latin name</b>
Allscale	<i>Atriplex polycarpa</i>
Creosote bush	<i>Larrea tridentata</i>
Burrobush	<i>Ambrosia dumosa</i>
Cheesebush	<i>Ambrosia salsola</i>
Schott's indigo bush	<i>Psoralea schottii</i>
Sweetbush	<i>Bebbia juncea</i>
Desert mallow	<i>Sphaeralcea ambigua</i>
Brittlebush	<i>Encelia farinosa</i>
3-awn grass	<i>Artistida purpurea</i>
Desert needlegrass	<i>Stipa speciosa</i>
Strigose lotus	<i>Acmispon strigosus</i>
Desert plantain	<i>Plantago ovata</i>

On page 6 of the revegetation plan, under the section "*B. Streambed diversion channels or flood control channels,*" planting of container stock to create a desert wash vegetation type is briefly described. More detail is needed on the locations and acreage of these areas, the size containers to be used, and the planting plan so that the exact number of plants needed can be calculated in the FACE.

CCR Section 3705(b) requires test plots to be conducted simultaneously with mining to determine the most appropriate planting procedures. The plan states that a test plot will be established but no detail is provided as to what will be tested. This section should be revised to include a variety of specific test trials in multiple plots to determine the most effective methods of site revegetation. For example, the tests could examine different seed mix application rates, container plantings and transplants, different types of amendments (mycorrhizal inoculum, mulches, and fertilizers), the use of irrigation, and the need for herbivore protection. An additional test plot area should be established in a drainage channel to test the feasibility of planting the container stock as discussed on page 6 of the revegetation plan, under the section "*B. Streambed diversion channels or flood control channels.*"

CCR Section 3705(m) requires that the reclamation plan include success criteria that can be quantified by cover, density, and species-richness. Success criteria are discussed on page 17 of the amended reclamation plan and on page 3 of the revegetation plan (Appendix 7). OMR recommends the following revisions:

- All references to five years should be deleted. Reclamation is considered complete when the success criteria have been achieved, regardless of how many years that requires.
- All values should be stated for native perennials rather than just for native shrubs. This allows trees, bunchgrasses, and herbaceous perennials to count towards meeting the success criteria. All references to "shrubs" in the text of the plan should also be changed to "native perennials."
- No success criteria are provided for density. Density values must be provided for native perennials per the unit to be employed for sampling, such as a 50-meter transects as in the example below.
- A summary table could be helpful in capturing all the pertinent information, especially since there are 2 habitat types. An example is included below.

**Revegetation Success Criteria (example)**

<b>Seeded areas:</b>	
Cover	4.4% cover of native perennials
Density	X native perennials per 50-meter transect
Species richness	5 native species per 0.1-acre plot or belt transect
<b>Channels:</b>	
Cover	7.3% cover of native perennials
Density	X native perennials per 50-meter transect
Species richness	5 native species per 0.1-acre plot or belt transect

CCR Section 3705(m) also requires that the sampling methods are set forth in the plan with a sample size that provides an 80 percent confidence level at a minimum. OMR suggests several revisions to the monitoring section on pages 6-7 of the revegetation plan and on Map Sheet 2.

- All references to five years should be deleted. Reclamation is considered complete when the success criteria have been achieved, regardless of how many years that requires.

- In the description of sampling methods on page 7, it states, "Quadrats will be located haphazardly, though not necessarily randomly in the strict sense, throughout the seeded areas." This sentence should be deleted as there is no scientific basis for "haphazard" placement. Sampling unit placement should either be random, stratified random, or systematic.
- Values taken from small samples should not be converted to per-acre values. This practice increases the amount of error by the same factor used in multiplying the spatial unit.
- Cover and density of individual species do not need to be evaluated, only inclusive values for all native perennials.

CCR Section 3705(k) requires that noxious weeds be managed when they threaten the success of the proposed revegetation; spread to nearby areas; or produce a fire hazard. There are several instances in the revegetation plan that mention eradication of tamarisk. However, other noxious weeds are found on-site including Russian thistle (*Salsola tragus*) and wild turnip (*Brassica tournefortii*). A more detailed weed management plan should be added that discusses all noxious weeds on-site and a monitoring program with threshold values (weed cover or density per unit area) that trigger control and abatement procedures.

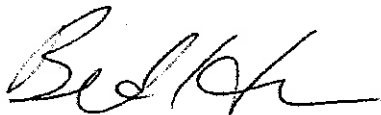
#### **Administrative Requirements**

(Refer to SMARA Sections 2772, 2773, 2774, 2776, and 2777)

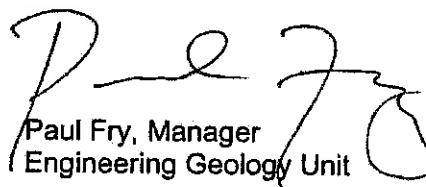
SMARA Section 2774 addresses the requirements with respect to lead agency approvals of reclamation plans, plan amendments, and financial assurances. Once OMR has provided comments, a proposed response to the comments must be submitted to the Department at least 30 days prior to lead agency approval.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

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

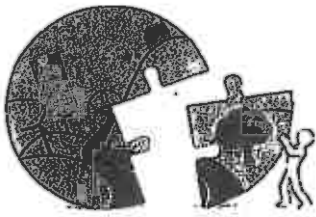
Sincerely,



Beth Hendrickson, Manager  
Environmental Services Unit



Paul Fry, Manager  
Engineering Geology Unit



# RIVERSIDE COUNTY PLANNING DEPARTMENT

**Carolyn Syms Luna**  
Director

**DATE:** 6/07/11

**TO:** Valley Rock & Sand Inc.  
Attn: John Straiksman and Ed DeBoer  
92500 Airport Blvd.  
Thermal, CA 92274

**CC:** Webber & Webber Mining Consultants, Inc.  
Attn: George Webber  
101 E. Redlands Blvd, Suite 240  
Redlands, CA 92374

Bureau of Land Management  
Cheryl Martinez  
P.O. Box 5267  
1201 Bird Center Drive  
Palm Springs, CA 90622

**FROM:** Riverside County Planning Department  
David L. Jones, Chief Engineering Geologist/Project Planner

**RE: SMP00129R2**

**Project Description:** The proposed project is to expand the existing mine further onto public land managed by BLM (most of the mineral extraction area is located on public land managed by the BLM). The proposed project area is a 90-acres expansion from the current 190 acres to 280 acres and proposes to extend the life of the Project 25 years (20 years excavation/5 years reclamation) to 2035 at an annual extraction rate of approximately 400,000 tons per year and continue the existing sand and gravel processing plant located on private land. The project site is located in the Coachella Valley generally East of the community of Thermal, East of Buchanan Street and the Coachella Canal, North of 57<sup>th</sup> Avenue, and South of 54<sup>th</sup> Avenue. The site is accessed via Airport Road.

Dear Applicant:

Your proposal was scheduled for comments from the Land Development Committee (LDC) on May 7, 2011. Enclosed are the resulting comments from the Riverside County Planning Department and all other available comments and Conditions of Approval from the other Departments.

**General Comments:**

1. Please provide verification of any required Jurisdictional Delineation(s) and/or related permit(s) for the current and proposed alteration of blue-line streams at this site.

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

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

*"Planning Our Future... Preserving Our Past"*

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FIELD OFFICE AREA

2. Provide written acknowledgement from the BLM indicating their desire for Riverside County to act as Lead Agency for this entitlement as well as acknowledgement the Riverside County will perform the require CEQA analysis for this project and in so doing satisfies any NEPA requirements they may have. Alternatively, please provide BLM's NEPA documentation supporting the proposed mine expansion.

#### **Exhibit Comments:**

##### **Exhibit A – Mining Plan**

Please review the Mining Permit Application "Mining Plan Checklist: Exhibit A" and provide, at a minimum, all information contained in that checklist on the Mining Plan.

##### **Exhibit A – Mining Plan ("Sheet 1 of 3")**

1. Exhibit A should be amended to include APN: 717-190-015.
2. Exhibit A should be signed and stamped by a licensed Professional Engineer or Land Surveyor.
3. Exhibit A should be amended to include the appropriate property owner information in the "Site Information" block.
4. Exhibit A should be amended to indicate the elevation contours represent AMSL or other appropriate reference point.
5. Exhibit A should be amended to include labeling of all power poles/towers and location of overhead transmission lines and any underground utilities.
6. Exhibit A should be amended to indicate all points of access to the site and to indicate the legal instruments securing that access.
7. Exhibit A should be amended to indicate Granite Constructions access to SMP00196 and the location of SMP00196.
8. Please provide a cross section that includes both Phase 1 and Phase 2.
9. Please include all top of slope berms, where appropriate, on all cross sections.
10. Please indicate the necessary erosion control measures to be employed for all blueline streams that enter the mine area.
11. Exhibit A should be amended to include the surfacing material/pavement type existing and/or to be applied to all indicated roadways on and leading to this site.
12. Exhibit A should be amended to indicate or eliminate the horizontal line running N-S mid-mine, immediately west of the indicated revegetation test plot.
13. Exhibit A should be amended to indicate or eliminate the circle containing several numbers indicated at the southeast corner of Phase 1.

##### **Exhibit A2 – Plant Site Area Detail ("Sheet 3 of 3")**

1. Exhibit A2 should be signed and stamped by a licensed Professional Engineer or Land Surveyor.
2. Exhibit A should be amended to provide building permit numbers for all structures as required.
3. Exhibit A should be amended to indicate all structures, stockpiles, parking areas, septic tanks, portable equipment, etc. will be removed as part of final site reclamation.
4. Exhibit A should be amended to indicate this area is to be graded to drain and revegetated with the necessary seed mix and methods employed for the rest of the mine site.



**MEMORANDUM OF UNDERSTANDING**

Surface mining and reclamation coordination in the State of California in accordance with California's Surface Mining and Reclamation Act (SMARA) of 1975, as amended,

by and between the

**STATE OF CALIFORNIA, DEPARTMENT OF CONSERVATION  
AND THE STATE MINING AND GEOLOGY BOARD,**

the

**U.S. DEPARTMENT OF AGRICULTURE,  
FOREST SERVICE, PACIFIC SOUTHWEST REGION,**

and the

**U.S. DEPARTMENT OF THE INTERIOR,  
BUREAU OF LAND MANAGEMENT, CALIFORNIA**

**THIS AGREEMENT** is made and entered into by and between the State of California, Department of Conservation, through its Director, and the State Mining and Geology Board, through its Chairman (jointly referred to herein as "the State"), the Pacific Southwest Region of the United States Forest Service, through its Regional Forester ("the Forest Service"), and the Bureau of Land Management, through its State Director, California ("BLM"), for the purposes of: (1) assuring the application of adequate and appropriate reclamation throughout the State of California; (2) simplifying the administration of surface mining and reclamation practice requirements on Federal lands and on a combination of Federal and private lands; (3) achieving coordination of activity governing reclamation; and (4) eliminating duplication among the aforementioned agencies and counties serving as lead agencies ("lead agencies" pursuant to the Surface Mining and Reclamation Act, Public Resources Code Section 2728) in implementing State and Federal requirements.

**WITNESSETH:**

**WHEREAS**, local, State, and Federal agencies have certain legal requirements in regulating the effects of surface mining on Federal lands and on combinations of Federal and private lands, it is deemed advisable to develop an understanding between BLM, the Forest Service, and the State to serve as guidance for local agencies, BLM, the Forest Service, and the State in fulfilling their agency regulatory responsibilities in such situations.

**WHEREAS**, for purposes of this agreement, the following are exempt from SMARA pursuant to Public Resources Code Section 2714:

- (1) Prospecting for, or the extraction of, minerals for commercial purposes and the removal of overburden in total amounts of less than 1,000 cubic yards in any one location of one acre or less;
- (2) Surface mining operations that are required by federal law in order to protect a mining claim (i.e. annual assessment work), if such operations are conducted solely for that purpose; and
- (3) Such other surface mining operations which the State determines to be of an infrequent nature and which involve only minor surface disturbances.

**WHEREAS**, a Memorandum of Understanding (MOU) between the State, the Forest Service, and BLM, governing surface mining and reclamation coordination in the State of California, was signed in 1979 and remains in effect until this new agreement is signed by each party.

**WHEREAS**, the 1979 MOU was completely rewritten and resigned by the Bureau of Land Management and the State of California on February 7, 1990; and, that the purpose of this updated agreement is to make minor amendments to the 1990 MOU and to add the U.S. Forest Service as signatory.

**WHEREAS**, several acts of Congress provide for persons to prospect and mine on Federal lands which are administered by the Forest Service and BLM, and which are open to the operation of the United States mining, mineral leasing and mineral materials laws, providing they comply with the rules and regulations covering the Federal lands involved (applicable regulations include 25 CFR 211, 36 CFR 228 et seq., 43 CFR 3802, 3809, 3500, and 3600).

**WHEREAS**, Federal laws and regulations require that operations authorized under Federal mining, mineral leasing, and mineral material laws shall be conducted so as to minimize adverse environmental impact, or prevent unnecessary or undue degradation caused by such operations, and that the land be reclaimed to a second productive use, where practicable.

**WHEREAS**, BLM and the Forest Service are authorized to work with the State for purposes of coordinating Federal, State and local regulatory activities for environmental protection [applicable regulations include 43 CFR 3809.3-1(a)-(c) and 36 CFR 228.8 and 228.46].

Memorandum of Understanding  
Page 3

**WHEREAS**, for proposed mineral operations, the purpose of both the National Environmental Protection Act of 1969 (NEPA) and the California Environmental Quality Act (CEQA) is to assure the identification, analysis, and disclosure of significant environmental impacts associated with proposed projects and the incorporation of feasible mitigation to address significant adverse environmental impacts.

**WHEREAS**, the statutory requirements of the National Environmental Protection Act of 1969 (NEPA) for the Forest Service and BLM, and the California Environmental Quality Act (CEQA) for State and local agencies are largely equivalent.

**WHEREAS**, city and county "lead agencies" have the responsibility under the Surface Mining and Reclamation Act of 1975 (Public Resources Code Sections 2710-2795), as amended, and State policy for surface mining and reclamation practice (California Code of Regulations Sections 3500-3505), to regulate surface mining and reclamation within their jurisdictions to assure that:

- (1) Adverse environmental effects are prevented or minimized and that mined lands are reclaimed to a usable condition which is readily adaptable for alternative land uses;
- (2) The production and conservation of minerals are encouraged, while giving consideration to values relating to recreation, watershed, wildlife, range and forage, and aesthetic enjoyment; and
- (3) Residual hazards to the public health and safety are eliminated.

**WHEREAS**, "lead agencies" are cities, counties, or other agencies designated by the Board which have the principal responsibility for approving a surface mining operation or reclamation plan (as defined by SMARA and other relevant regulations and ordinances) pursuant to the provisions of SMARA, and the use herein of the words "lead agencies" shall signify the Board's approval for lead agencies to use the guidance in this MOU to satisfy the requirements of applicable State laws and regulations for surface mining and reclamation on lands in California.

**WHEREAS**, lead agency surface mining and reclamation ordinances certified by the Board include and comply with applicable provisions of State laws and regulations for surface mining and reclamation practice.

**NOW, THEREFORE BE IT RESOLVED** that the parties to this memorandum hereby understand and agree that the following will satisfy the aforesaid requirements of the aforesaid laws and are acceptable to both the Forest Service, BLM and the State. It is agreed that in regulation of surface mining of minerals on Federal lands and on combinations of Federal and private lands that:

- (1) Lead agencies and the Forest Service and/or BLM will work cooperatively to insure that conditions required of operators (as defined by Federal law, and by SMARA and any other relevant regulations and ordinances) in minimizing adverse environmental impacts conform to all applicable local, State, and Federal regulations.
- (2) Lead agencies may accept as functionally equivalent documents to meet their requirements under SMARA, operating plans, reclamation plans and environmental studies that meet the requirements of Forest Service and BLM regulations [submitted pursuant to federal regulation provided such plans and studies meet or exceed lead agency requirements as included in the lead agency's State-certified surface mining and reclamation ordinance and any other applicable laws and regulations]; and alternatively, Forest Service and BLM may accept as functionally equivalent documents to meet their requirements, operating plans, reclamation plans and environmental studies [submitted to the lead agency when such plans and studies meet or exceed requirements set by the BLM] that meet SMARA requirements.
- (3) Lead agencies may accept as functionally equivalent, documents prepared under NEPA (40 CFR 1500-1508) that meet the requirements of CEQA.
- (4) Lead agencies may enter, and in fact are encouraged to enter, into specific area agreements (including but not limited to, joint powers agreements and MOUs) with the Forest Service and/or BLM for purposes of implementing this agreement, coordinating reviews, avoiding duplication, and facilitating participation by affected agencies. Issues that may be addressed by such agreements include, but are not limited to, the filing, review, and procedures for approval of reclamation plans, fees, public inspection and enforcement activities, and bonding requirements. Such specific area agreements shall be in conformance with the lead agency's certified surface mining and reclamation ordinance and Federal law and regulation.

Effective Date of this Agreement:

This agreement shall become effective upon each party by signature of that designated party and shall supersede the previously referenced 1979 and 1990 MOU's when signed by all parties.


Modification of this Agreement:

This agreement may be modified upon the initiative of any of the parties for the purpose of ensuring consistency with state or federal statutes or regulations, or for any other purpose mutually agreed upon. In order to be effective, any such modification must be in writing, subject to 30 days notice, and must be signed by all of the designated parties.

Termination of this Agreement:


This agreement shall continue in force until terminated by any party upon thirty (30) days written notice to the other parties. The parties intend to review this agreement at the end of 12 months, and periodically thereafter, as needed.

STATE OF CALIFORNIA:

  
Edward G. Heidig  
Director,  
Department of Conservation


DATE: Oct 19, 1992

BUREAU OF LAND MANAGEMENT:

  
Edward Hastey  
State Director  
California

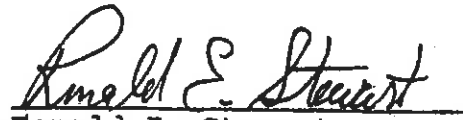
DATE: 10/20/92

STATE OF CALIFORNIA:

  
James A. Anderson  
Chairman,  
State Mining and Geology Board

DATE: Oct 19, 1992

UNITED STATES FOREST SERVICE

  
Ronald E. Stewart  
Regional Forester,  
Pacific Southwest Region

DATE: Oct. 19, 1992



United States Department of the Interior  
**BUREAU OF LAND MANAGEMENT**

Palm Springs-South Coast Field Office  
1201 Bird Center Drive  
Palm Springs, CA 92262-8001  
(760) 833-7100 Fax (760) 833-7199



Visit us on the Internet at  
[www.blm.gov/ca/palmsprings/](http://www.blm.gov/ca/palmsprings/)

In Reply Refer To:  
3600 (P)  
CACA-56187  
LCAD060.65

OCT 23 2015

Mr. Ed DeBoer  
Vice President  
West Coast Sand & Gravel Inc.  
P.O. Box 790  
Thermal, California 92274

Dear Mr. DeBoer:

We are providing this letter in response to your request for assistance on information requested by the Riverside County Planning Department for their review of the proposed expansion of the West Coast Aggregate's sand and gravel extraction area located on federal public land on the South ½ of Section 18, T. 6 S., R. 9 E., SBBM, in the unincorporated Thermal area of Riverside County, California. In the County's SMP00129R2 comment letter that you provided to us, under General Comments, item 2, page 2, it states:

*Provide written acknowledgement from BLM indicating their desire for Riverside County to act as Lead Agency for this entitlement, as well as acknowledgement that the County will perform the required CEQA analysis for this project and in doing so satisfies any NEPA requirements that they may have. Alternatively, please provide BLM's NEPA documentation supporting the proposed mine expansion and new materials sales contract.*

West Coast operates a sand and gravel facility which is regulated by the Bureau of Land Management (BLM) under the Code of Federal Regulations (CFR), Title 43, subpart 3600. This activity has been ongoing since 1986 when the first mineral material sale contract was issued to the Valley Rock and Sand Company by the BLM.

A Memorandum of Understanding (MOU) on surface mining and reclamation coordination was signed in October 1992 by the State of California, Department of Conservation, State Mining and Geology Board (Board), the BLM, and the United States Forest Service (USFS). The MOU notes that for surface mining on Federal lands, and on combinations of Federal and private lands, the requirements of both the National Environmental Protection Act of 1969 (NEPA) and the California Environmental Quality Act of 1970 (CEQA) are largely equivalent.

U.S. DEPARTMENT OF THE INTERIOR  
BUREAU OF LAND MANAGEMENT  
PALM SPRINGS-SOUTH COAST FIELD OFFICE

DECISION RECORD  
DOI-BLM-CA-060-0011-0050-EA

**NAME of PROJECT:** Mineral Sale Contract --Thermal Pit Expansion CACA 53104

**REGULATORY COMPLIANCE:** The approved action is in conformance with the following land use plans: California Desert Conservation Area Plan (CDCA), 1980 as amended, and the Coachella Valley Plan, an amendment to the CDCA. Based on the analysis provide in Environmental Assessment (EA) DOI-BLM-CA-060-0011-0050-EA and associated Finding of No Significant Impact, I find no significant impacts to the human environment were identified and therefore no Environmental Impact Statement is required.

**SELECTED ALTERNATIVE:** The proposed action is selected because it would allow West Coast to expand the existing sand and gravel mining operation and meet the demands for aggregate materials in the Coachella Valley. Compliance with the mitigation measures identified in the attached EA is hereby required. These measures are incorporated into this decision record as stipulations by reference and will be incorporated into the approved plan of operation for mining and reclamation as well as in all mineral material sale contracts issued under this approved mining plan.

**RATIONALE:** The CDCA Plans encourage the development of mineral resources in a manner which satisfies national and local needs and provides for economically and environmentally sound exploration, extraction and reclamation processes. This area has been mined for sand and gravel since 1980. Expansion of the existing operation, as proposed, will allow for a continued supply of mineral materials for use by West Coast Aggregate Supply, Inc. Environmental mitigation, as identified in this environmental assessment, will reduce impacts to an acceptable level and insure against undue and unnecessary degradation of public land resources.

There are no known cultural or historic resources within the 90 acre expansion area. Consultation with Native American Tribes and individual resulted in no identified concerns over the proposed area.

**DECISION:** It is my decision to approve the proposed action as described in Environmental Assessment (EA) number DOI-BLM-CA-060-0011-0050-EA.

  
\_\_\_\_\_

Field Manager  
Bureau of Land Management  
Palm Springs-South Coast Field Office  
1201 Bird Center Drive  
Palm Springs, CA 92262

9/27/11  
Date

**APPEALS:** This decision may be appealed to the Interior Board of Land Appeals, Office of the Secretary, in accordance with the regulations at Title 43 of the Code of Federal Regulations (CFR), Part 4, and the information provided in Form 1842-1 (enclosed). If an appeal is taken, your notice of appeal must be filed in the Palm Springs-South Coast Field Office, Bureau of Land Management, U.S. Department of the Interior, 1201 Bird Center Drive, Palm Springs, California 92262, within 30 days from receipt of this decision. The appellant has the burden of showing that the decision appealed from is in error.

If you wish to file a petition for a stay of the effectiveness of this decision during the time that your appeal is being reviewed by the Board, pursuant to Title 43 of the Code of Federal Regulations, Part 4, Subpart E, the petition for a stay must accompany your notice of appeal. A petition for a stay is required to show sufficient justification based on the standards listed below. Copies of the notice of appeal and petition for a stay must also be submitted to each party named in this decision and to the Interior Board of Land Appeals and to the appropriate Office of the Solicitor (see 43 CFR 4.413) at the same time the original documents are filed with this office. If you request a stay, you have the burden of proof to demonstrate that a stay should be granted.

**Standards for Obtaining a Stay**

Except as otherwise provided by law or other pertinent regulations, a petition for a stay of a decision pending appeal shall show sufficient justification based on the following standards:

- (1) the relative harm to the parties if the stay is granted or denied,
- (2) the likelihood of the appellant's success on the merits,
- (3) the likelihood of immediate and irreparable harm if the stay is not granted, and
- (4) whether the public interest favors granting the stay.



Determination	Resource	Rationale For Determination	Signature	IDT Review Date	Final Review Date
NI	Livestock Grazing				
NI	Vegetation including Special Status Plant Species other than FWS Candidate or listed species				
N/A	Fish and Wildlife Including Special Status Species other than FWS candidate or listed species e.g. Migratory birds.				
N/A	Soils				
N/A	Recreation				
NI	Visual Resources				
N/A	Geology / Mineral Resources/Energy Production		CWG		CFM
N/A	Lands / Access				
N/A	Fuels / Fire Management				

Hully L. Roberts 9/27/11  
 Environmental Coordinator Date

Hully L. Roberts 9/27/11  
 Associate Field Manager Date  
 Multi Resources

CWG  
 Assistant Field Manager  
 Lands/Mineral

9/27/11  
 Date

N/A  
 Monument Manager

\_\_\_\_\_  
 Date

U.S. DEPARTMENT OF THE INTERIOR  
BUREAU OF LAND MANAGEMENT  
PALM SPRINGS-SOUTH COAST FIELD OFFICE

ENVIRONMENTAL ASSESSMENT  
EA Number DOI-BLM-CA-660-0011-0050-EA

---

**DATE:** 19 September 2011

**TITLE / PROJECT TYPE:** Mineral Sales Contract - Noncompetitive

**CASE FILE / PROJECT NO:** CACA-053104

**FUNDING CODE:**

**BLM OFFICE:** Palm Springs-South Coast Field Office  
1201 Bird Center Drive  
Palm Springs, CA 92262

**APPLICANT / PROPONENT:** West Coast Aggregate Supply, Inc.  
92500 Airport Blvd.  
P.O. Box 790  
Thermal, CA 92274

**LOCATION OF PROPOSED ACTION:** East of Thermal, Riverside County  
Township 6 South, Range 9 East,  
Section 18 (North ½), SBBM

<b>PROJECT ACREAGE:</b>	BLM	90 acres
	Other Federal	_____
	State	_____
	Private	_____
	Other (specify)	_____

**USGS TOPOGRAPHIC MAP:** *Thermal Canyon, California* Quadrangle, 1972 – 7.5-Minute Series

**NEED FOR THE PROPOSED ACTION**

West Coast Aggregate Supply Inc. requested to expand their existing mining operation for sand and gravel on public lands located approximately 2½ miles east of Thermal, CA, in Riverside County.

The West Coast Aggregate Supply Inc. existing contract and operation meet the requirements under 43 Code of Federal Regulations (CFR) 3600 Mineral Materials Disposal. The proposed mine expansion would allow for the continued mining

operations of extraction, removal, and processing of alluvial sand and gravel deposits to be used exclusively by West Coast for construction and demand in the local aggregate industry. In addition, the mineral resources extracted from public lands would serve to meet the long-term demand in the surrounding communities.

### **LAND USE PLAN CONFORMANCE and Other Regulatory Compliance:**

In accordance with Title 43 Code of Federal Regulations 1610.5-3, the proposed action and alternatives are in conformance with the following approved land use plan: California Desert Conservation Area (CDCA). The site is not designated an Area of Critical Environmental Concern (ACEC) nor is it designated wilderness. However, the site is located west of the Mecca Hills Wilderness, which along with the Orocopia Mountains Wilderness located further to the east, comprise the Meccacopia Special Recreation Management Area (MSRMA) as designated by the CDCA Plan Amendment for the Coachella Valley during December 2002 (BLM, 2003). The footprint of the MSRMA generally coincides with the Mecca Hills/Orocopia Mountains Conservation Area (MH/OMCA), as designated within the Coachella Valley Multiple Species Habitat Conservation Plan and Natural Community Conservation Plan (CVMSHCP) (CVAG, 2007).

### Fish and Wildlife Consultation

The site was surveyed for biological resources three times, in 2005, 2009, and 2010 (WLB, 2005; SWBC, 2009; LBI, 2010). The surveys were conducted to identify the presence of any threatened and endangered species including the federal-listed and state-listed desert tortoise. No threatened or endangered species or evidence thereof was identified and therefore no threatened or endangered species are expected to occur onsite. The site is not located within a conservation area of the CVMSHCP (CVAG, 2007).

### Cultural Resources Review

Under the Federal Land Policy and Management Act of 1976 (FLPMA), the BLM is charged with managing public lands in a manner that will "protect the quality of scientific, scenic, historical, ecological, environmental, air and atmospheric, water resource, and archaeological values". Section 106 of the National Historic Preservation Act, as implemented at 36 CFR Part 800, requires Federal agencies to take into account the effects of their undertakings on historic properties. The Revised State Protocol Agreement (2007) between the California State Director of the Bureau of Land Management (BLM) and the California and Nevada State Historic Preservation Officers (SHPOs) defines the roles and relationships between the SHPOs' offices and the BLM under the National Programmatic Agreement. The State protocol is intended to insure that the California BLM operates "efficiently and effectively in accordance with the intent and requirements of the NHPA." The protocol streamlines the Section 106 process by not requiring case by case consultation with the SHPO on most individual undertakings.

A historical/archaeological resources survey that was conducted by CRM Tech in 2005 determined that no "historical resources" as defined by CEQA were encountered within or adjacent to the site (CRM, 2005a). A paleontological survey that was conducted by CRM

Tech in 2005 determined that no paleontological resources (fossils) were encountered within or adjacent to the site. However, the noted survey indicated that although no paleontological resources are likely to be encountered within the surficial, younger Quaternary sediments present within the low-lying portions of the project area, the potential to encounter paleontological resources within deeper lakebed sediments underlying the low-lying portions of the project area cannot be determined without visual inspections during mining operations (CRM, 2005b).

## **DESCRIPTION OF THE PROPOSED ACTION and ALTERNATIVES**

### **Background**

The site is located on public lands (north ½ of Section 18 of Township 6 South, Range 9 East) administered by BLM. It is situated east of the All American Canal (Coachella Valley Segment) and west of the Mecca Hills. Nearby ephemeral surface water features include Thermal Canyon and an unnamed wash located north of the site, and an unnamed wash located southeast of the site, within which surface water is conveyed generally toward the west from the Mecca Hills located east of the site (Figure 1).

The existing mining operation is conducted pursuant to an approved plan of operation and Riverside County Surface Mine Permit – Revision 1 (SMP 129R1), and to the State of California Surface Mining and Reclamation Act (SMARA). The site is located along the western edge of an area wherein the public and private land ownership in this area alternates in a “checkerboard” pattern (Figure 2).

Vicinity land use includes agricultural west of the All American Canal, while those east of the site, in the Mecca Hills, are generally vacant with the public lands designated as wilderness (MSRMA) and/or conservation area (MH/OMCA) (CVAG, 2007).

Two (2) nearby permitted aggregate mining operations include the following (Figure 2):

- County of Riverside Transportation Department (Riverside County RCL 154), located approximately 1 mile to the north.
- Granite Construction Co. (Riverside County SMP 196), located immediately east of and adjacent to the site.

One (1) nearby aggregate mining operation has been applied for but has not been approved to date (Figure 2):

- Channel & Basin Reclamation, Inc. (Riverside County SMP 209), located approximately 0.5 mile to the northeast.

Current nearby aggregate mine status is available at the following County of Riverside California website: [http://www.rctima.org/planning/content/geninfo/surface\\_mine\\_list.aspx](http://www.rctima.org/planning/content/geninfo/surface_mine_list.aspx).

The existing sand, gravel, and clay quarry, including a crushing/screening/concrete batch

plant facility, encompassing approximately 190 acres (approximately 132.3 acres disturbed) has been in operation since 1980. The initial Riverside County Surface Mine Permit (SMP 129) was approved in 1980 for a period of 15 years, until 1995, allowing up to 390,000 tons to be mined annually. In August 1990, a BLM contract authorized excavation of 50,000 cubic yards from 80 acres of a BLM-administered parcel located in the South ½ of Section 18 of Township 6 South, Range 9 East. Revision 1 of the permit (SMP 129R1) extended the life of the original permit an additional 24 years, until 2019, at the aforementioned annual tonnage extraction rate for a total extraction of 6,700,000 tons (Riverside County, 2006). Given that annual extraction would continue at the current rate of 270,000 cubic yards (400,000 tons) of sand, gravel, and clay, including approximately 27,000 cubic yards (40,000 tons) of waste fines per annum, the aggregate reserves covered by the existing permit are nearing depletion and the quarry needs to be expanded in order to continue producing material.

#### 1. Proposed Action

West Coast Aggregate Supply, Inc. (West Coast) is the operator of the sand, gravel, and clay quarry, including the crushing/screening/concrete batch plant, located adjacent to the proposed expansion area. The existing operation is permitted on 190 acres, which are comprised of approximately 45 acres of private land and approximately 145 acres of public land administered by BLM. The existing operation is authorized on public land pursuant to the original Plan of Operations and Reclamation Plan (W&W, 2005) and administered by BLM pursuant to SMP 129R1. Furthermore, site reclamation is governed by SMP 129R1.

West Coast proposes to expand the existing operation by an additional 90 acres on public land administered by BLM and has submitted a revised plan of operation for BLM review and approval. If the revised Plan of Operations (W&W, 2010) is approved, the SMP 129R2 reclamation plan must also be approved by Riverside County pursuant to the State of California Surface Mining and Reclamation Act (SMARA), and the Memorandum of Understanding (MOU) for reclamation of surface mines that was established between the BLM and the California Department of Conservation.

The proposed quarry expansion would be accomplished by extending the existing quarry toward the north at the current annual extraction rate of 400,000 tons for a total extraction of 8 million tons and extending the termination year by 25 years from 2010 to 2035 (an additional 20 years of excavation and 5 subsequent years for revegetation monitoring). Phase 1 would involve the extraction of a maximum of approximately 2,160,000 cubic yards (~3,200,000 million tons) through the year 2020 and Phase 2 would involve the extraction of a maximum of approximately 2,700,000 cubic yards (~4,100,000 tons) through the year 2030, which is an addition to the remaining reserves from the original 4,450,000 cubic yards (6,700,000 tons) permitted for under the existing permit for SMP 129R1. All other operational aspects (days, hours, *etc.*) would remain the same as with the existing permitted operation.

Reclamation would require approximately five (5) additional years beyond the cessation of mining excavation activities. Upon completion of mining excavation activities in 2030, reclamation of the site would include revegetation with a native plant community similar to

the existing plant cover and monitoring activities, ending in 2035. The reclaimed site would be approximately 100 feet lower in elevation than the surrounding land surface and would consist of two earthen basins covering the majority of the approximate 90-acre site.

The expansion would be conducted in a two-phased fashion (Phases 1 and 2) to a maximum depth of approximately 100 feet below ground surface, with a maximum slope angle of 2:1 (horizontal:vertical), resulting in pit floors that generally parallel the slope of the surrounding natural alluvium. Excavated aggregate material would continue to be transported to the existing onsite batch plant.

The site topography would be altered by the extraction of aggregate materials for processing and sale. The additional area would be mined in a similar manner as is used in the existing operation. Loaders and dozers are used to place material into the primary (mobile) crusher, which in turn feeds material to the screening/concrete batch plant located along the central portion of the northern boundary of Section 19 of Township 6 South, Range 9 East, which is coterminous and south of Section 18 where the site is located. Material is washed, screened, sized, and loaded for delivery at the plant, which has public access via Airport Boulevard. The existing office and associated buildings would also remain.

## 2. No Action Alternative

The Proposed Action (90-acre expansion) would not be undertaken. Existing management and use of the site would continue subject to applicable statutes, regulations, policy, and land use plans. The existing plant could be operated with aggregate supplied from other sites and hauled to the existing processing plant and completed quarries would be reclaimed pursuant to the existing SMP 129R1.

## **AFFECTED ENVIRONMENT**

### 1. Area Description

The site is located in the northern half of Section 18 of Township 6 South, Range 9 East (SBBM), with a street address of 92500 Airport Boulevard, which is located approximately 13 miles southeast of the city of Indio and approximately 5 miles east of the city of Thermal CA. SMP 129 is accessed via Highway 111 in the city of Thermal CA, eastward approximately 2.9 miles via Airport Boulevard (two lanes, paved) to an existing paved access road that leads across the Coachella Valley Segment of the All American Canal, over the levee, and to the existing mining operations. Access from the existing mining operations to the proposed expansion area will be via existing unpaved roads.

The site elevation is approximately 80 feet above sea level and gently slopes downward toward the southwest (USGS, 1972). The existing operation and the proposed expansion area are both located on a series of coalescing west-sloping active alluvial fans that originate in drainages that actively convey ephemeral surface water and sediments westward from the Mecca Hills located to the east. The Soil Conservation Service (SCS) has classified the vicinity soils as the Carsitas Series (CdC, ChC) and Badlands soils (BA) (SCS, 1980). The Carsitas Series correlates with quaternary alluvium (Qal) and the

Badlands soils correlate with Pleistocene nonmarine sediments (Qc) (CDMG, 1965b). The Carsitas Series ("Qal") is described as a gravelly, cobbly sand approximately 10 inches in thickness, underlain by a substratum of coarse sand with varying coarse fragments, which occupy the axes of the noted ephemeral drainages within the Mecca Hills and the alluvial fans they form west of the Mecca Hills. Badland soils ("Qc") comprise the Mecca Hills located east of the site and are described very steep severely eroded areas consisting of slightly consolidated soils that are capped by a very thin mantle of loose sand (SCS, 1980). The Little San Bernardino Mountains located north and northeast of the site are dominated by intruded Mesozoic granitic rocks (gr), which transition northwestward into a pre-Cambrian igneous and metamorphic rock complex (pCc) (CDMG, 1965b).

According to the California Division of Mines and Geology Special Report No. 159, Mineral Land Classification: Aggregate Materials in the Palm Springs Production-Consumption Region (Miller, 1988), alluvial fan and stream deposits dominate the site and surrounding area to a depth of at least 30 feet below ground surface. Historical mining in the immediate vicinity indicates the depth of alluvium may be as much as 100 feet below ground surface. The alluvium reportedly consists of approximately 65% sand and 35% gravel. The gravel is composed of approximately 50% granitic rock and 50% metamorphic rock with a few sedimentary rocks and an occasional mud ball. Very little overburden, if any, is located on the proposed expansion area (W&W, 2005, 2010).

Three (3) local named faults, progressing eastward from the site, include the Banning-Mission Creek Fault, which comprises the local section of the San Andreas Fault Zone located immediately northeast of and adjacent to the site, the Hidden Springs Fault located along the west side of the Orocopia Mountains (approximately 9.4 miles to the east-southeast), and the Orocopia Thrust Fault located along the east side of the Orocopia Mountains (6.3 miles to the east-northeast). No nearby faults are reportedly located west of the site (CDMG, 1965a, 1965b). Traces of the San Andreas Fault Zone can be clearly seen in the field cutting across the extreme southwest ends of the Mecca Hills and extending across the extreme northern end of the proposed mine expansion area. The San Andreas Fault Zone has been identified as an Alquist-Priolo Earthquake Fault Hazard Zone (W&W, 2005, 2010). According to Figure 14 of the Riverside County Eastern Coachella Valley Area Plan, the site lies within an area with high susceptibility to liquefaction (Riverside County, 2003).

A site slope stability evaluation was conducted during 1996 to evaluate conditions of the to-date aggregate mining operations at SMP 129. At the time, the quarry consisted of two (2) sand, gravel, and clay excavations separated by approximately 1,000 feet, within which slopes ranged between 1:1 and 1.5:1 (horizontal:vertical) and demonstrated stability. Mine plans included expanding mining operations into areas consisting of alluvium (sand and gravel) and the Mecca formation sediments (predominantly claystone). Based on field observations, it was recommended that the proposed slope of 2:1 be utilized for current and expanded mining operations (Bulot, 1996). A recent annual inspection conducted during 2008 of to-date reclaimed 2:1-inclined excavation slopes confirmed that the reclaimed slopes demonstrated stability (CHJ, 2008).

A site hydrologic evaluation was conducted to estimate peak storm flood volumes and possible head-cutting that could result in response to precipitation within watersheds

located within the Mecca Hills and Little San Bernardino Mountains, which are located east and northeast of the site, respectively (Deane, 2005). The noted evaluation included two (2) planned mine expansion areas located north of current mining operations, designated as the "northern area" and the "middle area". These areas were designated as such due to the fact that an earlier site hydrologic evaluation was performed on the current mining operation (Bulot, 1997), which was considered as the "southern area" in the newer evaluation (Deane, 2005).

Annual rainfall at the Thermal Airport, approximately four miles west of the site, averages 2.93 inches (SCS, 1980). Annual rainfall in the site vicinity averages less than four (4) inches, with 40% of precipitation occurring mainly during the summer resulting from convectional storms moving northward from the Gulf of California. The remaining 60% of precipitation occurs during the balance of the months (CADWR, 1964).

The site and existing mining operations overlie the Thermal Sub-area of the Indio Sub-basin of the greater Coachella Valley Groundwater Basin. The Thermal Sub-area extends westward across Coachella Valley and is separated from the Desert Springs Sub-basin to the northeast and the Mecca Hills Area to the southeast by the San Andreas Fault Zone. The generalized stratigraphic column of the Thermal Sub-area indicates the following groundwater units, with increasing depth, may underlie the site and existing mining operations: semiperched zone (Recent lake deposits, 0-100 feet thickness), upper aquifer (older alluvium, 150-300 feet thickness), unnamed aquitard (Ocotillo Conglomerate, 100-200 feet thickness), and the lower aquifer (Ocotillo Conglomerate, greater than 1,000 feet thickness) (CADWR, 1964). Groundwater beneath the existing mining operation located south of the site was approximately 93 feet below sea level as documented by a Driller's Report to the Department of Water Resources (Permit No. 09927) when the existing Valley Rock & Sand well was installed. As of 12 February 1997, the groundwater was measured at approximately 121 feet below sea level in this well (W&W, 2005, 2010).

The site corresponds to the "middle area", which receives precipitation surface water runoff via Thermal Canyon within what has been referred to as the "Southern Thermal Canyon watershed" (Deane, 2005). Thermal Canyon is designated a "blue line" drainage (USGS, 1972). The area of this watershed comprises approximately 7.8 mi<sup>2</sup> that extends eastward from the site upward into the Mecca Hills to an area including the I-10 interstate freeway west of the Cactus City rest stop. A peak surface flow volume of approximately 2,533.8 CFS was estimated in response to a 100-year/6-hour storm event, a maximum flood volume of approximately 1,265.88 AF was estimated in response to a 100-year/24-hour storm event, and approximately 625 feet of headward erosion (head-cutting, approximately 560 feet up-channel from the property line) was estimated for the site (Deane, 2005). Riprap down drain(s) will be installed onsite to prevent head-cutting and provide erosion control of excavation slopes (W&W, 2005, 2010).

The site is located within the Colorado Desert region of California (Jaeger, 1957). Although the CVMSHCP indicates that the site is not located within any designated conservation areas, one (1) such area is located within the site vicinity. The Mecca Hills/Orocopia Mountains Conservation Area (MH/OMCA) encompasses approximately 277,100 acres that includes most of the land comprising the Mecca Hills and Orocopia Mountains, essentially along the south side of the I-10 interstate freeway, within approximately 0.25



mile east of the site. The main purpose of this conservation area is to essentially provide contiguous "minimally fragmented" areas for various protected and endangered species of concern (CVAG, 2007). As previously stated, the footprint of the MH/OMCA generally coincides with the Meccacopia Special Recreation Management Area (MSRMA) (BLM, 2003). In addition, all of Section 18 of Township 6 South, Range 9 East has been included within the designated California Desert Conservation Area via an act of the United States Congress on 21 October 1976 (BLM, 2010).

The following is a summary of the 2005, 2009, and 2010 biological surveys (WLB, 2005; SWBC, 2009; LBI, 2010) with an emphasis on the most recent survey (LBI, 2010). Site vegetation is essentially comprised of undeveloped desert shrubland, within which Phase 1 has a small clearing used a truck wash/turnaround and the remainder is covered by undisturbed vegetation. A sizable portion of Phase 2 had been cleared in the past but has nearly completely recovered with native vegetation and the remainder is covered by undisturbed vegetation. Two plant associations are present onsite consisting of the Sonoran Creosote Bush Scrub (upland vegetation) that essentially covers the entire site, which is interrupted by southwest-draining washes containing species (wash vegetation) typical of the Desert Dry Wash Woodland or the Blue Palo Verde-Smoke Tree series. However, the wash vegetation does not readily fall into either classification and microphyllous shrubs were not common enough to consider this vegetation a dry wash woodland or Blue Palo Verde-Smoke Tree stand. Furthermore, contrast between the upland and wash vegetation on aerial photographs is not sufficient to map them as distinct types. Upland vegetation is represented onsite primarily by the creosote bush (*Larrea tridentata*) and white bursage (*Ambrosia dumosa*), with subordinate numbers of cheesebush (*Hymenoclea salsola*), sweetbush (*Bebbia juncea*), and brittlebush (*Encelia farinosa*). Wash vegetation is represented by blue palo verde (*Cercidium floridum*), desert lavender (*Hyptis emoryi*), and smoke tree (*Psoralea spinosa*), in addition to the upland vegetation mentioned above. Based on field observations, vegetation on the site has no special status with the California Department of Fish and Game (CDFG), although the Sonoran Creosote Bush Scrub, Desert Dry Wash Woodland, and Blue Palo Verde natural/woodland communities are identified and covered by the CVMSHCP (LBI, 2010).

Only two (2) special status plants, the chaparral sand verbena (*Abronia villosa* var. *aurita*) and the closely-related desert sand verbena (*Abronia villosa* var. *villosa*), are scarcely represented on the site. Although not observed, at most the following special status plants might occur with a low probability, but not in significant numbers: Salton Sea milk vetch, winged cryptantha, Utah vine milkweed, California ditaxis, glandular ditaxis, slender ditaxis, Cove's cassia, and Mecca aster. Of all these special status plants, only the Mecca aster is covered under the CVMSHCP. No endangered vegetation species or evidence thereof was encountered onsite (WLB, 2005; SWBC, 2009; LBI, 2010).

Although three (3) special status insects (cheeseweed moth lacewing, Coachella Valley Jerusalem cricket, and Coachella giant sand treader cricket) occur in the region, none were observed on the site. None of these species are listed as threatened or endangered or proposed for listing. No endangered invertebrate species or evidence thereof were encountered onsite (WLB, 2005; SWBC, 2009; LBI, 2010), although the Coachella Valley Jerusalem cricket, and Coachella giant sand treader cricket are both covered under the CVMSHCP (LBI, 2010).

Although the Coachella Valley fringe-toed lizard (*Uma inornata*) and flat-tailed horned lizard (*Phrynosoma mcalli*) are of concern to state and federal government agencies, individuals and suitable habitat were not detected onsite. Therefore, they are not expected to occur at the site. Furthermore, the desert tortoise (*Gopherus agassizi*), which is a federally- and state-listed threatened species, was not detected onsite or in nearby areas. However, although the site is not within critical habitat as designated by the United States Fish and Wildlife Service, the site is located approximately 5.5 miles west of the mapped Chuckwalla critical habitat unit, desert tortoises occur in the general area, and there is only a low probability that an individual could wander onsite. No endangered reptilian species or evidence thereof was encountered onsite (WLB, 2005; SWBC, 2009; LBI, 2010). All three species are covered by the CVMSHCP (LBI, 2010).

Three (3) special status birds have been observed at the site during the noted surveys: black-tailed gnatcatcher (WLB, 2005; SWBC, 2009), loggerhead shrike (WLB, 2005; LBI, 2010), and burrowing owl (WLB, 2005). Although Le Conte's thrasher was not observed during any of the surveys, it is likely to occur due to the presence of suitable habitat (WLB, 2005; SWBC, 2009; LBI, 2010). The loggerhead shrike and black-tailed gnatcatcher are on the CDFG list of Special Animals, whereas the burrowing owl and Le Conte's thrasher are considered CDFG species of special concern. Only the burrowing owl and Le Conte's thrasher are covered by the CVMSHCP. None of these species are listed as threatened or endangered. No endangered avian species or evidence thereof was encountered onsite (LBI, 2010).

Although several special status bats are likely to forage over the site (WLB, 2005; SWBC, 2009; LBI, 2010), only the western yellow bat has a low probability of roosting, but not breeding, in the larger blue palo verde trees on the site. The western yellow bat is the only special status bat that is covered by the CVMSHCP (LBI, 2010). In order of decreasing probability, the following mammals could occur on the site: Pallid San Diego pocket mouse (high), Palm Springs pocket mouse (moderate), Colorado Valley woodrat (low), and American badger (occasional). Although Nelson's bighorn sheep occur in higher desert mountain ranges throughout the southwestern United States and is federally listed as endangered, the low elevation and lack of a permanent water source make the site unsuitable for this mammal except for migration (WLB, 2005; SWBC, 2009; LBI, 2010). The Pallid San Diego pocket mouse, Palm Springs pocket mouse, and Colorado Valley woodrat are considered species of special concern by CDFG, and Nelson's bighorn sheep is considered by CDFG as a Special Animal. Only the Palm Springs pocket mouse is covered by the CVMSHCP (LBI, 2010). No endangered mammalian species or evidence thereof was encountered onsite (WLB, 2005; SWBC, 2009; LBI, 2010).

A historical/archaeological resources survey that was conducted by CRM Tech in 2005 determined that no "historical resources" as defined by CEQA were encountered within or adjacent to the site (CRM, 2005a). A paleontological survey that was conducted by CRM Tech in 2005 determined that no paleontological resources (fossils) were encountered within or adjacent to the site. However, the noted survey indicated that although no paleontological resources are likely to be encountered within the surficial, younger Quaternary sediments present within the low-lying portions of the project area, the potential to encounter paleontological resources within deeper lakebed sediments underlying the

low-lying portions of the project area cannot be determined without visual inspections during mining operations (CRM, 2005b).

### **LAND USE PLAN CONFORMANCE and Other Regulatory Compliance:**

In accordance with Title 43 Code of Federal Regulations 1610.5-3, the proposed action and alternatives are in conformance with the following approved land use plan: California Desert Conservation Area (CDCA). The site is not designated an Area of Critical Environmental Concern (ACEC) nor a designated wilderness. However, the site is located west of the Mecca Hills Wilderness, which along with the Orocopia Mountains Wilderness located further to the east, comprise the Meccacopia Special Recreation Management Area (MSRMA) as designated by the CDCA Plan Amendment for the Coachella Valley during December 2002 (BLM, 2003). The footprint of the MSRMA generally coincides with the Mecca Hills/Orocopia Mountains Conservation Area (MH/OMCA), as designated within the Coachella Valley Multiple Species Habitat Conservation Plan and Natural Community Conservation Plan (CVMSHCP) (CVAG, 2007).

Two of the four goals stated in the Geology, Energy, and Minerals Element of the CDCA Plan, Chapter 3 are:

- (1) Within the multiple-use management Framework, assure the availability of known mineral resource land for exploration and development.
- (2) Encourage the development of mineral resources in a manner which satisfies national and local needs and provides for economically and environmentally sound exploration, extraction, and reclamation processes.

### Surface Mine and Reclamation Act (SMARA) of 1975

The Surface Mine and Reclamation Act is a State of California law pertaining to the mine reclamation and administered by the respective county planning department. The Riverside County Planning Department is the approving agency on the Thermal Pit reclamation plan for this proposal.

### Fish and Wildlife Consultation

The site was surveyed for biological resources three times, in 2005, 2009, and 2010 (WLB, 2005; SWBC, 2009; LBI, 2010). The surveys were conducted to identify the presence of any threatened and endangered species including the federal-listed and state-listed desert tortoise. No threatened or endangered species or evidence thereof was identified and therefore no threatened or endangered species are expected to occur onsite. The site is not located within a conservation area of the CVMSHCP (CVAG, 2007).

### Cultural Resources Review

Under the Federal Land Policy and Management Act of 1976 (FLPMA), the BLM is charged with managing public lands in a manner that will "protect the quality of

scientific, scenic, historical, ecological, environmental, air and atmospheric, water resource, and archaeological values". Section 106 of the National Historic Preservation Act, as implemented at 36 CFR Part 800, requires Federal agencies to take into account the effects of their undertakings on historic properties. The Revised State Protocol Agreement (2007) between the California State Director of the Bureau of Land Management (BLM) and the California and Nevada State Historic Preservation Officers (SHPOs) defines the roles and relationships between the SHPOs' offices and the BLM under the National Programmatic Agreement. The State protocol is intended to insure that the California BLM operates "efficiently and effectively in accordance with the intent and requirements of the NHPA." The protocol streamlines the Section 106 process by not requiring case by case consultation with the SHPO on most individual undertakings.

A historical/archaeological resources survey that was conducted by CRM Tech in 2005 determined that no "historical resources" as defined by CEQA were encountered within or adjacent to the site (CRM, 2005a). A paleontological survey that was conducted by CRM Tech in 2005 determined that no paleontological resources (fossils) were encountered within or adjacent to the site. However, the noted survey indicated that although no paleontological resources are likely to be encountered within the surficial, younger Quaternary sediments present within the low-lying portions of the project area, the potential to encounter paleontological resources within deeper lakebed sediments underlying the low-lying portions of the project area cannot be determined without visual inspections during mining operations (CRM, 2005b).

#### **Land Use Classification:**

The site is located on BLM land (north ½ of Section 18 of Township 6 South, Range 9 East, SBBM). This section is adjacent to and shares common corners with BLM land located to the northeast and southeast (Sections 8 and 20, respectively, of Township 6 South, Range 9 East), and to the northwest (east ½ of Section 12 of Township 6 South, Range 8 East). Section 18 is adjacent to and shares common sides with privately-owned land located to the north, east, and south (Sections 7, 17, and 19, respectively, of Township 6 South, Range 9 East), and to the west (Section 13 of Township 6 South, Range 8 East), and is adjacent to and shares a common corner with privately-owned land located to the southwest (Section 24 of Township 6 South, Range 8 East) (CVAG, 2007).

The CDCA Multiple-Use Classifications of the site are Moderate (west ½ of the north ½ of Section 18) and "Private, State, and Other Federally Managed Lands" (east ½ of the north ½ of Section 18) (BLM, 2003). The site is not designated wilderness nor is it designated as an Area of Critical Environmental Concern.

The site is located within the east-central portion of the CVMSHCP area. The plan is a multi-agency, multi-species habitat conservation plan pursuant to the Federal Endangered Species Act. However, although the site is not located within any conservation area delineated by the CVMSHCP, it is

located west of the MH/OMCA (CVAG, 2007). The site is also located west of the MSRMA, which generally coincides with the MH/OMCA. In addition, all of Township 6 South, Range 9 East, including Section 18, has been included within the designated California Desert Conservation Area via an act of the United States Congress on 21 October 1976 (BLM, 2010).

**Valid Existing Rights:**

The proposed expansion is bound by the Coachella Valley Segment of the All American Canal and its associated right-of-way on the west, essentially vacant land to the north and east, and the existing SMP 129R1 mining operation to the south.

The existing mining operation is authorized by BLM pursuant to CA-48443 and CA-48444. It is authorized by the County of Riverside pursuant to SMP 129R1.

Private lands east of the existing operation are provided access pursuant to CACA-36119 and private lands north of the operation are provided access pursuant to CACA-40022 and CACA-39209. A nearby groundwater monitoring well is provided access pursuant to CACA-45081. In addition, R-141, for electric transmission (overhead lines) and associated right-of-way, passes through the existing mining operation.

All of these rights-of-way will be preserved with the proposed action. CACA-39209, CACA-40022, and CACA-45081 are located west of the proposed expansion, R-141 is located immediately east of the proposed expansion and CACA-36119 is located south of the existing operation and the expansion area.

**ENVIRONMENTAL CONSEQUENCES**

**A. Elements of the Human Environment**

The following table summarizes various elements of the human environment subject to requirements specified in statute, regulation, or executive order. Elements for which there are no impacts will not be discussed further in this document.

Environmental Element	Proposed Action	No Action Alternative
Air Quality	Cont. of existing emission levels	Cont. of existing emission levels
ACEC's	N/A	N/A

Cultural Resources	None	None
Native American Concerns	None	None
Farmlands	N/A	None
Floodplains	N/A	None
Energy (E.O. 13212)	None	None
Minerals	Continue beneficial use onsite	Aggregate will be obtained elsewhere
T&E Animal Spp.	None	None
T&E Plant Species	None	None
Invasive, Nonnative Species	None	None
Wastes (hazardous/solid)	None	None
Water Quality (surface/ ground)	None	None
Wetlands/Riparian	None	None
Wild and Scenic Rivers	N/A	N/A
Wilderness	Cont'd. Industrial use adj. wilderness	Cont'd. Industrial use adj. wilderness
Environmental Justice	None	None
Health and Safety Risks to Children	None	None
Visual Resource Mgmt.	Cont. Ind. view adj. to wilderness	Cont. Ind. view adj. to wilderness

B. Discussion of Impacts

1. **Proposed Action:**

The proposed action would extend the existing quarry by an additional 90 acres on public land and the life of the existing aggregate processing facility by 25 years.

The expansion would consist of extension of the existing quarry which would continue to be mined in the same manner as the current method. This would result in the temporal loss of surface resources such as wildlife habitat (plants and soil) and the consumption of naturally occurring alluvial materials and consequent alteration of the land surface within the expansion area (90 acres).

The expansion area would be revegetated pursuant to SMARA, which requires reestablishment of native plants as specified in the reclamation plan to be approved concurrently by the County of Riverside in conjunction with the state Department of Conservation Office of Mine Reclamation. Reclamation would also reestablish wildlife habitat to the extent it relies on native plant species. However, the proposed land surface (topographic) alteration and resulting changes to surface hydrology would remain. Noise generation and visual alterations would be limited to the existing levels but would occur north of the existing pit. These impacts would generally be limited to employees (who would be protected from these impacts through the implementation of MSHA and OSHA requirements) because they are "straight line" impacts and would occur below the surface grade (elevation).

Air quality impacts would result from the operation of mobile equipment in the area of quarry expansion. This is estimated to be a loader and two haul trucks which would not create substantial emissions. Emissions from the entire operation (quarry and processing plant) would continue to be regulated by the State of California in a manner prohibiting creation of nuisance emissions or health hazards.

## **2. No Action Alternative:**

Quarry extension on an additional 90 acres of public land would not occur. Quarry areas on public lands would be reclaimed when reserves are economically exhausted, 1-2 years from present. Reclamation would be conducted pursuant to the approved plan, SMP 129R1. However, the existing processing plant is located on private land and could continue processing material from more distant quarries. This would continue the existing impacts resulting from air emissions, traffic generation and proximity of the processing plant to areas designated as conservation areas via the CVMSHCP and the California Desert Conservation Area.

The direct impacts due to loss of surface materials (vegetation, soil, and aggregate) would not occur at this site but would likely be incurred at another location as the investment in a processing plant is much greater than the cost of obtaining and hauling aggregate material at the existing plant.

## **C. Mitigation Measures**

The following measures are designed to reduce or eliminate these identified impacts associated with the proposed mine expansion:

- 1) All areas disturbed by mining shall be reclaimed pursuant to the requirements of SMARA and concurrent surface mining operation which includes SMP 129R2

approval with Riverside County.

- 2) Native vegetation shall not be cleared from February to August unless a pre-clearance survey is conducted and no nesting birds are found. Otherwise surface clearing must be conducted from August to February in any year.
- 3) Prior to surface disturbance during any portion of the year, a clearance survey is conducted for burrowing owls (BUOW). If BUOW are found, the state of California Department of Fish and Game protocol for relocation must be implemented by the operator.
- 4) A desert tortoise protection education program must be presented to all mine employees annually.
- 5) The operator shall cause to be prepared a delineation of areas within the jurisdiction of the US Army Corps of Engineers pursuant to the Clean Water Act §404 and the California Department of Fish and Game pursuant to the Fish and Game Code §1600. The operator shall obtain all necessary permits and provide copies of permits to BLM.
- 6) Surface water drainage into the pit shall be conveyed by drains designed to eliminate off-site headward erosion. This may be accomplished through structural means (dissipaters, channel hardening) or redesign (shallower cut).
- 7) If buried cultural materials are discovered during any project activities, work in that area will be halted and a qualified archaeologist shall evaluate the find.
- 8) Periodic monitoring shall be conducted to determine if buried paleontological materials occur onsite. A qualified paleontologist shall inspect cut slopes within the quarry whenever slopes reach an additional twenty feet of depth or two years.
- 9) Every three years, the operator shall submit to BLM and Riverside county an aerial photograph of the pit area.

#### D. Residual Impacts

The temporal loss (until reclamation) of 90 acres of land surface resources (wildlife habitat, vegetation, and soil) would remain under any mining alternative. The extent of this loss can be reduced by accomplishing site reclamation concurrently with existing mining activities per SMP 129R1. The continued generation of air emissions and traffic would occur under any mining alternative including the use of quarries on private lands (No action Alternative). These impacts are a result of aggregate processing which is not regulated by BLM and results from demand in the region. The continued use of the existing processing plants near areas designated wilderness could also occur under the No Action Alternative because it occurs on private lands.



## E. Cumulative Impacts

The Proposed Action (90-acre expansion) would continue the existing impacts for an additional 25 years. Riverside County SMP 129 is located adjacent to Riverside County RCL 154, SMP 209, and SMP 196. As previously stated SMP 209 has not been approved yet and therefore has not initiated operation. RCL 154 and SMP 196 are operated intermittently. The proposed action would contribute to the regional consumption of construction aggregate and consequent use of alluvial material and loss of surface resources (wildlife habitat, vegetation, soil).

The cumulative impact of these projects is the loss of surface resources (vegetation, wildlife habitat, and alteration of surface hydrology). These impacts would occur over the life of the individual permits and their level of impact (intensity) would vary in response to market demand. Lower demand would spread impacts over greater periods of time and higher demand would spread impacts over shorter periods of time, through increased production levels, and the associated generation of emissions and traffic.

### **FREEDOM OF INFORMATION ACT CONSIDERATIONS:**

Public comments submitted for this environmental assessment, including names and street addresses of respondents, will be available for public review at the Palm Springs-South Coast Field Office during regular business hours (8:00 a.m. to 4:30 p.m.), Monday through Friday, except holidays. Before including your address, phone number, e-mail address, or other personal identifying information in your comment, you should be aware that your entire comment – including your personal identifying information – may be made publicly available at any time. While you can ask us in your comment to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so. All submissions from organizations or businesses, and from individuals identifying themselves as representatives or officials of organizations or businesses, will be made available for public inspection in their entirety.

### **PERSONS / AGENCIES CONSULTED:**

US Fish and Wildlife Service, Carlsbad Office

### **PREPARED BY:**

John Kalish, BLM Field Manager  
Holly Roberts, BLM Associate Field Manager  
Cheryl Martinez, Lands, Minerals, and Recreation Supervisor  
Greg Hill, BLM Environmental and Planning Coordinator  
George Kline, BLM Archeologist  
Mark Massar, BLM Wildlife Biologist

### **REFERENCES:**

Appendix 1 – Biological Reports

Leatherman Bioconsulting, Inc. (LBI), 2010. Valley Rock and Sand Proposed Mining Expansion (SMP 129 R2), Biotechnical Report, 19 May 2010

Scott White Biological Consulting (SWBC), 2009. Valley Rock & Sand Proposed Quarry Expansion: Biological Technical Report, 7 April 2009.

White & Leatherman Bioservices (WLB), 2005. Valley Rock & Sand Proposed Quarry Expansion: Biological Technical Report and Desert Tortoise Survey, 27 June 2005.

#### Appendix 2 – Hydrology Studies

Bulot, Inc. (Bulot), 1997. Site Hydrologic Evaluation, Valley Rock and Sand Quarry Expansion, 5 January 1997.

Thomas C. Deane (Deane), 2005. Site Hydrologic Evaluation, Valley Rock and Sand Quarry Expansion, Project No. SMP129R2, Thermal, California, 1 August 2005.

#### Appendix 3 – Plan of Operations and Reclamation Plan/Slope Stability Reports

Webber & Webber Mining Consultants, Inc. (W&W), 2010. Valley Rock & Sand, Thermal, CA Site – SMP129R2 Plan of Operations and Reclamation Plan. 4 August 2010.

Bulot, Inc. (Bulot), 1996. Report of Geologic Reconnaissance, Slope Stability Evaluation: Valley Rock & Sand Quarry, Thermal, Riverside County, California, 30 October 1996.

CHJ, Inc. (CHJ), 2008. Annual Observation of Slopes, West Coast Aggregate's Thermal Quarry (SMP 00129), CA Mine ID 91-33-0071, Riverside County, California, 19 June 2008.

#### Appendix 4 – Historical/Archaeological/Paleontological Reports

CRM Tech, Inc. (CRM), 2005a. Historical/Archaeological Resources Survey Report, Valley Rock & Sand Mine Expansion, Near the Community of Thermal, Riverside County, California. 15 April 2005.

\_\_\_\_\_, 2005b. Paleontological Resources Assessment Report, Valley Rock & Sand Mine Expansion, Near the Community of Thermal, Riverside County, California, 22 April 2005.

California Department of Water Resources (CADWR), 1964. Bulletin No. 108: Coachella Valley Investigation.

California Division of Mines and Geology (CDMG), 1965a. Geologic Map of California,

Salton Sea Sheet.

\_\_\_\_\_, 1965b. Geologic Map of California, Santa Ana Sheet.

Coachella Valley Association of Governments (CVAG), 2007. Coachella Valley Multiple Species Habitat Conservation Plan and Natural Community Conservation Plan, September 2007.

Jaeger, E. C., 1957. The North American Deserts.

Miller, Russel V., 1988. Mineral Land Classification: Aggregate Materials in the Palm Springs Production-Consumption Region, CDMG Special Report No. 159.

Riverside County, 2003. County of Riverside General Plan, Eastern Coachella Valley Area Plan, Riverside County Transportation and Land Management Agency, October 2003.

\_\_\_\_\_, 2006. Riverside County Planning Department Staff Report (SMP 129R1), 25 January 2006.

United States Department of Agriculture, Soil Conservation Service (SCS), 1980. Soil Survey of Riverside County, California, Coachella Valley Area.

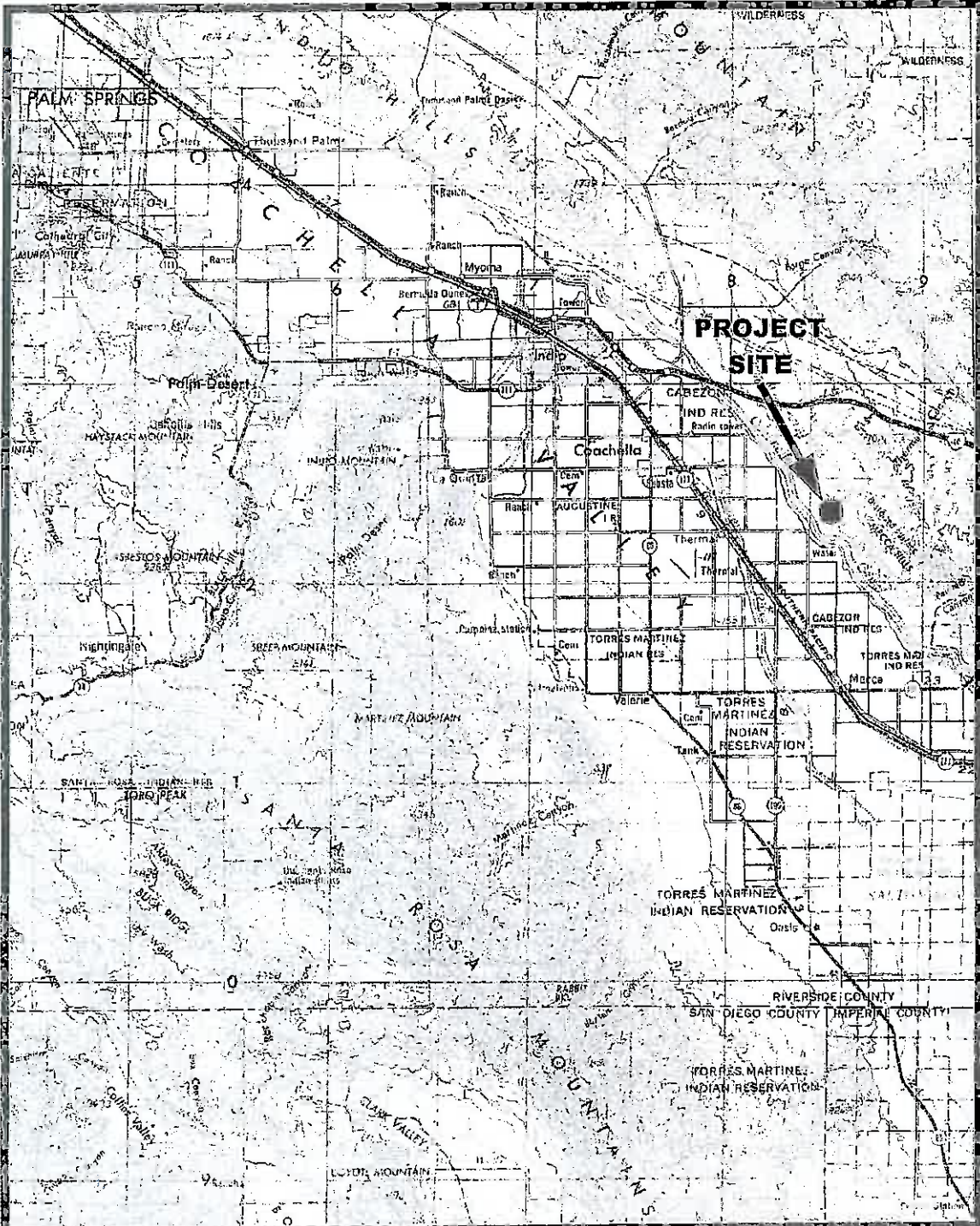
United States Geological Survey (USGS), 1972. Thermal Canyon, California 7.5-Minute Quadrangle.

United States Department of the Interior, Bureau of Land Management (BLM), 2003. California Desert Conservation Area (CDCA) Plan Amendment for the Coachella Valley, as viewed online on 25 June 2010.

REVIEWED BY:

Hally L. Roberts  
Environmental Coordinator

9/27/2011  
Date



Scale: 1 Inch = ~5 Miles

**LOCATION MAP**  
**VALLEY ROCK & SAND, INC. (SMP 129)**



Map Source: USGS 1:250,000 Santa Ana Quadrangle (1979)

Figure 1

**Fragmented estate, isolated wilderness, SMPs (3) in SRMA**

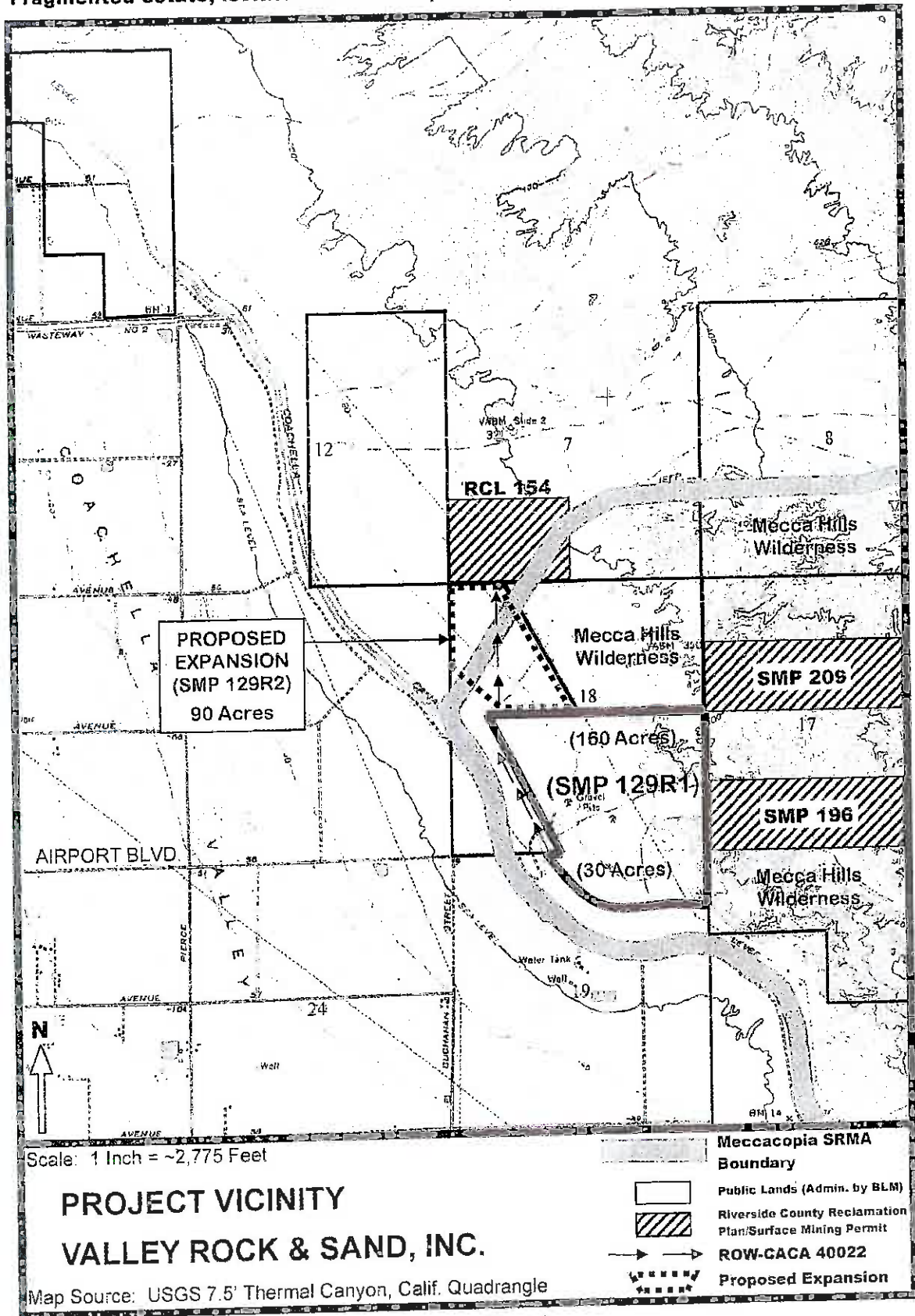


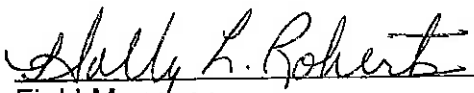
Figure 2

U.S. DEPARTMENT OF THE INTERIOR  
BUREAU OF LAND MANAGEMENT  
PALM SPRINGS-SOUTH COAST FIELD OFFICE

FINDING OF NO SIGNIFICANT IMPACT  
DOI-BLM-CA-060-0011-0050-EA

**NAME of PROJECT:** Mineral Material Sale Contract-Thermal Pit Expansion

**FINDING OF NO SIGNIFICANT IMPACT:** Environmental impacts associated with the proposed action have been assessed. Based on the analysis provided in the attached EA, I conclude the approved action is not a major federal action and will result in no significant impacts to the environment under the criteria in Title 40 Code of Federal Regulations 1508.18 and 1508.27. Preparation of an Environmental Impact Statement to further analyze possible impacts is not required pursuant to Section 102(2)(c) of the National Environmental Policy Act of 1969.

  
\_\_\_\_\_  
for Field Manager  
Bureau of Land Management  
Palm Springs-South Coast Field Office  
1201 Bird Center Drive  
Palm Springs, CA 92262

9/27/2011  
Date



**RIVERSIDE COUNTY**  
**PLANNING DEPARTMENT**

*Steve Weiss*  
*Planning Director*

June 7, 2016

Mr. Pat Perez  
Assistant Director  
California Department of Conservation  
Office of Mine Reclamation  
801 K St. MS 09-06  
Sacramento, CA 95814

RE: OMR's 30-Day Review  
West Coast Aggregate (CA Mine ID # 91-33-0071)  
Reclamation Plan Amendment  
County Reclamation Plan – SMP00129R2

The above referenced reclamation plan amendment is enclosed for OMR's 30-day review pursuant to Public Resources Code, Division 2, Chapter 9 Section 2774(d)(1). 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.

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  
Steve Weiss, Planning Director

Brett Dawson, Contract Planner  
TLMA-PLANNING

Enclosures: SMP00129R2 Exhibits A, B, and C  
Technical studies (disc)

cc w/o encl.:  
Applicant Representative: John Cairns, via e-mail  
County Geologist: David L. Jones  
File: SMP00129R2

Y:\Planning Case Files-Riverside office\SMP00129R2\Letters and Correspondence\Agency Letters\OMR 30 day review letter.docx

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

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

# Thermal-Oasis Community Council Agenda & County Service Area 125

6 p.m. Monday, January 23, 2017

Rummonds Senior Center: 87229 Church Street, Thermal, CA 92274

1. **Call to Order**
2. **Pledge of Allegiance/Roll Call**
3. **Approval of the Minutes – September 26 and November 28, 2016**
4. **New Business:** Presenters must direct their report to the council. At the conclusion of the presentation, Chair may allow questions. Each speaker must first be recognized by the Chair. Please limit presentations to 15 minutes.
  - A. **Action Item – Review and approval of Development Project: West Coast Sand and Gravel**
    - a. **Address:** East of Buchanan St. and the Coachella Canal, North of 57th Ave., South of 54th
    - b. **APN's:** 717-150-003, 717-140-002, 717-190-005
    - c. **Planning Case Numbers:** SMP00129R2, **Environmental Assessment No.** EA42815
    - d. **Status:** Under Review
    - e. **Zoning/General Plan:** Open Space Conservation Habitat (OS-CH), Mineral Resources (OS-MIN), Rural (OS-RUR) and Water (OS-W) within the Eastern Coachella Valley Area Plan.
    - f. **Dwelling Units per Acre:** NA
    - g. **Previous Name:** NA
    - h. **Action:** Will be required
    - i. **Contact Information:** Brett Dawson, 951-955-0972, [bdawson@rivco.org](mailto:bdawson@rivco.org)

<b>Project Sponsor:</b> Valley Rock and Sand PO Box 790 Thermal CA	<b>Engineer:</b> John Cairns Project Manager Webber and Webber Mining Consultants Inc 101 E Redlands Blvd Suite 240 Redlands CA 92373
---	---
  - B. **Presentation: Community Development Financial Institution - Clearinghouse Program**  
Monica Telles, 760-863-2541, [mtelles@rivcoeda.org](mailto:mtelles@rivcoeda.org)
5. **Continued Business:** Presenters must direct their report to the council. At the conclusion of the presentation, Chair may allow questions. Each speaker must first be recognized by the Chair.
  - A. **Desert Recreation District, Future Oasis and Thermal Parks**  
Kevin Kalman, 760-347-3484, [kkalman@drd.us.com](mailto:kkalman@drd.us.com)
  - B. **Presentation: County of Riverside Transportation Department, Harrison Street Safety Improvement Grant**  
Dennis Acuña, 951-955-6820, [dacuna@rctlma.org](mailto:dacuna@rctlma.org)
6. **Staff Reports:** Presenters must direct their report to the council. At the conclusion of the presentation, Chair may allow questions. Each speaker must first be recognized by the Chair. Please limit your reports to 5 minutes.
  - A. **Office of Supervisor John J. Benoit:** Maria Becerra 760-863-8211, [mbecerra@rcbos.org](mailto:mbecerra@rcbos.org)
  - B. **Sheriff's Department:** Lt. Mike Manning 760-863-8784, [mmanning@riversidesheriff.org](mailto:mmanning@riversidesheriff.org)
  - C. **California Highway Patrol:** Officer Phillips Watkins 760-772-8911, [pwatkins@chp.ca.gov](mailto:pwatkins@chp.ca.gov)
  - D. **CAL Fire:** Captain David Rios 760-399-5303, [rru.thermalstn@fire.ca.gov](mailto:rru.thermalstn@fire.ca.gov)
  - E. **Emergency Management Department:** Ralph Mesa 951-955-4700, [rmesa@rivcocha.org](mailto:rmesa@rivcocha.org)
  - F. **Code Enforcement:** Frank Mendez 760-393-3344, [fmendez@rctlma.org](mailto:fmendez@rctlma.org)
  - G. **Desert Recreation District:** Christine Pimentel 760-347-3484, [cpimentel@drd.us.com](mailto:cpimentel@drd.us.com)
  - H. **Other Departments**
7. **Public comments:** All persons wishing to address the Council on items not specifically on the agenda or on matters of general interest should do so at this time. Please limit your remarks to 3 minutes.
8. **Agenda Items for next meeting**
9. **Adjourn meeting**



Ernesto Rios, Chair  
760-799-7142  
[Erios001@student.ucr.edu](mailto:Erios001@student.ucr.edu)

Joel Rios, Vice Chair  
714-330-2629  
[Jruiz92@hotmail.com](mailto:Jruiz92@hotmail.com)

Mike Wells, Secretary  
760-399-5007  
[conchillaskipper@hotmail.com](mailto:conchillaskipper@hotmail.com)

Sergio Duran  
760-578-0340  
[Sergiod57@yahoo.com](mailto:Sergiod57@yahoo.com)

Sergio Meza, Vice Chairperson  
760-427-5116  
[sepspirefree@yahoo.com](mailto:sepspirefree@yahoo.com)

Marco Celedon  
760-449-5117  
[mceledon@engineer.com](mailto:mceledon@engineer.com)

Matthew Melkesian  
760-485-0233  
[matt@desertempires.com](mailto:matt@desertempires.com)

***Please visit Supervisor Benoit's Web site to access more information: [www.RivCo4.org](http://www.RivCo4.org)***

CHP Non-Emergency Numbers

24-hour non-emergency number for dispatch: (760) 772-8900 Business Office: (760) 772-8911

**Community Council Advisory Project Review Report—Fourth District Planning Projects**

Council: THERMAL OASIS Address: 92500 Airport Blvd  
Meeting date: 1/23/17 Cross streets:   
Project name: Valley Rock and Sand - SMP Parcel number(s): 17-150-003, 717-190-005  
717-140-002  
Case number: #129 Revision 2

Advisory Action (number of votes): (4)  Support  NOT Support  Abstain  Absent  Continue to

**Advisory Motion**  
MOTION MATT TO APPROVE PROJECT  
2ND SERGIO M.  
VOTE = UNANIMOUS

**Advisory Discussion, Comments and Recommendations**  
Concerns about traffic volume and trucks driving  
over speed limit.

Date: 1/23/17 Signature: Michael L. Wells  
Print name and title: MICHAEL L. WELLS, SECRETARY

**Supervisor's Comments**

**Directions:** The council secretary or designated council member must complete, sign and return this document to the Supervisors liaison immediately following advisory action. This document will be filed to officially record community input on the project.

**U.S. DEPARTMENT OF THE INTERIOR  
BUREAU OF LAND MANAGEMENT  
PALM SPRINGS-SOUTH COAST FIELD OFFICE**

**DECISION RECORD  
DOI-BLM-CA-060-0011-0050-EA**

**NAME of PROJECT: Mineral Sale Contract –Thermal Pit Expansion CACA 53104**

**REGULATORY COMPLIANCE:** The approved action is in conformance with the following land use plans: California Desert Conservation Area Plan (CDCA), 1980 as amended, and the Coachella Valley Plan, an amendment to the CDCA. Based on the analysis provide in Environmental Assessment (EA) DOI-BLM-CA-060-0011-0050-EA and associated Finding of No Significant Impact, I find no significant impacts to the human environment were identified and therefore no Environmental Impact Statement is required.

**SELECTED ALTERNATIVE:** The proposed action is selected because it would allow West Coast to expand the existing sand and gravel mining operation and meet the demands for aggregate materials in the Coachella Valley. Compliance with the mitigation measures identified in the attached EA is hereby required. These measures are incorporated into this decision record as stipulations by reference and will be incorporated into the approved plan of operation for mining and reclamation as well as in all mineral material sale contracts issued under this approved mining plan.

**RATIONALE:** The CDCA Plans encourage the development of mineral resources in a manner which satisfies national and local needs and provides for economically and environmentally sound exploration, extraction and reclamation processes. This area has been mined for sand and gravel since 1980. Expansion of the existing operation, as proposed, will allow for a continued supply of mineral materials for use by West Coast Aggregate Supply, Inc. Environmental mitigation, as identified in this environmental assessment, will reduce impacts to an acceptable level and insure against undue and unnecessary degradation of public land resources.

There are no known cultural or historic resources within the 90 acre expansion area. Consultation with Native American Tribes and individual resulted in no identified concerns over the proposed area.

**DECISION:** It is my decision to approve the proposed action as described in Environmental Assessment (EA) number DOI-BLM-CA-060-0011-0050-EA.

  
\_\_\_\_\_

Field Manager  
Bureau of Land Management  
Palm Springs-South Coast Field Office  
1201 Bird Center Drive  
Palm Springs, CA 92262

9/27/11  
Date

**APPEALS:** This decision may be appealed to the Interior Board of Land Appeals, Office of the Secretary, in accordance with the regulations at Title 43 of the Code of Federal Regulations (CFR), Part 4, and the information provided in Form 1842-1 (enclosed). If an appeal is taken, your notice of appeal must be filed in the Palm Springs-South Coast Field Office, Bureau of Land Management, U.S. Department of the Interior, 1201 Bird Center Drive, Palm Springs, California 92262, within 30 days from receipt of this decision. The appellant has the burden of showing that the decision appealed from is in error.

If you wish to file a petition for a stay of the effectiveness of this decision during the time that your appeal is being reviewed by the Board, pursuant to Title 43 of the Code of Federal Regulations, Part 4, Subpart E, the petition for a stay must accompany your notice of appeal. A petition for a stay is required to show sufficient justification based on the standards listed below. Copies of the notice of appeal and petition for a stay must also be submitted to each party named in this decision and to the Interior Board of Land Appeals and to the appropriate Office of the Solicitor (see 43 CFR 4.413) at the same time the original documents are filed with this office. If you request a stay, you have the burden of proof to demonstrate that a stay should be granted.

#### **Standards for Obtaining a Stay**

Except as otherwise provided by law or other pertinent regulations, a petition for a stay of a decision pending appeal shall show sufficient justification based on the following standards:

- (1) the relative harm to the parties if the stay is granted or denied,
- (2) the likelihood of the appellant's success on the merits,
- (3) the likelihood of immediate and irreparable harm if the stay is not granted, and
- (4) whether the public interest favors granting the stay.

Determination	Resource	Rationale For Determination	Signature	IDT Review Date	Final Review Date
NI	Livestock Grazing				
NI	Vegetation including Special Status Plant Species other than FWS Candidate or listed species				
N/A	Fish and Wildlife Including Special Status Species other than FWS candidate or listed species e.g. Migratory birds.				
N/A	Soils				
N/A	Recreation				
NI	Visual Resources				
N/A	Geology / Mineral Resources/Energy Production		C.M.G.		C.M.
N/A	Lands / Access				
N/A	Fuels / Fire Management				

Shelly R. Roberts 9/27/11  
 Environmental Coordinator Date

Shelly R. Roberts 9/27/11  
 Associate Field Manager Date  
 Multi Resources

Cliff Muz  
 Assistant Field Manager  
 Lands/Mineral

9/27/11  
 Date

N/A  
 Monument Manager

\_\_\_\_\_  
 Date

**U.S. DEPARTMENT OF THE INTERIOR  
BUREAU OF LAND MANAGEMENT  
PALM SPRINGS-SOUTH COAST FIELD OFFICE**

**ENVIRONMENTAL ASSESSMENT  
EA Number DOI-BLM-CA-660-0011-0050-EA**

---

**DATE:** 19 September 2011

**TITLE / PROJECT TYPE:** Mineral Sales Contract - Noncompetitive

**CASE FILE / PROJECT NO:** CACA-053104

**FUNDING CODE:**

**BLM OFFICE:** Palm Springs-South Coast Field Office  
1201 Bird Center Drive  
Palm Springs, CA 92262

**APPLICANT / PROPONENT:** West Coast Aggregate Supply, Inc.  
92500 Airport Blvd.  
P.O. Box 790  
Thermal, CA 92274

**LOCATION OF PROPOSED ACTION:** East of Thermal, Riverside County  
Township 6 South, Range 9 East,  
Section 18 (North ½), SBBM

<b>PROJECT ACREAGE:</b>	BLM	90 acres
	Other Federal	_____
	State	_____
	Private	_____
	Other (specify)	_____

**USGS TOPOGRAPHIC MAP:** *Thermal Canyon, California* Quadrangle, 1972 – 7.5-Minute Series

**NEED FOR THE PROPOSED ACTION**

West Coast Aggregate Supply Inc. requested to expand their existing mining operation for sand and gravel on public lands located approximately 2½ miles east of Thermal, CA, in Riverside County.

The West Coast Aggregate Supply Inc. existing contract and operation meet the requirements under 43 Code of Federal Regulations (CFR) 3600 Mineral Materials Disposal. The proposed mine expansion would allow for the continued mining

operations of extraction, removal, and processing of alluvial sand and gravel deposits to be used exclusively by West Coast for construction and demand in the local aggregate industry. In addition, the mineral resources extracted from public lands would serve to meet the long-term demand in the surrounding communities.

#### **LAND USE PLAN CONFORMANCE and Other Regulatory Compliance:**

In accordance with Title 43 Code of Federal Regulations 1610.5-3, the proposed action and alternatives are in conformance with the following approved land use plan: California Desert Conservation Area (CDCA). The site is not designated an Area of Critical Environmental Concern (ACEC) nor is it designated wilderness. However, the site is located west of the Mecca Hills Wilderness, which along with the Orocopia Mountains Wilderness located further to the east, comprise the Meccacopia Special Recreation Management Area (MSRMA) as designated by the CDCA Plan Amendment for the Coachella Valley during December 2002 (BLM, 2003). The footprint of the MSRMA generally coincides with the Mecca Hills/Orocopia Mountains Conservation Area (MH/OMCA), as designated within the Coachella Valley Multiple Species Habitat Conservation Plan and Natural Community Conservation Plan (CVMSHCP) (CVAG, 2007).

#### Fish and Wildlife Consultation

The site was surveyed for biological resources three times, in 2005, 2009, and 2010 (WLB, 2005; SWBC, 2009; LBI, 2010). The surveys were conducted to identify the presence of any threatened and endangered species including the federal-listed and state-listed desert tortoise. No threatened or endangered species or evidence thereof was identified and therefore no threatened or endangered species are expected to occur onsite. The site is not located within a conservation area of the CVMSHCP (CVAG, 2007).

#### Cultural Resources Review

Under the Federal Land Policy and Management Act of 1976 (FLPMA), the BLM is charged with managing public lands in a manner that will "protect the quality of scientific, scenic, historical, ecological, environmental, air and atmospheric, water resource, and archaeological values". Section 106 of the National Historic Preservation Act, as implemented at 36 CFR Part 800, requires Federal agencies to take into account the effects of their undertakings on historic properties. The Revised State Protocol Agreement (2007) between the California State Director of the Bureau of Land Management (BLM) and the California and Nevada State Historic Preservation Officers (SHPOs) defines the roles and relationships between the SHPOs' offices and the BLM under the National Programmatic Agreement. The State protocol is intended to insure that the California BLM operates "efficiently and effectively in accordance with the intent and requirements of the NHPA." The protocol streamlines the Section 106 process by not requiring case by case consultation with the SHPO on most individual undertakings.

A historical/archaeological resources survey that was conducted by CRM Tech in 2005 determined that no "historical resources" as defined by CEQA were encountered within or adjacent to the site (CRM, 2005a). A paleontological survey that was conducted by CRM

Tech in 2005 determined that no paleontological resources (fossils) were encountered within or adjacent to the site. However, the noted survey indicated that although no paleontological resources are likely to be encountered within the surficial, younger Quaternary sediments present within the low-lying portions of the project area, the potential to encounter paleontological resources within deeper lakebed sediments underlying the low-lying portions of the project area cannot be determined without visual inspections during mining operations (CRM, 2005b).

## **DESCRIPTION OF THE PROPOSED ACTION and ALTERNATIVES**

### **Background**

The site is located on public lands (north ½ of Section 18 of Township 6 South, Range 9 East) administered by BLM. It is situated east of the All American Canal (Coachella Valley Segment) and west of the Mecca Hills. Nearby ephemeral surface water features include Thermal Canyon and an unnamed wash located north of the site, and an unnamed wash located southeast of the site, within which surface water is conveyed generally toward the west from the Mecca Hills located east of the site (Figure 1).

The existing mining operation is conducted pursuant to an approved plan of operation and Riverside County Surface Mine Permit – Revision 1 (SMP 129R1), and to the State of California Surface Mining and Reclamation Act (SMARA). The site is located along the western edge of an area wherein the public and private land ownership in this area alternates in a “checkerboard” pattern (Figure 2).

Vicinity land use includes agricultural west of the All American Canal, while those east of the site, in the Mecca Hills, are generally vacant with the public lands designated as wilderness (MSRMA) and/or conservation area (MH/OMCA) (CVAG, 2007).

Two (2) nearby permitted aggregate mining operations include the following (Figure 2):

- County of Riverside Transportation Department (Riverside County RCL 154), located approximately 1 mile to the north.
- Granite Construction Co. (Riverside County SMP 196), located immediately east of and adjacent to the site.

One (1) nearby aggregate mining operation has been applied for but has not been approved to date (Figure 2):

- Channel & Basin Reclamation, Inc. (Riverside County SMP 209), located approximately 0.5 mile to the northeast.

Current nearby aggregate mine status is available at the following County of Riverside California website: [http://www.rctlma.org/planning/content/geninfo/surface\\_mine\\_list.aspx](http://www.rctlma.org/planning/content/geninfo/surface_mine_list.aspx).

The existing sand, gravel, and clay quarry, including a crushing/screening/concrete batch



plant facility, encompassing approximately 190 acres (approximately 132.3 acres disturbed) has been in operation since 1980. The initial Riverside County Surface Mine Permit (SMP 129) was approved in 1980 for a period of 15 years, until 1995, allowing up to 390,000 tons to be mined annually. In August 1990, a BLM contract authorized excavation of 50,000 cubic yards from 80 acres of a BLM-administered parcel located in the South ½ of Section 18 of Township 6 South, Range 9 East. Revision 1 of the permit (SMP 129R1) extended the life of the original permit an additional 24 years, until 2019, at the aforementioned annual tonnage extraction rate for a total extraction of 6,700,000 tons (Riverside County, 2006). Given that annual extraction would continue at the current rate of 270,000 cubic yards (400,000 tons) of sand, gravel, and clay, including approximately 27,000 cubic yards (40,000 tons) of waste fines per annum, the aggregate reserves covered by the existing permit are nearing depletion and the quarry needs to be expanded in order to continue producing material.

#### 1. Proposed Action

West Coast Aggregate Supply, Inc. (West Coast) is the operator of the sand, gravel, and clay quarry, including the crushing/screening/concrete batch plant, located adjacent to the proposed expansion area. The existing operation is permitted on 190 acres, which are comprised of approximately 45 acres of private land and approximately 145 acres of public land administered by BLM. The existing operation is authorized on public land pursuant to the original Plan of Operations and Reclamation Plan (W&W, 2005) and administered by BLM pursuant to SMP 129R1. Furthermore, site reclamation is governed by SMP 129R1.

West Coast proposes to expand the existing operation by an additional 90 acres on public land administered by BLM and has submitted a revised plan of operation for BLM review and approval. If the revised Plan of Operations (W&W, 2010) is approved, the SMP 129R2 reclamation plan must also be approved by Riverside County pursuant to the State of California Surface Mining and Reclamation Act (SMARA), and the Memorandum of Understanding (MOU) for reclamation of surface mines that was established between the BLM and the California Department of Conservation.

The proposed quarry expansion would be accomplished by extending the existing quarry toward the north at the current annual extraction rate of 400,000 tons for a total extraction of 8 million tons and extending the termination year by 25 years from 2010 to 2035 (an additional 20 years of excavation and 5 subsequent years for revegetation monitoring). Phase 1 would involve the extraction of a maximum of approximately 2,160,000 cubic yards (~3,200,000 million tons) through the year 2020 and Phase 2 would involve the extraction of a maximum of approximately 2,700,000 cubic yards (~4,100,000 tons) through the year 2030, which is an addition to the remaining reserves from the original 4,450,000 cubic yards (6,700,000 tons) permitted for under the existing permit for SMP 129R1. All other operational aspects (days, hours, etc.) would remain the same as with the existing permitted operation.

Reclamation would require approximately five (5) additional years beyond the cessation of mining excavation activities. Upon completion of mining excavation activities in 2030, reclamation of the site would include revegetation with a native plant community similar to

the existing plant cover and monitoring activities, ending in 2035. The reclaimed site would be approximately 100 feet lower in elevation than the surrounding land surface and would consist of two earthen basins covering the majority of the approximate 90-acre site.

The expansion would be conducted in a two-phased fashion (Phases 1 and 2) to a maximum depth of approximately 100 feet below ground surface, with a maximum slope angle of 2:1 (horizontal:vertical), resulting in pit floors that generally parallel the slope of the surrounding natural alluvium. Excavated aggregate material would continue to be transported to the existing onsite batch plant.

The site topography would be altered by the extraction of aggregate materials for processing and sale. The additional area would be mined in a similar manner as is used in the existing operation. Loaders and dozers are used to place material into the primary (mobile) crusher, which in turn feeds material to the screening/concrete batch plant located along the central portion of the northern boundary of Section 19 of Township 6 South, Range 9 East, which is coterminous and south of Section 18 where the site is located. Material is washed, screened, sized, and loaded for delivery at the plant, which has public access via Airport Boulevard. The existing office and associated buildings would also remain.

## 2. No Action Alternative

The Proposed Action (90-acre expansion) would not be undertaken. Existing management and use of the site would continue subject to applicable statutes, regulations, policy, and land use plans. The existing plant could be operated with aggregate supplied from other sites and hauled to the existing processing plant and completed quarries would be reclaimed pursuant to the existing SMP 129R1.

## **AFFECTED ENVIRONMENT**

### 1. Area Description

The site is located in the northern half of Section 18 of Township 6 South, Range 9 East (SBBM), with a street address of 92500 Airport Boulevard, which is located approximately 13 miles southeast of the city of Indio and approximately 5 miles east of the city of Thermal CA. SMP 129 is accessed via Highway 111 in the city of Thermal CA, eastward approximately 2.9 miles via Airport Boulevard (two lanes, paved) to an existing paved access road that leads across the Coachella Valley Segment of the All American Canal, over the levee, and to the existing mining operations. Access from the existing mining operations to the proposed expansion area will be via existing unpaved roads.

The site elevation is approximately 80 feet above sea level and gently slopes downward toward the southwest (USGS, 1972). The existing operation and the proposed expansion area are both located on a series of coalescing west-sloping active alluvial fans that originate in drainages that actively convey ephemeral surface water and sediments westward from the Mecca Hills located to the east. The Soil Conservation Service (SCS) has classified the vicinity soils as the Carsitas Series (CdC, ChC) and Badlands soils (BA) (SCS, 1980). The Carsitas Series correlates with quaternary alluvium (Qal) and the

Badlands soils correlate with Pleistocene nonmarine sediments (Qc) (CDMG, 1965b). The Carsitas Series ("Qal") is described as a gravelly, cobbly sand approximately 10 inches in thickness, underlain by a substratum of coarse sand with varying coarse fragments, which occupy the axes of the noted ephemeral drainages within the Mecca Hills and the alluvial fans they form west of the Mecca Hills. Badland soils ("Qc") comprise the Mecca Hills located east of the site and are described very steep severely eroded areas consisting of slightly consolidated soils that are capped by a very thin mantle of loose sand (SCS, 1980).

The Little San Bernardino Mountains located north and northeast of the site are dominated by intruded Mesozoic granitic rocks (gr), which transition northwestward into a pre-Cambrian igneous and metamorphic rock complex (pCc) (CDMG, 1965b).

According to the California Division of Mines and Geology Special Report No. 159, Mineral Land Classification: Aggregate Materials in the Palm Springs Production-Consumption Region (Miller, 1988), alluvial fan and stream deposits dominate the site and surrounding area to a depth of at least 30 feet below ground surface. Historical mining in the immediate vicinity indicates the depth of alluvium may be as much as 100 feet below ground surface. The alluvium reportedly consists of approximately 65% sand and 35% gravel. The gravel is composed of approximately 50% granitic rock and 50% metamorphic rock with a few sedimentary rocks and an occasional mud ball. Very little overburden, if any, is located on the proposed expansion area (W&W, 2005, 2010).

Three (3) local named faults, progressing eastward from the site, include the Banning-Mission Creek Fault, which comprises the local section of the San Andreas Fault Zone located immediately northeast of and adjacent to the site, the Hidden Springs Fault located along the west side of the Orocopia Mountains (approximately 9.4 miles to the east-southeast), and the Orocopia Thrust Fault located along the east side of the Orocopia Mountains (6.3 miles to the east-northeast). No nearby faults are reportedly located west of the site (CDMG, 1965a, 1965b). Traces of the San Andreas Fault Zone can be clearly seen in the field cutting across the extreme southwest ends of the Mecca Hills and extending across the extreme northern end of the proposed mine expansion area. The San Andreas Fault Zone has been identified as an Alquist-Priolo Earthquake Fault Hazard Zone (W&W, 2005, 2010). According to Figure 14 of the Riverside County Eastern Coachella Valley Area Plan, the site lies within an area with high susceptibility to liquefaction (Riverside County, 2003).

A site slope stability evaluation was conducted during 1996 to evaluate conditions of the to-date aggregate mining operations at SMP 129. At the time, the quarry consisted of two (2) sand, gravel, and clay excavations separated by approximately 1,000 feet, within which slopes ranged between 1:1 and 1.5:1 (horizontal:vertical) and demonstrated stability. Mine plans included expanding mining operations into areas consisting of alluvium (sand and gravel) and the Mecca formation sediments (predominantly claystone). Based on field observations, it was recommended that the proposed slope of 2:1 be utilized for current and expanded mining operations (Bulot, 1996). A recent annual inspection conducted during 2008 of to-date reclaimed 2:1-inclined excavation slopes confirmed that the reclaimed slopes demonstrated stability (CHJ, 2008).

A site hydrologic evaluation was conducted to estimate peak storm flood volumes and possible head-cutting that could result in response to precipitation within watersheds

located within the Mecca Hills and Little San Bernardino Mountains, which are located east and northeast of the site, respectively (Deane, 2005). The noted evaluation included two (2) planned mine expansion areas located north of current mining operations, designated as the "northern area" and the "middle area". These areas were designated as such due to the fact that an earlier site hydrologic evaluation was performed on the current mining operation (Bulot, 1997), which was considered as the "southern area" in the newer evaluation (Deane, 2005).

Annual rainfall at the Thermal Airport, approximately four miles west of the site, averages 2.93 inches (SCS, 1980). Annual rainfall in the site vicinity averages less than four (4) inches, with 40% of precipitation occurring mainly during the summer resulting from convectional storms moving northward from the Gulf of California. The remaining 60% of precipitation occurs during the balance of the months (CADWR, 1964).

The site and existing mining operations overlie the Thermal Sub-area of the Indio Sub-basin of the greater Coachella Valley Groundwater Basin. The Thermal Sub-area extends westward across Coachella Valley and is separated from the Desert Springs Sub-basin to the northeast and the Mecca Hills Area to the southeast by the San Andreas Fault Zone. The generalized stratigraphic column of the Thermal Sub-area indicates the following groundwater units, with increasing depth, may underlie the site and existing mining operations: semiperched zone (Recent lake deposits, 0-100 feet thickness), upper aquifer (older alluvium, 150-300 feet thickness), unnamed aquitard (Ocotillo Conglomerate, 100-200 feet thickness), and the lower aquifer (Ocotillo Conglomerate, greater than 1,000 feet thickness) (CADWR, 1964). Groundwater beneath the existing mining operation located south of the site was approximately 93 feet below sea level as documented by a Driller's Report to the Department of Water Resources (Permit No. 09927) when the existing Valley Rock & Sand well was installed. As of 12 February 1997, the groundwater was measured at approximately 121 feet below sea level in this well (W&W, 2005, 2010).

The site corresponds to the "middle area", which receives precipitation surface water runoff via Thermal Canyon within what has been referred to as the "Southern Thermal Canyon watershed" (Deane, 2005). Thermal Canyon is designated a "blue line" drainage (USGS, 1972). The area of this watershed comprises approximately 7.8 mi<sup>2</sup> that extends eastward from the site upward into the Mecca Hills to an area including the I-10 interstate freeway west of the Cactus City rest stop. A peak surface flow volume of approximately 2,533.8 CFS was estimated in response to a 100-year/6-hour storm event, a maximum flood volume of approximately 1,265.88 AF was estimated in response to a 100-year/24-hour storm event, and approximately 625 feet of headward erosion (head-cutting, approximately 560 feet up-channel from the property line) was estimated for the site (Deane, 2005). Riprap down drain(s) will be installed onsite to prevent head-cutting and provide erosion control of excavation slopes (W&W, 2005, 2010).

The site is located within the Colorado Desert region of California (Jaeger, 1957). Although the CVMSHCP indicates that the site is not located within any designated conservation areas, one (1) such area is located within the site vicinity. The Mecca Hills/Orocopia Mountains Conservation Area (MH/OMCA) encompasses approximately 277,100 acres that includes most of the land comprising the Mecca Hills and Orocopia Mountains, essentially along the south side of the I-10 interstate freeway, within approximately 0.25

mile east of the site. The main purpose of this conservation area is to essentially provide contiguous “minimally fragmented” areas for various protected and endangered species of concern (CVAG, 2007). As previously stated, the footprint of the MH/OMCA generally coincides with the Meccacopia Special Recreation Management Area (MSRMA) (BLM, 2003). In addition, all of Section 18 of Township 6 South, Range 9 East has been included within the designated California Desert Conservation Area via an act of the United States Congress on 21 October 1976 (BLM, 2010).

The following is a summary of the 2005, 2009, and 2010 biological surveys (WLB, 2005; SWBC, 2009; LBI, 2010) with an emphasis on the most recent survey (LBI, 2010). Site vegetation is essentially comprised of undeveloped desert shrubland, within which Phase 1 has a small clearing used a truck wash/turnaround and the remainder is covered by undisturbed vegetation. A sizable portion of Phase 2 had been cleared in the past but has nearly completely recovered with native vegetation and the remainder is covered by undisturbed vegetation. Two plant associations are present onsite consisting of the Sonoran Creosote Bush Scrub (upland vegetation) that essentially covers the entire site, which is interrupted by southwest-draining washes containing species (wash vegetation) typical of the Desert Dry Wash Woodland or the Blue Palo Verde-Smoke Tree series. However, the wash vegetation does not readily fall into either classification and microphyllous shrubs were not common enough to consider this vegetation a dry wash woodland or Blue Palo Verde-Smoke Tree stand. Furthermore, contrast between the upland and wash vegetation on aerial photographs is not sufficient to map them as distinct types. Upland vegetation is represented onsite primarily by the creosote bush (*Larrea tridentata*) and white bursage (*Ambrosia dumosa*), with subordinate numbers of cheesebush (*Hymenoclea salsola*), sweetbush (*Bebbia juncea*), and brittlebush (*Encelia farinosa*). Wash vegetation is represented by blue palo verde (*Cercidium floridum*), desert lavender (*Hyptis emoryi*), and smoke tree (*Psoralea spinosa*), in addition to the upland vegetation mentioned above. Based on field observations, vegetation on the site has no special status with the California Department of Fish and Game (CDFG), although the Sonoran Creosote Bush Scrub, Desert Dry Wash Woodland, and Blue Palo Verde natural/woodland communities are identified and covered by the CVMSHCP (LBI, 2010).

Only two (2) special status plants, the chaparral sand verbena (*Abronia villosa* var. *aurita*) and the closely-related desert sand verbena (*Abronia villosa* var. *villosa*), are scarcely represented on the site. Although not observed, at most the following special status plants might occur with a low probability, but not in significant numbers: Salton Sea milk vetch, winged cryptantha, Utah vine milkweed, California ditaxis, glandular ditaxis, slender ditaxis, Cove’s cassia, and Mecca aster. Of all these special status plants, only the Mecca aster is covered under the CVMSHCP. No endangered vegetation species or evidence thereof was encountered onsite (WLB, 2005; SWBC, 2009; LBI, 2010).

Although three (3) special status insects (cheeseweed moth lacewing, Coachella Valley Jerusalem cricket, and Coachella giant sand treader cricket) occur in the region, none were observed on the site. None of these species are listed as threatened or endangered or proposed for listing. No endangered invertebrate species or evidence thereof were encountered onsite (WLB, 2005; SWBC, 2009; LBI, 2010), although the Coachella Valley Jerusalem cricket, and Coachella giant sand treader cricket are both covered under the CVMSHCP (LBI, 2010).

Although the Coachella Valley fringe-toed lizard (*Uma inornata*) and flat-tailed horned lizard (*Phrynosoma mcalli*) are of concern to state and federal government agencies, individuals and suitable habitat were not detected onsite. Therefore, they are not expected to occur at the site. Furthermore, the desert tortoise (*Gopherus agassizi*), which is a federally- and state-listed threatened species, was not detected onsite or in nearby areas. However, although the site is not within critical habitat as designated by the United States Fish and Wildlife Service, the site is located approximately 5.5 miles west of the mapped Chuckwalla critical habitat unit, desert tortoises occur in the general area, and there is only a low probability that an individual could wander onsite. No endangered reptilian species or evidence thereof was encountered onsite (WLB, 2005; SWBC, 2009; LBI, 2010). All three species are covered by the CVMSHCP (LBI, 2010).

Three (3) special status birds have been observed at the site during the noted surveys: black-tailed gnatcatcher (WLB, 2005; SWBC, 2009), loggerhead shrike (WLB, 2005; LBI, 2010), and burrowing owl (WLB, 2005). Although Le Conte's thrasher was not observed during any of the surveys, it is likely to occur due to the presence of suitable habitat (WLB, 2005; SWBC, 2009; LBI, 2010). The loggerhead shrike and black-tailed gnatcatcher are on the CDFG list of Special Animals, whereas the burrowing owl and Le Conte's thrasher are considered CDFG species of special concern. Only the burrowing owl and Le Conte's thrasher are covered by the CVMSHCP. None of these species are listed as threatened or endangered. No endangered avian species or evidence thereof was encountered onsite (LBI, 2010).

Although several special status bats are likely to forage over the site (WLB, 2005; SWBC, 2009; LBI, 2010), only the western yellow bat has a low probability of roosting, but not breeding, in the larger blue palo verde trees on the site. The western yellow bat is the only special status bat that is covered by the CVMSHCP (LBI, 2010). In order of decreasing probability, the following mammals could occur on the site: Pallid San Diego pocket mouse (high), Palm Springs pocket mouse (moderate), Colorado Valley woodrat (low), and American badger (occasional). Although Nelson's bighorn sheep occur in higher desert mountain ranges throughout the southwestern United States and is federally listed as endangered, the low elevation and lack of a permanent water source make the site unsuitable for this mammal except for migration (WLB, 2005; SWBC, 2009; LBI, 2010). The Pallid San Diego pocket mouse, Palm Springs pocket mouse, and Colorado Valley woodrat are considered species of special concern by CDFG, and Nelson's bighorn sheep is considered by CDFG as a Special Animal. Only the Palm Springs pocket mouse is covered by the CVMSHCP (LBI, 2010). No endangered mammalian species or evidence thereof was encountered onsite (WLB, 2005; SWBC, 2009; LBI, 2010).

A historical/archaeological resources survey that was conducted by CRM Tech in 2005 determined that no "historical resources" as defined by CEQA were encountered within or adjacent to the site (CRM, 2005a). A paleontological survey that was conducted by CRM Tech in 2005 determined that no paleontological resources (fossils) were encountered within or adjacent to the site. However, the noted survey indicated that although no paleontological resources are likely to be encountered within the surficial, younger Quaternary sediments present within the low-lying portions of the project area, the potential to encounter paleontological resources within deeper lakebed sediments underlying the

low-lying portions of the project area cannot be determined without visual inspections during mining operations (CRM, 2005b).

### **LAND USE PLAN CONFORMANCE and Other Regulatory Compliance:**

In accordance with Title 43 Code of Federal Regulations 1610.5-3, the proposed action and alternatives are in conformance with the following approved land use plan: California Desert Conservation Area (CDCA). The site is not designated an Area of Critical Environmental Concern (ACEC) nor a designated wilderness. However, the site is located west of the Mecca Hills Wilderness, which along with the Orocopia Mountains Wilderness located further to the east, comprise the Meccacopia Special Recreation Management Area (MSRMA) as designated by the CDCA Plan Amendment for the Coachella Valley during December 2002 (BLM, 2003). The footprint of the MSRMA generally coincides with the Mecca Hills/Orocopia Mountains Conservation Area (MH/OMCA), as designated within the Coachella Valley Multiple Species Habitat Conservation Plan and Natural Community Conservation Plan (CVMSHCP) (CVAG, 2007).

Two of the four goals stated in the Geology, Energy, and Minerals Element of the CDCA Plan, Chapter 3 are:

- (1) Within the multiple-use management Framework, assure the availability of known mineral resource land for exploration and development.
- (2) Encourage the development of mineral resources in a manner which satisfies national and local needs and provides for economically and environmentally sound exploration, extraction, and reclamation processes.

### Surface Mine and Reclamation Act (SMARA) of 1975

The Surface Mine and Reclamation Act is a State of California law pertaining to the mine reclamation and administered by the respective county planning department. The Riverside County Planning Department is the approving agency on the Thermal Pit reclamation plan for this proposal.

### Fish and Wildlife Consultation

The site was surveyed for biological resources three times, in 2005, 2009, and 2010 (WLB, 2005; SWBC, 2009; LBI, 2010). The surveys were conducted to identify the presence of any threatened and endangered species including the federal-listed and state-listed desert tortoise. No threatened or endangered species or evidence thereof was identified and therefore no threatened or endangered species are expected to occur onsite. The site is not located within a conservation area of the CVMSHCP (CVAG, 2007).

### Cultural Resources Review

Under the Federal Land Policy and Management Act of 1976 (FLPMA), the BLM is charged with managing public lands in a manner that will "protect the quality of

scientific, scenic, historical, ecological, environmental, air and atmospheric, water resource, and archaeological values". Section 106 of the National Historic Preservation Act, as implemented at 36 CFR Part 800, requires Federal agencies to take into account the effects of their undertakings on historic properties. The Revised State Protocol Agreement (2007) between the California State Director of the Bureau of Land Management (BLM) and the California and Nevada State Historic Preservation Officers (SHPOs) defines the roles and relationships between the SHPOs' offices and the BLM under the National Programmatic Agreement. The State protocol is intended to insure that the California BLM operates "efficiently and effectively in accordance with the intent and requirements of the NHPA." The protocol streamlines the Section 106 process by not requiring case by case consultation with the SHPO on most individual undertakings.

A historical/archaeological resources survey that was conducted by CRM Tech in 2005 determined that no "historical resources" as defined by CEQA were encountered within or adjacent to the site (CRM, 2005a). A paleontological survey that was conducted by CRM Tech in 2005 determined that no paleontological resources (fossils) were encountered within or adjacent to the site. However, the noted survey indicated that although no paleontological resources are likely to be encountered within the surficial, younger Quaternary sediments present within the low-lying portions of the project area, the potential to encounter paleontological resources within deeper lakebed sediments underlying the low-lying portions of the project area cannot be determined without visual inspections during mining operations (CRM, 2005b).

#### **Land Use Classification:**

The site is located on BLM land (north ½ of Section 18 of Township 6 South, Range 9 East, SBBM). This section is adjacent to and shares common corners with BLM land located to the northeast and southeast (Sections 8 and 20, respectively, of Township 6 South, Range 9 East), and to the northwest (east ½ of Section 12 of Township 6 South, Range 8 East). Section 18 is adjacent to and shares common sides with privately-owned land located to the north, east, and south (Sections 7, 17, and 19, respectively, of Township 6 South, Range 9 East), and to the west (Section 13 of Township 6 South, Range 8 East), and is adjacent to and shares a common corner with privately-owned land located to the southwest (Section 24 of Township 6 South, Range 8 East) (CVAG, 2007).

The CDCA Multiple-Use Classifications of the site are Moderate (west ½ of the north ½ of Section 18) and "Private, State, and Other Federally Managed Lands" (east ½ of the north ½ of Section 18) (BLM, 2003). The site is not designated wilderness nor is it designated as an Area of Critical Environmental Concern.

The site is located within the east-central portion of the CVMSHCP area. The plan is a multi-agency, multi-species habitat conservation plan pursuant to the Federal Endangered Species Act. However, although the site is not located within any conservation area delineated by the CVMSHCP, it is



located west of the MH/OMCA (CVAG, 2007). The site is also located west of the MSRMA, which generally coincides with the MH/OMCA. In addition, all of Township 6 South, Range 9 East, including Section 18, has been included within the designated California Desert Conservation Area via an act of the United States Congress on 21 October 1976 (BLM, 2010).

**Valid Existing Rights:**

The proposed expansion is bound by the Coachella Valley Segment of the All American Canal and its associated right-of-way on the west, essentially vacant land to the north and east, and the existing SMP 129R1 mining operation to the south.

The existing mining operation is authorized by BLM pursuant to CA-48443 and CA-48444. It is authorized by the County of Riverside pursuant to SMP 129R1.

Private lands east of the existing operation are provided access pursuant to CACA-36119 and private lands north of the operation are provided access pursuant to CACA-40022 and CACA-39209. A nearby groundwater monitoring well is provided access pursuant to CACA-45081. In addition, R-141, for electric transmission (overhead lines) and associated right-of-way, passes through the existing mining operation.

All of these rights-of-way will be preserved with the proposed action. CACA-39209, CACA-40022, and CACA-45081 are located west of the proposed expansion, R-141 is located immediately east of the proposed expansion and CACA-36119 is located south of the existing operation and the expansion area.

**ENVIRONMENTAL CONSEQUENCES**

**A. Elements of the Human Environment**

The following table summarizes various elements of the human environment subject to requirements specified in statute, regulation, or executive order. Elements for which there are no impacts will not be discussed further in this document.

Environmental Element	Proposed Action	No Action Alternative
Air Quality	Cont. of existing emission levels	Cont. of existing emission levels
ACEC's	N/A	N/A

Cultural Resources	None	None
Native American Concerns	None	None
Farmlands	N/A	None
Floodplains	N/A	None
Energy (E.O. 13212)	None	None
Minerals	Continue beneficial use onsite	Aggregate will be obtained elsewhere
T&E Animal Spp.	None	None
T&E Plant Species	None	None
Invasive, Nonnative Species	None	None
Wastes (hazardous/solid)	None	None
Water Quality (surface/ ground)	None	None
Wetlands/Riparian	None	None
Wild and Scenic Rivers	N/A	N/A
Wilderness	Cont'd. Industrial use adj. wilderness	Cont'd. Industrial use adj. wilderness
Environmental Justice	None	None
Health and Safety Risks to Children	None	None
Visual Resource Mgmt.	Cont. Ind. view adj. to wilderness	Cont. Ind. view adj. to wilderness

B. Discussion of Impacts

1. **Proposed Action:**

The proposed action would extend the existing quarry by an additional 90 acres on public land and the life of the existing aggregate processing facility by 25 years.

The expansion would consist of extension of the existing quarry which would continue to be mined in the same manner as the current method. This would result in the temporal loss of surface resources such as wildlife habitat (plants and soil) and the consumption of naturally occurring alluvial materials and consequent alteration of the land surface within the expansion area (90 acres).

The expansion area would be revegetated pursuant to SMARA, which requires reestablishment of native plants as specified in the reclamation plan to be approved concurrently by the County of Riverside in conjunction with the state Department of Conservation Office of Mine Reclamation. Reclamation would also reestablish wildlife habitat to the extent it relies on native plant species. However, the proposed land surface (topographic) alteration and resulting changes to surface hydrology would remain. Noise generation and visual alterations would be limited to the existing levels but would occur north of the existing pit. These impacts would generally be limited to employees (who would be protected from these impacts through the implementation of MSHA and OSHA requirements) because they are "straight line" impacts and would occur below the surface grade (elevation).

Air quality impacts would result from the operation of mobile equipment in the area of quarry expansion. This is estimated to be a loader and two haul trucks which would not create substantial emissions. Emissions from the entire operation (quarry and processing plant) would continue to be regulated by the State of California in a manner prohibiting creation of nuisance emissions or health hazards.

## **2. No Action Alternative:**

Quarry extension on an additional 90 acres of public land would not occur. Quarry areas on public lands would be reclaimed when reserves are economically exhausted, 1-2 years from present. Reclamation would be conducted pursuant to the approved plan, SMP 129R1. However, the existing processing plant is located on private land and could continue processing material from more distant quarries. This would continue the existing impacts resulting from air emissions, traffic generation and proximity of the processing plant to areas designated as conservation areas via the CVMSHCP and the California Desert Conservation Area.

The direct impacts due to loss of surface materials (vegetation, soil, and aggregate) would not occur at this site but would likely be incurred at another location as the investment in a processing plant is much greater than the cost of obtaining and hauling aggregate material at the existing plant.

## **C. Mitigation Measures**

The following measures are designed to reduce or eliminate these identified impacts associated with the proposed mine expansion:

- 1) All areas disturbed by mining shall be reclaimed pursuant to the requirements of SMARA and concurrent surface mining operation which includes SMP 129R2

approval with Riverside County.

- 2) Native vegetation shall not be cleared from February to August unless a pre-clearance survey is conducted and no nesting birds are found. Otherwise surface clearing must be conducted from August to February in any year.
- 3) Prior to surface disturbance during any portion of the year, a clearance survey is conducted for burrowing owls (BUOW). If BUOW are found, the state of California Department of Fish and Game protocol for relocation must be implemented by the operator.
- 4) A desert tortoise protection education program must be presented to all mine employees annually.
- 5) The operator shall cause to be prepared a delineation of areas within the jurisdiction of the US Army Corps of Engineers pursuant to the Clean Water Act §404 and the California Department of Fish and Game pursuant to the Fish and Game Code §1600. The operator shall obtain all necessary permits and provide copies of permits to BLM.
- 6) Surface water drainage into the pit shall be conveyed by drains designed to eliminate off-site headward erosion. This may be accomplished through structural means (dissipaters, channel hardening) or redesign (shallower cut).
- 7) If buried cultural materials are discovered during any project activities, work in that area will be halted and a qualified archaeologist shall evaluate the find.
- 8) Periodic monitoring shall be conducted to determine if buried paleontological materials occur onsite. A qualified paleontologist shall inspect cut slopes within the quarry whenever slopes reach an additional twenty feet of depth or two years.
- 9) Every three years, the operator shall submit to BLM and Riverside county an aerial photograph of the pit area.

#### D. Residual Impacts

The temporal loss (until reclamation) of 90 acres of land surface resources (wildlife habitat, vegetation, and soil) would remain under any mining alternative. The extent of this loss can be reduced by accomplishing site reclamation concurrently with existing mining activities per SMP 129R1. The continued generation of air emissions and traffic would occur under any mining alternative including the use of quarries on private lands (No action Alternative). These impacts are a result of aggregate processing which is not regulated by BLM and results from demand in the region. The continued use of the existing processing plants near areas designated wilderness could also occur under the No Action Alternative because it occurs on private lands.

## E. Cumulative Impacts

The Proposed Action (90-acre expansion) would continue the existing impacts for an additional 25 years. Riverside County SMP 129 is located adjacent to Riverside County RCL 154, SMP 209, and SMP 196. As previously stated SMP 209 has not been approved yet and therefore has not initiated operation. RCL 154 and SMP 196 are operated intermittently. The proposed action would contribute to the regional consumption of construction aggregate and consequent use of alluvial material and loss of surface resources (wildlife habitat, vegetation, soil).

The cumulative impact of these projects is the loss of surface resources (vegetation, wildlife habitat, and alteration of surface hydrology). These impacts would occur over the life of the individual permits and their level of impact (intensity) would vary in response to market demand. Lower demand would spread impacts over greater periods of time and higher demand would spread impacts over shorter periods of time, through increased production levels, and the associated generation of emissions and traffic.

### **FREEDOM OF INFORMATION ACT CONSIDERATIONS:**

Public comments submitted for this environmental assessment, including names and street addresses of respondents, will be available for public review at the Palm Springs-South Coast Field Office during regular business hours (8:00 a.m. to 4:30 p.m.), Monday through Friday, except holidays. Before including your address, phone number, e-mail address, or other personal identifying information in your comment, you should be aware that your entire comment – including your personal identifying information – may be made publicly available at any time. While you can ask us in your comment to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so. All submissions from organizations or businesses, and from individuals identifying themselves as representatives or officials of organizations or businesses, will be made available for public inspection in their entirety.

### **PERSONS / AGENCIES CONSULTED:**

US Fish and Wildlife Service, Carlsbad Office

### **PREPARED BY:**

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### **REFERENCES:**

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#### Appendix 2 – Hydrology Studies

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#### Appendix 3 – Plan of Operations and Reclamation Plan/Slope Stability Reports

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\_\_\_\_\_, 2006. Riverside County Planning Department Staff Report (SMP 129R1), 25 January 2006.

United States Department of Agriculture, Soil Conservation Service (SCS), 1980. Soil Survey of Riverside County, California, Coachella Valley Area.

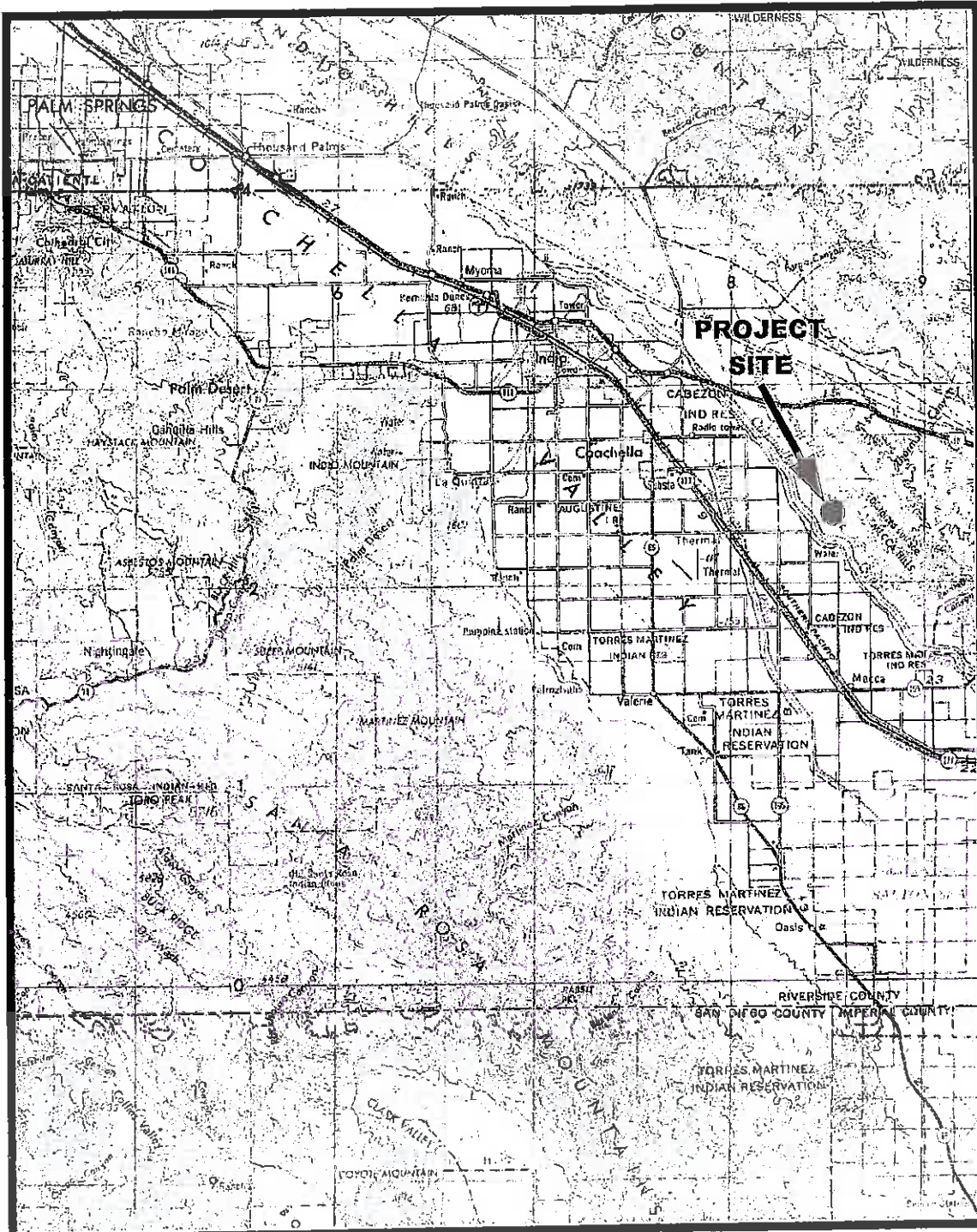
United States Geological Survey (USGS), 1972. Thermal Canyon, California 7.5-Minute Quadrangle.

United States Department of the Interior, Bureau of Land Management (BLM), 2003. California Desert Conservation Area (CDCA) Plan Amendment for the Coachella Valley, as viewed online on 25 June 2010.

REVIEWED BY:

Hally L. Roberts  
Environmental Coordinator

9/27/2011  
Date



Scale: 1 Inch = ~5 Miles

## LOCATION MAP

### VALLEY ROCK & SAND, INC. (SMP 129)



Map Source: USGS 1:250,000 Santa Ana Quadrangle (1979)

Figure 1



**Fragmented estate, isolated wilderness, SMPs (3) in SRMA**

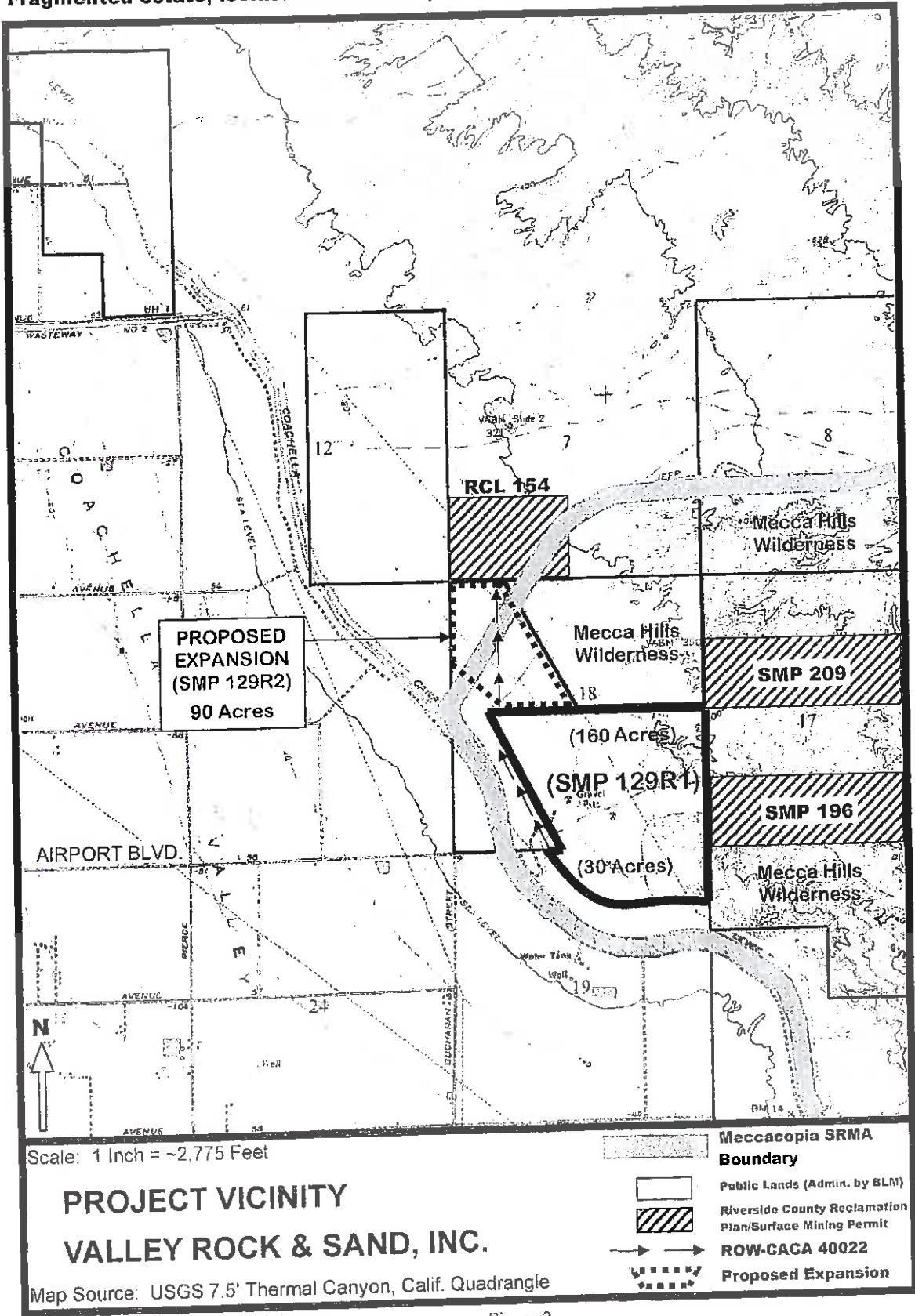


Figure 2

U.S. DEPARTMENT OF THE INTERIOR  
BUREAU OF LAND MANAGEMENT  
PALM SPRINGS-SOUTH COAST FIELD OFFICE

FINDING OF NO SIGNIFICANT IMPACT  
DOI-BLM-CA-060-0011-0050-EA

**NAME of PROJECT:** Mineral Material Sale Contract-Thermal Pit Expansion

**FINDING OF NO SIGNIFICANT IMPACT:** Environmental impacts associated with the proposed action have been assessed. Based on the analysis provided in the attached EA, I conclude the approved action is not a major federal action and will result in no significant impacts to the environment under the criteria in Title 40 Code of Federal Regulations 1508.18 and 1508.27. Preparation of an Environmental Impact Statement to further analyze possible impacts is not required pursuant to Section 102(2)(c) of the National Environmental Policy Act of 1969.

*for* *Dally L. Roberts*  
Field Manager  
Bureau of Land Management  
Palm Springs-South Coast Field Office  
1201 Bird Center Drive  
Palm Springs, CA 92262

9/27/2011  
Date



United States Department of the Interior  
**BUREAU OF LAND MANAGEMENT**  
Palm Springs-South Coast Field Office  
1201 Bird Center Drive  
Palm Springs, CA 92262-8001  
(760) 833-7100 Fax (760) 833-7199



Visit us on the Internet at  
[www.blm.gov/ca/palmsprings/](http://www.blm.gov/ca/palmsprings/)

In Reply Refer To:  
3600 (P)  
CACR-56187  
LCAD060.65

OCT 23 2015

Mr. Ed DeBoer  
Vice President  
West Coast Sand & Gravel Inc.  
P.O. Box 790  
Thermal, California 92274

Dear Mr. DeBoer:

We are providing this letter in response to your request for assistance on information requested by the Riverside County Planning Department for their review of the proposed expansion of the West Coast Aggregate's sand and gravel extraction area located on federal public land on the South ½ of Section 18, T. 6 S., R. 9 E., SBBM, in the unincorporated Thermal area of Riverside County, California. In the County's SMP00129R2 comment letter that you provided to us, under General Comments, item 2, page 2, it states:

*Provide written acknowledgement from BLM indicating their desire for Riverside County to act as Lead Agency for this entitlement, as well as acknowledgement that the County will perform the required CEQA analysis for this project and in doing so satisfies any NEPA requirements that they may have. Alternatively, please provide BLM's NEPA documentation supporting the proposed mine expansion and new materials sales contract.*

West Coast operates a sand and gravel facility which is regulated by the Bureau of Land Management (BLM) under the Code of Federal Regulations (CFR), Title 43, subpart 3600. This activity has been ongoing since 1986 when the first mineral material sale contract was issued to the Valley Rock and Sand Company by the BLM.

A Memorandum of Understanding (MOU) on surface mining and reclamation coordination was signed in October 1992 by the State of California, Department of Conservation, State Mining and Geology Board (Board), the BLM, and the United States Forest Service (USFS). The MOU notes that for surface mining on Federal lands, and on combinations of Federal and private lands, the requirements of both the National Environmental Protection Act of 1969 (NEPA) and the California Environmental Quality Act of 1970 (CEQA) are largely equivalent.

The MOU defines a "lead agency" as a city, county or other agencies designated by the Board which have the principal responsibility for implementing the State regulations as imposed under the Surface Mining and Reclamation Act of 1975 (SMARA). The MOU states that lead agencies may accept as functionally equivalent documents to meet their requirements under SMARA, operating plans, reclamation plans and other environmental studies that meet the requirements of USFS and BLM regulations. The lead agencies may accept as functionally equivalent, documents prepared under NEPA (40 CFR 1500-1508) that meet the requirements of CEQA. The MOU also states that by written agreement BLM may delegate authority to lead agencies to be solely responsible for processing, to approval, all mining operations which are subject to federal mining law in accordance with 43 CFR 3809.

It is the understanding of the BLM that the County of Riverside Planning Department currently acts as the "lead agency" for SMARA permitting on the West Coast quarry and concrete batch plant located in Thermal.

It is also our understanding that the County will perform the responsibilities of SMARA and the CEQA analysis for this project. The BLM Palm Springs-South Coast Field Office is strongly committed to continued cooperation with Riverside County on completing the NEPA and CEQA requirements on the expansion area and any future quarry amendments. We are available for joint coordinated efforts relating to mining operation responsibilities on this facility expansion.

If you have any questions on this, please feel free to call Cheryl Nabahe of my staff at (760) 833-7111 or me at (760) 833-7100.

Sincerely,



John R. Kalish  
Field Manager

cc: Mr. David Jones  
County of Riverside Planning Department  
4080 Lemon Street  
Riverside, CA 92502-1629

Enclosures (2):

- (1) Comment Letter Riverside County Planning Department, June 7, 2011
- (2) 1992 MOU



RIVERSIDE COUNTY  
PLANNING DEPARTMENT

Carolyn Syms Luna  
Director

DATE: 6/07/11

TO: Valley Rock & Sand Inc.  
Attn: John Straiksman and Ed DeBoer  
92500 Airport Blvd.  
Thermal, CA 92274

CC: Webber & Webber Mining Consultants, Inc.  
Attn: George Webber  
101 E. Redlands Blvd, Suite 240  
Redlands, CA 92374

Bureau of Land Management  
Cheryl Martinez  
P.O. Box 5267  
1201 Bird Center Drive  
Palm Springs, CA 90622

RECEIVED  
BUREAU OF LAND MANAGEMENT  
11 JUN - 8 PM 12:22  
PALM SPRINGS-SOUTH COAST  
OFFICE OF AREA

FROM: Riverside County Planning Department  
David L. Jones, Chief Engineering Geologist/Project Planner

RE: SMP00129R2

**Project Description:** The proposed project is to expand the existing mine further onto public land managed by BLM (most of the mineral extraction area is located on public land managed by the BLM). The proposed project area is a 90-acres expansion from the current 190 acres to 280 acres and proposes to extend the life of the Project 25 years (20 years excavation/5 years reclamation) to 2035 at an annual extraction rate of approximately 400,000 tons per year and continue the existing sand and gravel processing plant located on private land. The project site is located in the Coachella Valley generally East of the community of Thermal, East of Buchanan Street and the Coachella Canal, North of 57<sup>th</sup> Avenue, and South of 54<sup>th</sup> Avenue. The site is accessed via Airport Road.

Dear Applicant:

Your proposal was scheduled for comments from the Land Development Committee (LDC) on May 7, 2011. Enclosed are the resulting comments from the Riverside County Planning Department and all other available comments and Conditions of Approval from the other Departments.

**General Comments:**

1. Please provide verification of any required Jurisdictional Delineation(s) and/or related permit(s) for the current and proposed alteration of blue-line streams at this site.

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

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

*"Planning Our Future... Preserving Our Past"*

2. Provide written acknowledgement from the BLM indicating their desire for Riverside County to act as Lead Agency for this entitlement as well as acknowledgement the Riverside County will perform the require CEQA analysis for this project and in so doing satisfies any NEPA requirements they may have. Alternatively, please provide BLM's NEPA documentation supporting the proposed mine expansion.

### **Exhibit Comments:**

#### **Exhibit A – Mining Plan**

Please review the Mining Permit Application "Mining Plan Checklist: Exhibit A" and provide, at a minimum, all information contained in that checklist on the Mining Plan.

#### **Exhibit A – Mining Plan ("Sheet 1 of 3")**

1. Exhibit A should be amended to include APN: 717-190-015.
2. Exhibit A should be signed and stamped by a licensed Professional Engineer or Land Surveyor.
3. Exhibit A should be amended to include the appropriate property owner information in the "Site Information" block.
4. Exhibit A should be amended to indicate the elevation contours represent AMSL or other appropriate reference point.
5. Exhibit A should be amended to include labeling of all power poles/towers and location of overhead transmission lines and any underground utilities.
6. Exhibit A should be amended to indicate all points of access to the site and to indicate the legal instruments securing that access.
7. Exhibit A should be amended to indicate Granite Constructions access to SMP00196 and the location of SMP00196.
8. Please provide a cross section that includes both Phase 1 and Phase 2.
9. Please include all top of slope berms, where appropriate, on all cross sections.
10. Please indicate the necessary erosion control measures to be employed for all blueline streams that enter the mine area.
11. Exhibit A should be amended to include the surfacing material/pavement type existing and/or to be applied to all indicated roadways on and leading to this site.
12. Exhibit A should be amended to indicate or eliminate the horizontal line running N-S mid-mine, immediately west of the indicated revegetation test plot.
13. Exhibit A should be amended to indicate or eliminate the circle containing several numbers indicated at the southeast corner of Phase 1.

#### **Exhibit A2 – Plant Site Area Detail ("Sheet 3 of 3")**

1. Exhibit A2 should be signed and stamped by a licensed Professional Engineer or Land Surveyor.
2. Exhibit A should be amended to provide building permit numbers for all structures as required.
3. Exhibit A should be amended to indicate all structures, stockpiles, parking areas, septic tanks, portable equipment, etc. will be removed as part of final site reclamation.
4. Exhibit A should be amended to indicate this area is to be graded to drain and revegetated with the necessary seed mix and methods employed for the rest of the mine site.

**MEMORANDUM OF UNDERSTANDING**

Surface mining and reclamation coordination in the State of California in accordance with California's Surface Mining and Reclamation Act (SMARA) of 1975, as amended,

by and between the

**STATE OF CALIFORNIA, DEPARTMENT OF CONSERVATION  
AND THE STATE MINING AND GEOLOGY BOARD,**

the

**U.S. DEPARTMENT OF AGRICULTURE,  
FOREST SERVICE, PACIFIC SOUTHWEST REGION,**

and the

**U.S. DEPARTMENT OF THE INTERIOR,  
BUREAU OF LAND MANAGEMENT, CALIFORNIA**

**THIS AGREEMENT** is made and entered into by and between the State of California, Department of Conservation, through its Director, and the State Mining and Geology Board, through its Chairman (jointly referred to herein as "the State"), the Pacific Southwest Region of the United States Forest Service, through its Regional Forester ("the Forest Service"), and the Bureau of Land Management, through its State Director, California ("BLM"), for the purposes of: (1) assuring the application of adequate and appropriate reclamation throughout the State of California; (2) simplifying the administration of surface mining and reclamation practice requirements on Federal lands and on a combination of Federal and private lands; (3) achieving coordination of activity governing reclamation; and (4) eliminating duplication among the aforementioned agencies and counties serving as lead agencies ("lead agencies" pursuant to the Surface Mining and Reclamation Act, Public Resources Code Section 2728) in implementing State and Federal requirements.

**WITNESSETH:**

**WHEREAS**, local, State, and Federal agencies have certain legal requirements in regulating the effects of surface mining on Federal lands and on combinations of Federal and private lands, it is deemed advisable to develop an understanding between BLM, the Forest Service, and the State to serve as guidance for local agencies, BLM, the Forest Service, and the State in fulfilling their agency regulatory responsibilities in such situations.

**WHEREAS**, for purposes of this agreement, the following are exempt from SMARA pursuant to Public Resources Code Section 2714:

- (1) Prospecting for, or the extraction of, minerals for commercial purposes and the removal of overburden in total amounts of less than 1,000 cubic yards in any one location of one acre or less;
- (2) Surface mining operations that are required by federal law in order to protect a mining claim (i.e. annual assessment work), if such operations are conducted solely for that purpose; and
- (3) Such other surface mining operations which the State determines to be of an infrequent nature and which involve only minor surface disturbances.

**WHEREAS**, a Memorandum of Understanding (MOU) between the State, the Forest Service, and BLM, governing surface mining and reclamation coordination in the State of California, was signed in 1979 and remains in effect until this new agreement is signed by each party.

**WHEREAS**, the 1979 MOU was completely rewritten and resigned by the Bureau of Land Management and the State of California on February 7, 1990; and, that the purpose of this updated agreement is to make minor amendments to the 1990 MOU and to add the U.S. Forest Service as signatory.

**WHEREAS**, several acts of Congress provide for persons to prospect and mine on Federal lands which are administered by the Forest Service and BLM, and which are open to the operation of the United States mining, mineral leasing and mineral materials laws, providing they comply with the rules and regulations covering the Federal lands involved (applicable regulations include 25 CFR 211, 36 CFR 228 et seq., 43 CFR 3802, 3809, 3500, and 3600).

**WHEREAS**, Federal laws and regulations require that operations authorized under Federal mining, mineral leasing, and mineral material laws shall be conducted so as to minimize adverse environmental impact, or prevent unnecessary or undue degradation caused by such operations, and that the land be reclaimed to a second productive use, where practicable.

**WHEREAS**, BLM and the Forest Service are authorized to work with the State for purposes of coordinating Federal, State and local regulatory activities for environmental protection [applicable regulations include 43 CFR 3809.3-1(a)-(c) and 36 CFR 228.8 and 228.46].



**WHEREAS**, for proposed mineral operations, the purpose of both the National Environmental Protection Act of 1969 (NEPA) and the California Environmental Quality Act (CEQA) is to assure the identification, analysis, and disclosure of significant environmental impacts associated with proposed projects and the incorporation of feasible mitigation to address significant adverse environmental impacts.

**WHEREAS**, the statutory requirements of the National Environmental Protection Act of 1969 (NEPA) for the Forest Service and BLM, and the California Environmental Quality Act (CEQA) for State and local agencies are largely equivalent.

**WHEREAS**, city and county "lead agencies" have the responsibility under the Surface Mining and Reclamation Act of 1975 (Public Resources Code Sections 2710-2795), as amended, and State policy for surface mining and reclamation practice (California Code of Regulations Sections 3500-3505), to regulate surface mining and reclamation within their jurisdictions to assure that:

- (1) Adverse environmental effects are prevented or minimized and that mined lands are reclaimed to a usable condition which is readily adaptable for alternative land uses;
- (2) The production and conservation of minerals are encouraged, while giving consideration to values relating to recreation, watershed, wildlife, range and forage, and aesthetic enjoyment; and
- (3) Residual hazards to the public health and safety are eliminated.

**WHEREAS**, "lead agencies" are cities, counties, or other agencies designated by the Board which have the principal responsibility for approving a surface mining operation or reclamation plan (as defined by SMARA and other relevant regulations and ordinances) pursuant to the provisions of SMARA, and the use herein of the words "lead agencies" shall signify the Board's approval for lead agencies to use the guidance in this MOU to satisfy the requirements of applicable State laws and regulations for surface mining and reclamation on lands in California.

**WHEREAS**, lead agency surface mining and reclamation ordinances certified by the Board include and comply with applicable provisions of State laws and regulations for surface mining and reclamation practice.

**NOW, THEREFORE BE IT RESOLVED** that the parties to this memorandum hereby understand and agree that the following will satisfy the aforesaid requirements of the aforesaid laws and are acceptable to both the Forest Service, BLM and the State. It is agreed that in regulation of surface mining of minerals on Federal lands and on combinations of Federal and private lands that:

- (1) Lead agencies and the Forest Service and/or BLM will work cooperatively to insure that conditions required of operators (as defined by Federal law, and by SMARA and any other relevant regulations and ordinances) in minimizing adverse environmental impacts conform to all applicable local, State, and Federal regulations.
- (2) Lead agencies may accept as functionally equivalent documents to meet their requirements under SMARA, operating plans, reclamation plans and environmental studies that meet the requirements of Forest Service and BLM regulations [submitted pursuant to federal regulation provided such plans and studies meet or exceed lead agency requirements as included in the lead agency's State-certified surface mining and reclamation ordinance and any other applicable laws and regulations]; and alternatively, Forest Service and BLM may accept as functionally equivalent documents to meet their requirements, operating plans, reclamation plans and environmental studies [submitted to the lead agency when such plans and studies meet or exceed requirements set by the BLM] that meet SMARA requirements.
- (3) Lead agencies may accept as functionally equivalent, documents prepared under NEPA (40 CFR 1500-1508) that meet the requirements of CEQA.
- (4) Lead agencies may enter, and in fact are encouraged to enter, into specific area agreements (including but not limited to, joint powers agreements and MOUs) with the Forest Service and/or BLM for purposes of implementing this agreement, coordinating reviews, avoiding duplication, and facilitating participation by affected agencies. Issues that may be addressed by such agreements include, but are not limited to, the filing, review, and procedures for approval of reclamation plans, fees, public inspection and enforcement activities, and bonding requirements. Such specific area agreements shall be in conformance with the lead agency's certified surface mining and reclamation ordinance and Federal law and regulation.

- (5) By written agreement BLM may delegate authority to lead agencies to be solely responsible for processing, to approval, all mining operations which are subject to federal mining law in accordance with 43 CFR 3809. A delegation agreement may provide, among other things, for lead agencies to forward copies of submitted exploration and development permit applications to the BLM; to provide a 10-day comment period to the BLM; and prior to approval, or rejection, to provide BLM 5 working days to comment on proposed reclamation and other requirements.
- (6) For the purposes of this agreement, assessment work required to protect claims under federal law is defined as prospecting or exploration work completed for the purposes of discovering an ore body. It does not include development drilling or extraction of minerals for commercial purposes, which are not exempted from the provisions of SMARA.
- (7) For BLM's Notices (written notification required to be provided to the BLM under 43 CFR 3809.1-3) for those operations of 5 acres in size or less, within 5 days after receipt by the BLM of an accepted Notice, the BLM will forward a copy of the Notice to the lead agency for appropriate action by the lead agency. The lead agency may correspond directly with the operator for purposes of approval in accordance with SMARA, including any and all additional conditions and requirements, and will send copies of all correspondence and requirements to the BLM.
- (8) For mining operations requiring a Plan of Operations for projects solely on Federal land, that are not exempt from SMARA, BLM and the Forest Service will provide lead agencies notice and the opportunity for early participation, consultation, and submission of information and recommendations for the development of environmental documents and reclamation plans.
- (9) Within 30 days of receipt of notification under paragraph (8) above and copies of relevant informational documents, lead agencies will provide comments and recommendations to the Forest Service and/or BLM so that they may be considered and incorporated, as appropriate, as part of the environmental review and proposed Forest Service and/or BLM decision.

Memorandum of Understanding  
Page 6

- (10) Public hearings for compliance with SMARA and the certified lead agency SMARA ordinance should be coordinated with the Forest Service and/or BLM.
- (11) Forest Service and BLM will forward the environmental and decision documentation, which includes the reclamation plan requirements, to the lead agency for appropriate consideration. The lead agency will correspond directly with the applicant, and within 45 days of the date of the Forest Service or BLM decision, send copies to the BLM or the Forest Service of adopted conditions of approval which differ from conditions of BLM or Forest Service approval.
- (12) Lead agencies will forward to the Forest Service and/or BLM copies of all surface mining proposals and draft reclamation plans they receive for operations located entirely on Forest Service and/or BLM lands.
- (13) Implementation of measures to mitigate adverse environmental impacts to off-site, non-federal lands will be authorized, permitted, or otherwise directed by the lead agency or other responsible local or State agency.
- (14) Lead agencies will notify the Forest Service and/or BLM whenever an application for approval of mining activities is received and a draft reclamation plan is completed for an operation which comes under the purview of SMARA and lead agency requirements on areas adjacent to Forest Service and/or BLM public lands, and will give the Forest Service and/or BLM an opportunity to provide information and recommendations for such plans.
- (15) Lead agencies and the Forest Service and/or BLM will review and coordinate Environmental Documents, Operating Plans, Reclamation Plans and Permits for those mining operations that include both Forest Service and/or BLM lands and private lands. The objective of the review and coordination process is to avoid conflicting and duplicative requirements in Operating Plans and Permits and to keep procedural impacts on the mining operators to a minimum necessary to meet all applicable requirements. Coordination responsibilities for operations encompassing two or more mixed private and Forest Service and/or BLM ownerships should be determined on a case-by-case basis by the parties involved.

Memorandum of Understanding  
Page 7

- (16) The Forest Service and/or BLM will approve the Plan of Operations when the operator agrees to the conditions and stipulations, including the appropriate measures to mitigate adverse environmental impacts, incorporated into the plan or permit to meet applicable Forest Service, BLM, State and local reclamation requirements. The operator must also comply with other applicable Federal, State, and local laws and regulations including those pertaining to hazardous substances.
- (17) Where the Forest Service and BLM are the operators (i.e., for community pits), and where a Federal agency contractor will be the operator for surface mining activities on Federal lands that are not exempt from SMARA, requirements for reclamation and any other necessary environmental documentation will be prepared and approved in accordance with paragraphs 8 and 9 of this MOU.
- (18) To the extent practicable, lead agencies and the Forest Service and/or BLM will coordinate their enforcement and monitoring responsibilities, and will cooperate in the correction and abatement of any violations of the conditions of operation imposed in accordance with the procedures described in this MOU.
- (19) Financial assurances for reclamation are mandatory for surface mining operations that exceed the SMARA threshold. Any federally-required financial assurance may be used to satisfy local and State surety requirements.

Effective Date of this Agreement:

This agreement shall become effective upon each party by signature of that designated party and shall supersede the previously referenced 1979 and 1990 MOU's when signed by all parties.


Modification of this Agreement:

This agreement may be modified upon the initiative of any of the parties for the purpose of ensuring consistency with state or federal statutes or regulations, or for any other purpose mutually agreed upon. In order to be effective, any such modification must be in writing, subject to 30 days notice, and must be signed by all of the designated parties.

Termination of this Agreement:


This agreement shall continue in force until terminated by any party upon thirty (30) days written notice to the other parties. The parties intend to review this agreement at the end of 12 months, and periodically thereafter, as needed.

STATE OF CALIFORNIA:

  
Edward G. Heidig  
Director,  
Department of Conservation

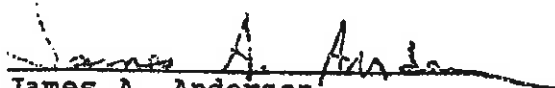
DATE: Oct 19, 1992

BUREAU OF LAND MANAGEMENT:

  
Edward Hastey  
State Director  
California

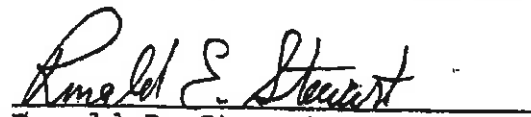
DATE: 10/20/92

STATE OF CALIFORNIA:

  
James A. Anderson  
Chairman,  
State Mining and Geology Board

DATE: Oct 19, 1992

UNITED STATES FOREST SERVICE

  
Ronald E. Stewart  
Regional Forester,  
Pacific Southwest Region

DATE: Oct. 19, 1992



Established in 1918 as a public agency  
**Coachella Valley Water District**

**Directors:**

John P. Powell, Jr., President - Div. 3  
Franz W. De Klotz, Vice President - Div. 1  
Ed Pack - Div. 2  
Peter Nelson - Div. 4  
Debi Livesay - Div. 5

November 20, 2013

**Officers:**

Jim Barrett, General Manager  
Julia Fernandez, Board Secretary

Redwine and Sherrill, Attorneys

File: 0163.1  
0421.1  
1150.011  
PZ 13-4975

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

Dear Mr. Jones:

Subject: Surface Mining Permit No. 129, Revised Permit No. 2, Amended No. 2

This letter supersedes the Coachella Valley Water District's (CVWD's) letter dated March 31, 2011, copy enclosed.

This project lies outside of the Improvement District No. 1 (ID1) boundary. Providing canal water service to this property in lieu of pumping groundwater will benefit the groundwater basin within ID1.

On February 12, 2013, the CVWD Board of Directors authorized the execution of a Special Irrigation Installation and Service Agreement (Agreement) with Quinn Enterprises, LP, for West Coast Aggregate Supply, Inc.

The Agreement was executed on February 25, 2013, and called for the developer to construct, operate, and maintain the irrigation system improvements within the United States Bureau of Reclamation (USBR) right-of-way, and obtain a USBR license for improvements.

The developer applied for the USBR license on March 4, 2013. The existing CVWD Temporary Encroachment Permit expires on April 17, 2014, and the USBR license shall be secured prior to the expiration.

This development lies within the study area of the 2010 Water Management Plan Update. The groundwater basin in the Coachella Valley is in a state of overdraft. Each new development contributes incrementally to the overdraft. CVWD has a Water Management Plan in place to reduce the overdraft to the groundwater basin. The elements of the Water Management Plan include supplemental imported water, source substitution and water conservation. The plan lists specific actions for reducing overdraft. The elements and actions described in the plan shall be incorporated into the design of this development to reduce its negative impact on the Coachella Valley groundwater basin.

David Jones  
Riverside County  
Planning Department

2

November 20, 2013

If you have any questions please call Tommy Fowlkes, Development Services Supervisor, extension 3535.

Sincerely,



Mark L. Johnson  
Director of Engineering

Enclosure/t/as

cc: Majeed Farshad  
Riverside County  
Department of Transportation  
77588 El Duna, Suite H  
Palm Desert, CA 92211

Alan French  
Riverside County  
Department of Transportation  
4080 Lemon Street, 8<sup>th</sup> Floor  
Riverside, CA 92501

Mike Mistica  
County of Riverside  
Department of Environmental Health  
Land Use & Water Resources Program  
3880 North Lemon Street, Suite 200  
Riverside, CA 92501-3374

Valley Rock & Sand  
92500 Airport Boulevard  
Thermal, CA 92274

SI:\chteng\sw\13\Nov\Surface Mining Permit 129

Geo 060918-1  
060918-2  
060918-3  
060918-4  
060919-1







Established in 1918 as a public agency  
**Coachella Valley Water District**

**Directors:**

Peter Nelson, President - Div. 4  
John R Powell, Jr., Vice President - Div. 3  
Patricia A. Larson - Div. 2  
Debi Livesay - Div. 5  
Franz W. De Klotz - Div. 1

**Officers:**

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

March 31, 2011

Redwine and Sherrill, Attorneys

File: 0163.1  
0421.1  
0721.1

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

Dear Mr. Jones:

Subject: Surface Mining Permit 129 Revised Permit No. 2

This letter supersedes the Coachella Valley Water District's (District's) letter dated March 18, 1997.

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

If you have any questions please call Joe Cook, Domestic Water Engineer, extension 2292.

Yours very truly,

Mark L. Johnson  
Director of Engineering

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

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

Mike Mistica  
County of Riverside, Department of Environmental Health  
P.O. Box 1206, Riverside, CA 92502

cc: Valley Rock and Sand, Inc.  
92500 Airport Boulevard  
Thermal, CA 92274

JC:ch/eng/sw/11/March/Surface Mining Permit

SCANNED

SCAN/SHRED

MAILED  
MAR 31 2011  
CVWD



State of California • Natural Resources Agency  
Department of Conservation  
**Office of Mine Reclamation**  
801 K Street • MS 09-06  
Sacramento, CA 95814  
(916) 323-9198 • FAX (916) 445-6066

Edmund G. Brown Jr., Governor  
Pat Perez, Assistant Director

August 4, 2016

**VIA EMAIL: BDawson@rctlma.org**  
**ORIGINAL SENT BY MAIL**

Mr. Brett Dawson  
Riverside County Planning Department  
PO Box 1409  
Riverside, CA 92502-1409

Dear Mr. Dawson:

THERMAL MINE  
AMENDED RECLAMATION PLAN  
CA MINE ID# 91-33-0071; SMP 129R2

The Department of Conservation's Office of Mine Reclamation (OMR) has reviewed the amended reclamation plan for the Thermal Mine, also known as Valley Rock and Sand Quarry. The purpose of this letter is to provide Riverside County Planning Department (the County) with OMR's comments regarding the reclamation plan pursuant to the Surface Mining and Reclamation Act (SMARA), Public Resources Code (PRC) Section 2710 et seq., including PRC §2774.

The applicant, West Coast Aggregate Supply, Inc., is proposing to expand an existing 190-acre mining operation by 90 acres for a total of 280 acres. The applicant estimates that a maximum of 360,000 tons of aggregate material will be removed annually for an additional 25 years (20 years for mining and 5 years for revegetation monitoring). The project site is located 13 miles southeast of Indio. OMR staff conducted a site visit on July 21, 2016 to observe site conditions.

The Surface Mining and Reclamation Act of 1975 (SMARA) (Public Resources Code Section 2710 et seq.) and the State Mining and Geology Board Regulations (California Code of Regulations (CCR) Title 14, Division 2, Chapter 8, Subchapter 1) require that specific items be addressed or included in reclamation plans. The following comments, prepared by a restoration ecologist and a geologist, are offered to assist in your review of this project. The amended reclamation plan should be revised and/or supplemented to address these items.

#### **Mining Operation and Closure**

(Refer to SMARA Sections 2770, 2772, and 2773 and CCR Sections 3502, 3709, and 3713)

There are discrepancies between some of the acreage figures reported in the reclamation plan text and on the maps. Please ensure that acreage amounts are accurate and consistent between all documentation submitted for the mining operation.

#### **Environmental Setting and Protection of Fish and Wildlife Habitat**

(Refer to CCR Sections 3502, 3503, 3703, 3704, 3705, 3706, 3710, and 3713)

Since the project is in the early stage of environmental review under CEQA, we recommend the amended reclamation plan not be finalized or approved until mitigation is determined, since

mitigation measures recommended under CEQA may substantially change the manner in which mining and reclamation are accomplished.

#### **Resolling**

(Refer to CCR Sections 3503, 3704, 3705, 3707, and 3711)

On page 4 of the Revegetation Plan (Appendix 7) under "Soil Storage," it states, "As an alternative to on-site storage, Valley Rock and Sand will consider transferring soil directly to a revegetation site within its operation or elsewhere in the Coachella Valley." This last phrase (underlined) should be deleted. Salvaged topsoil is a valuable resource that should be used exclusively for on-site reclamation and should not be transferred elsewhere. The last sentence of this paragraph should also be deleted as it also refers to off-site use of the topsoil.

#### **Revegetation**

(Refer to SMARA Section 2773 and CCR Sections 3503 and 3705)

The sentence on page 3 of the revegetation plan (Appendix 7): "Any area 5 acres or larger will be subject to revegetation requirements at the close of planned surface disturbance under the terms of the permit" should be deleted. All areas of the mining operation will be subject to reclamation and revegetation requirements.

There are two proposed seed mixes on pages 5-6 of the revegetation plan. OMR suggests the two lists be merged into a single list as shown below. This list has been augmented with species listed in Appendix 4, Biological Technical Report to include more species known for successful desert revegetation. Having one seed mix will also simplify the calculation of costs in the Financial Assurance Cost Estimate (FACE). The list should also be revised on Map Sheet 2.

We understand the final seed mix may change slightly based on current availability and test plot results. As stated in the plan, the total application rate will be 40 pounds PLS (pure live seed) per acre. Additionally, seed may be purchased from a native seed supply company rather than being collected on-site.

#### **Recommended species for revegetation seed mix**

<b>Common name</b>	<b>Latin name</b>
Allscale	<i>Atriplex polycarpa</i>
Creosote bush	<i>Larrea tridentata</i>
Burrobush	<i>Ambrosia dumosa</i>
Cheesebush	<i>Ambrosia salsola</i>
Schott's indigo bush	<i>Psorothamnus schottii</i>
Sweetbush	<i>Bebbia juncea</i>
Desert mallow	<i>Sphaeralcea ambigua</i>
Brittlebush	<i>Encelia farinosa</i>
3-awn grass	<i>Artistida purpurea</i>
Desert needlegrass	<i>Stipa speciosa</i>
Strigose lotus	<i>Acmispon strigosus</i>
Desert plantain	<i>Plantago ovata</i>

On page 6 of the revegetation plan, under the section "B. Streambed diversion channels or flood control channels," planting of container stock to create a desert wash vegetation type is briefly described. More detail is needed on the locations and acreage of these areas, the size containers to be used, and the planting plan so that the exact number of plants needed can be calculated in the FACE.

CCR Section 3705(b) requires test plots to be conducted simultaneously with mining to determine the most appropriate planting procedures. The plan states that a test plot will be established but no detail is provided as to what will be tested. This section should be revised to include a variety of specific test trials in multiple plots to determine the most effective methods of site revegetation. For example, the tests could examine different seed mix application rates, container plantings and transplants, different types of amendments (mycorrhizal inoculum, mulches, and fertilizers), the use of irrigation, and the need for herbivore protection. An additional test plot area should be established in a drainage channel to test the feasibility of planting the container stock as discussed on page 6 of the revegetation plan, under the section "B. Streambed diversion channels or flood control channels."

CCR Section 3705(m) requires that the reclamation plan include success criteria that can be quantified by cover, density, and species-richness. Success criteria are discussed on page 17 of the amended reclamation plan and on page 3 of the revegetation plan (Appendix 7). OMR recommends the following revisions:

- All references to five years should be deleted. Reclamation is considered complete when the success criteria have been achieved, regardless of how many years that requires.
- All values should be stated for native perennials rather than just for native shrubs. This allows trees, bunchgrasses, and herbaceous perennials to count towards meeting the success criteria. All references to "shrubs" in the text of the plan should also be changed to "native perennials."
- No success criteria are provided for density. Density values must be provided for native perennials per the unit to be employed for sampling, such as a 50-meter transects as in the example below.
- A summary table could be helpful in capturing all the pertinent information, especially since there are 2 habitat types. An example is included below.

**Revegetation Success Criteria (example)**

<b>Seeded areas:</b>	
Cover	4.4% cover of native perennials
Density	X native perennials per 50-meter transect
Species richness	5 native species per 0.1-acre plot or belt transect
<b>Channels:</b>	
Cover	7.3% cover of native perennials
Density	X native perennials per 50-meter transect
Species richness	5 native species per 0.1-acre plot or belt transect

CCR Section 3705(m) also requires that the sampling methods are set forth in the plan with a sample size that provides an 80 percent confidence level at a minimum. OMR suggests several revisions to the monitoring section on pages 6-7 of the revegetation plan and on Map Sheet 2.

- All references to five years should be deleted. Reclamation is considered complete when the success criteria have been achieved, regardless of how many years that requires.

- In the description of sampling methods on page 7, it states, "Quadrats will be located haphazardly, though not necessarily randomly in the strict sense, throughout the seeded areas." This sentence should be deleted as there is no scientific basis for "haphazard" placement. Sampling unit placement should either be random, stratified random, or systematic.
- Values taken from small samples should not be converted to per-acre values. This practice increases the amount of error by the same factor used in multiplying the spatial unit.
- Cover and density of individual species do not need to be evaluated, only inclusive values for all native perennials.

CCR Section 3705(k) requires that noxious weeds be managed when they threaten the success of the proposed revegetation; spread to nearby areas; or produce a fire hazard. There are several instances in the revegetation plan that mention eradication of tamarisk. However, other noxious weeds are found on-site including Russian thistle (*Salsola tragus*) and wild turnip (*Brassica tournefortii*). A more detailed weed management plan should be added that discusses all noxious weeds on-site and a monitoring program with threshold values (weed cover or density per unit area) that trigger control and abatement procedures.

#### **Administrative Requirements**

(Refer to SMARA Sections 2772, 2773, 2774, 2776, and 2777)

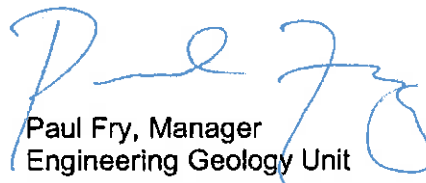
SMARA Section 2774 addresses the requirements with respect to lead agency approvals of reclamation plans, plan amendments, and financial assurances. Once OMR has provided comments, a proposed response to the comments must be submitted to the Department at least 30 days prior to lead agency approval.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

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

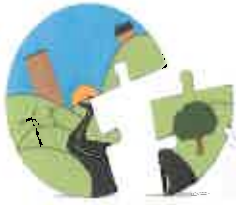
Sincerely,



Beth Hendrickson, Manager  
Environmental Services Unit



Paul Fry, Manager  
Engineering Geology Unit



# RIVERSIDE COUNTY

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# PLANNING DEPARTMENT

*Steve Weiss, AICP*  
*Planning Director*

July 16, 2015

Pattie Garcia  
Director of Tribal Historic Preservation  
Agua Caliente Band of Cahuilla Indians  
5401 Dinah Shore Drive  
Palm Springs, CA 92264

**SUBJECT: ASSEMBLY BILL 52 (AB 52) FORMAL NOTIFICATION (SMP00129r2a2)**

Dear Ms. Garcia:

This serves to notify you of a proposed project located within the Eastern Coachella Valley area of Riverside County. A map depicting the location and a project description can be found below. Pursuant to Public Resources Code section 21080.3.1(d), if you wish to initiate consultation on this proposed project, please send a consultation request within thirty (30) days of receiving this letter to Heather Thomson via email at [hthomson@rctlma.org](mailto:hthomson@rctlma.org) or by contacting her at (951) 955-2873.

**Project Description:**

SURFACE MINING PERMIT NO. 129 REVISED PERMIT NO. 2, AMENDED NO.2 – EA42415 –Applicant: Valley Rock & Sand, Inc. – Engineer/Representative: George Webber - Fourth Supervisorial District – Chuckawalla Area Zoning District – Eastern Coachella Valley Area Plan: Open Space: Open Space: Mineral Resources (OS-MIN), Conservation Habitat (OS-CH) and Water (OS-W) – Location: East of Buchanan Street and the Coachella Canal, North of 57<sup>th</sup> Avenue, South of 54<sup>th</sup> Avenue – 615.4 Gross Acres - Zoning: Mineral Resources and Related Manufacturing (M-R-A), Watercourse, Watershed & Conservation Areas (W-1) and Natural Assets (N-A) - REQUEST: A 90-acre expansion of aggregate mining facility from currently 190 acres to 280 acres and extend the life of the project by 25 years (20 years excavation/5 years reclamation) to 2038 at an annual extraction rate of approximately 360,000 tons per year. Under the current operation there are 60 acres with a projected volume of 1.4 million tons. The additional 94 acres will provide a projected additional volume of 7.6 million tons. The current rate of production is 200,000 tons per year. The proposed revision will not increase the maximum permitted annual production, nor require additional processing equipment – APN(s): 717-150-003, 717-140-002, 717-190-005 – Related Cases: SMP00129, SMP00129R1, SMP00129S1

Sincerely,

PLANNING DEPARTMENT

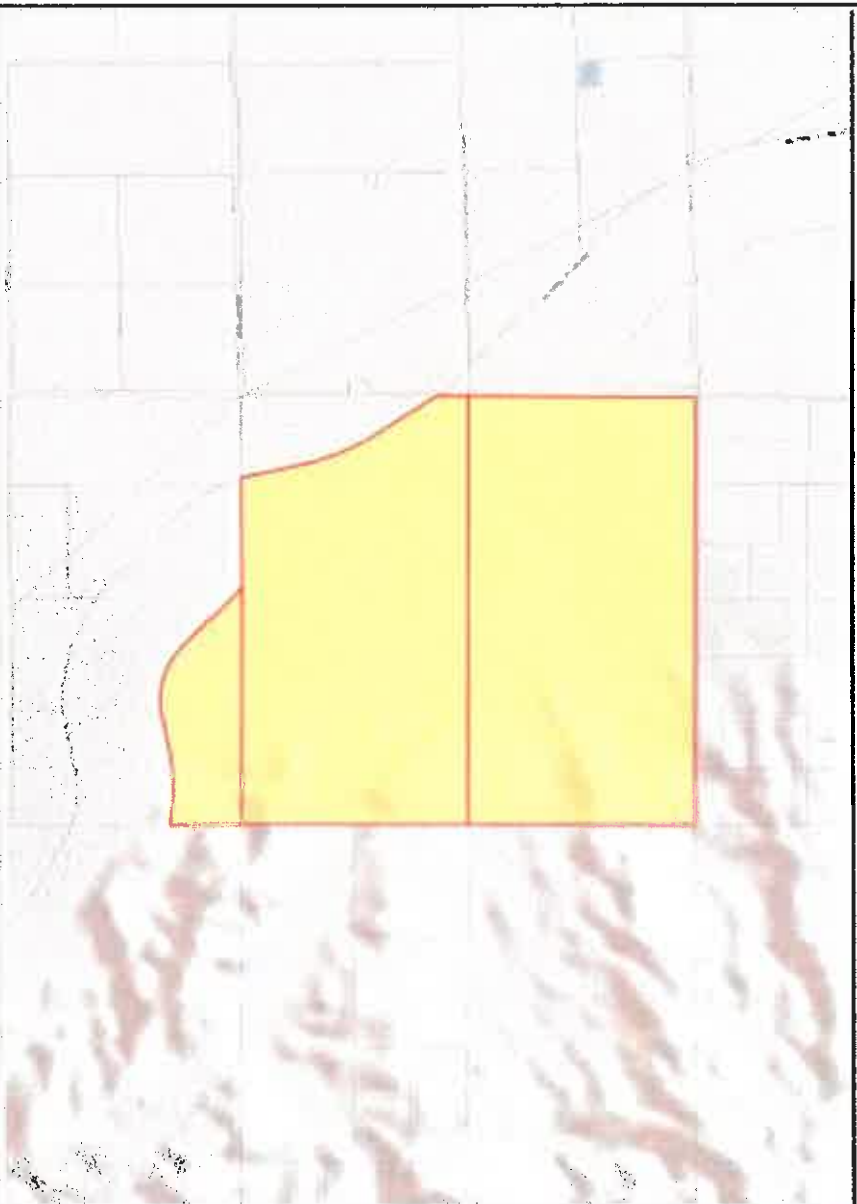
A handwritten signature in blue ink that reads "Heather Thomson".

Heather Thomson  
Archaeologist

email cc: County Geologist; [dlijones@rctlma.org](mailto:dlijones@rctlma.org)

Attachment: Project Vicinity Map

# SMP00129R2



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© Stanislaus County, 11/14/11



## Legend

- County Parcel
- City Boundaries
- Class
- Roadway
- Right-of-Way
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## Notes

Dave

SMP00129r2 (File)

# AGUA CALIENTE BAND OF CAHUILLA INDIANS

TRIBAL HISTORIC PRESERVATION



03-006-2015-050

August 27, 2015

[VIA EMAIL TO:Hthomson@rctlma.org]  
Riverside County  
Ms. Heather Thomson  
4080 Lemon Street, 12th Floor, P.O. Box 1409  
Riverside, CA 92502-1409

**Re: AB-52, SMP00129r2a2**

Dear Ms. Heather Thomson,

The Agua Caliente Band of Cahuilla Indians (ACBCI) appreciates your efforts to include the Tribal Historic Preservation Office (THPO) in the SMP00129r2a2 project. The project area is not located within the boundaries of the ACBCI Reservation. However, it is within the Tribe's Traditional Use Area (TUA). For this reason, the ACBCI THPO requests the following:

- \*A copy of the records search with associated survey reports and site records from the information center.
- \*A cultural resources inventory of the project area by a qualified archaeologist prior to any development activities in this area.
- \*Copies of any cultural resource documentation (report and site records) generated in connection with this project.

Again, the Agua Caliente appreciates your interest in our cultural heritage. If you have questions or require additional information, please call me at (760)699-6829. You may also email me at [keskew@aguacaliente.net](mailto:keskew@aguacaliente.net).

Cordially,

Katie Eskew  
Archaeologist  
Tribal Historic Preservation Office  
AGUA CALIENTE BAND  
OF CAHUILLA INDIANS



DS  
August 13, 2015

RECEIVED  
Planning Dept.  
AUG 24 2014

Attn: Heather Thomson, Archaeologist  
Riverside County  
Planning Department  
P.O. Box 1409  
Riverside, CA 92502-1409



**Re: AB 52 Consultation; SMP00129r2a2**

The Soboba Band of Luiseño Indians has received your notification pursuant under Assembly Bill 52.

The Soboba Band of Luiseño Indians appreciates your observance of Tribal Cultural Resources and their preservation in your project. The information provided to us on said project(s) has been assessed through our Cultural Resource Department. At this time the Soboba Band does not have any specific concerns regarding known cultural resources in the specified areas that the project encompasses, but does request that the appropriate consultation continue to take place between concerned tribes, project proponents, and local agencies.

Also, working in and around traditional use areas intensifies the possibility of encountering cultural resources during any future construction/excavation phases that may take place. For this reason, the Soboba Band wishes to defer to the Torres Martinez Desert Cahuilla Indians, who are in closer proximity to the project. Additionally, the Soboba Band is requesting that the Torres Martinez Desert Cahuilla Indians be informed of the deferment of this project to their tribe. Please feel free to contact me with any additional questions or concerns.

Sincerely,

A handwritten signature in black ink, appearing to read "JOE", with a long horizontal line extending to the right.

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

Confidentiality: The entirety of the contents of this letter shall remain confidential between Soboba and the County of Riverside. No part of the contents of this letter may be shared, copied, or utilized in any way with any other individual, entity, municipality, or tribe, whatsoever, without the express written permission of the Soboba Band of Luiseño Indians.



# TWENTY-NINE PALMS BAND OF MISSION INDIANS

46-200 Harrison Place . Coachella, California . 92236 . Ph. 760.863.2444 . Fax: 760.863.2449

December 1, 2016

**CERTIFIED MAIL # 7015 0640 0003 3939 8260  
RETURN RECEIPT REQUESTED**

Heather Thomson, Archaeologist  
Riverside County Planning Department  
4080 Lemon St., 12<sup>th</sup> Floor  
P.O. Box 1409  
Riverside, CA 92502-1409

**RE: ASSEMBLY BILL 52 (AB 52) FORMAL NOTICIATION (SMP00129R2)**

Dear Ms. Thomson:

This letter is in regards to consultation in compliance with AB 52 (California Public Resources Code § 21080.3.1), for the formal notification of SMP00129R2. The Tribal Historic Preservation Office (THPO) is aware of six cultural resources, located less than 5 miles from the project area. Additionally, the project lies less than 6 miles from a culturally sensitive area and is within the Chemehuevi Traditional Use Area. For these reasons, the project area has the possibility of inadvertent discoveries, which may have an adverse effect on potential cultural resources that concern the Twenty-Nine Palms Band of Mission Indians.

The Tribe is interested in this project and to further ascertain impacts requests a copy of the cultural resources report. Please do not hesitate to contact the THPO at (760) 775-3259 or by email: [TNPConsultation@29palmsbomi-nsn.gov](mailto:TNPConsultation@29palmsbomi-nsn.gov).

Sincerely,

A handwritten signature in black ink, appearing to read "Anthony Madrigal, Jr.", is written over the typed name.

Anthony Madrigal, Jr.  
Tribal Historic Preservation Officer

cc: Darrell Mike, Twenty-Nine Palms Tribal Chairman  
Sarah Bliss, Twenty-Nine Palms Tribal Cultural Specialist  
Brett Dawson, Riverside County Planning Department



## TWENTY-NINE PALMS BAND OF MISSION INDIANS

46-200 Harrison Place . Coachella, California . 92236 . Ph. 760.863.2444 . Fax: 760.863.2449

February 23, 2017

Heather Thomson, Archaeologist  
Riverside County Planning Department  
4080 Lemon St., 12<sup>th</sup> Floor  
P.O. Box 1409  
Riverside, CA 92502-1409

**RE: ASSEMBLY BILL 52 (AB 52) FORMAL NOTICIATION (SMP00129R2)**

Dear Ms. Thomson:

This letter is in regards to consultation in compliance with AB 52 (California Public Resources Code § 21080.3.1) for SMP00129R2. In our previous letters (sent December 1, 2016, and December 13, 2016, we analyzed the *Identification and Evaluation of Historic Properties: Valley Rock and Sand Expansion Project*, conducted in 1996 by BCR Consulting. The Tribal Historic Preservation Office (THPO) requested an updated cultural resources assessment. The Riverside County Planning Department complied with our request and sent the *Historical/Archaeological Resources Survey Report*, conducted by CRM Tech in 2015. From evaluation of this updated report, there are no known archaeological/cultural sites that pertain to the Twenty-Nine Palms Band of Mission Indians, but there are known cultural resources in the vicinity of the project. The project is still less than 6 miles from a culturally sensitive area and within the Chemehuevi Traditional Use Area. In the updated report one prehistoric isolate was found on the property. From this report, there are six sites and two isolates in the scope of the project. For these reasons, the project area has the possibility of inadvertent discoveries, which may have an adverse effect on potential cultural resources that concern the Twenty-Nine Palms Band of Mission Indians.

There is an increased possibility of encountering cultural resources during the construction processes that may take place because the project is located in the vicinity of a culturally sensitive area, it is within the boundary that the Tribe designates as its Traditional Use Area, and there is evidence of prehistoric activity within and in the vicinity of the project area. Avoidance, if feasible, would negate adverse effects on the project. Since this is a mining operation, and cultural monitoring is not feasible, it is recommended that cultural sensitivity training is given to the mining crews for this project. We concur with Riverside County's recommendations that either a representative from the Agua Caliente and/or Twenty-Nine Palms Band of Mission Indians shall conduct Cultural Sensitivity Training for all Construction Personnel. If there are inadvertent discoveries of archaeological remains or resources, construction should stop immediately, and the appropriate agency and tribe(s) should be notified. Furthermore, we are interested in any future development of this project.

If you have any questions, please do not hesitate to contact the Tribal Historic Preservation Office at (760) 775-3259 or by email: [TNPConsultation@29palmsbomi-nsn.gov](mailto:TNPConsultation@29palmsbomi-nsn.gov).



## TWENTY-NINE PALMS BAND OF MISSION INDIANS

46-200 Harrison Place . Coachella, California . 92236 . Ph. 760.863.2444 . Fax: 760.863.2449

February 23, 2017

Heather Thomson, Archaeologist  
Riverside County Planning Department  
4080 Lemon St., 12<sup>th</sup> Floor  
P.O. Box 1409  
Riverside, CA 92502-1409

**RE: ASSEMBLY BILL 52 (AB 52) FORMAL NOTICIATION (SMP00129R2)**

Dear Ms. Thomson:

This letter is in regards to consultation in compliance with AB 52 (California Public Resources Code § 21080.3.1) for SMP00129R2. In our previous letters (sent December 1, 2016, and December 13, 2016, we analyzed the *Identification and Evaluation of Historic Properties: Valley Rock and Sand Expansion Project*, conducted in 1996 by BCR Consulting. The Tribal Historic Preservation Office (THPO) requested an updated cultural resources assessment. The Riverside County Planning Department complied with our request and sent the *Historical/Archaeological Resources Survey Report*, conducted by CRM Tech in 2015. From evaluation of this updated report, there are no known archaeological/cultural sites that pertain to the Twenty-Nine Palms Band of Mission Indians, but there are known cultural resources in the vicinity of the project. The project is still less than 6 miles from a culturally sensitive area and within the Chemehuevi Traditional Use Area. In the updated report one prehistoric isolate was found on the property. From this report, there are six sites and two isolates in the scope of the project. For these reasons, the project area has the possibility of inadvertent discoveries, which may have an adverse effect on potential cultural resources that concern the Twenty-Nine Palms Band of Mission Indians.

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**COUNTY OF RIVERSIDE**  
**TRANSPORTATION AND LAND MANAGEMENT AGENCY**  
**Planning Department**  
*Ron Goldman · Planning Director*

Set ID# CC006099

**APPLICATION FOR SURFACE MINING PERMIT**

CHECK ONE AS APPROPRIATE:

- Surface Mining Permit       Revised SMP (Original SMP No. 129)       Reclamation Plan

INCOMPLETE APPLICATIONS OR INACCURATE EXHIBITS WILL NOT BE ACCEPTED.

CASE NUMBER: SMP 129R2      DATE SUBMITTED: 12-14-10

**APPLICATION INFORMATION**

Applicant's Name: Valley Rock & Sand, Inc.      E-Mail: \_\_\_\_\_

Mailing Address: 92500 Airport Blvd.

Thermal      Street      92274  
   Ca  
   State      ZIP  
   City      State      ZIP

Daytime Phone No: ( 760 ) 399-1891      Fax No: ( 760 ) 399-5088

Mine Operator's Name: Ed DeBoer      E-Mail: edeboer@wcsq.com

Mailing Address: 92500 Airport Blvd.

Thermal      Street      92274  
   CA  
   State      ZIP  
   City      State      ZIP

Daytime Phone No: ( 760 ) 399-1891      Fax No: ( 760 ) 399-5088

Engineer/Representative's Name: George A. Webber      E-Mail: Webber5@verizon.net

Mailing Address: Webber & Webber Mining Consultants, Inc., 101 E. Redlands Blvd., Suite 240

Redlands      Street      92373  
   CA  
   State      ZIP  
   City      State      ZIP

Daytime Phone No: ( 909 ) 793-3416      Fax No: ( 909 ) 335-6061

Property Owner's Name: Quinn Enterprises, LP / BLM      E-Mail: N/A / Cheryl\_Martinez@blm.gov

Mailing Address: P.O. Box 5267 / Cheryl Martinez, BLM, 1201 Bird Center Drive

Buena Park / Palm Springs      Street      90622 / 92262  
   CA  
   State      BLM: ZIP  
   BLM: City      State      BLM: ZIP

Daytime Phone No: ( 760 ) 833-7147      Fax No: ( 760 ) 833-7199

Mineral Rights Owner's Name: Quinn Ent. / BLM      E-Mail: Cheryl\_Martinez@blm.gov

EA42415

CFG 05782

**APPLICATION FOR SURFACE MINING PERMIT**

Mailing Address: P.O. Box 5267 / Cheryl Martinez, BLM, 1201 Bird Center Drive

Buena Park / Palm Springs Street CA 90622/ 92262

BLM: City State BLM: ZIP  
Daytime Phone No: ( 760 ) 833-7147 Fax No: ( 760 ) 833-7199

Lessee's Name: Quinn Ent. / BLM E-Mail: Cheryl\_Martinez@blm.gov

Mailing Address: P.O. Box 5267 / Cheryl Martinez / BLM, 1201 Bird Center Drive

Buena Park / Palm Springs Street CA 90622 / 92262

BLM: City State BLM: ZIP  
Daytime Phone No: ( 760 ) 833-7147 Fax No: ( 760 ) 833-7199

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. 129R2," 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. 129R2," 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.

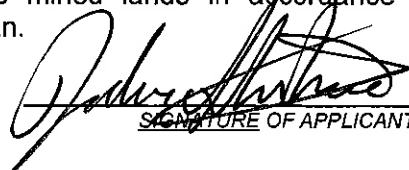
***AUTHORIZATION FOR CONCURRENT FEE TRANSFER***

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.

John Stralksma

PRINTED NAME OF APPLICANT



SIGNATURE OF APPLICANT

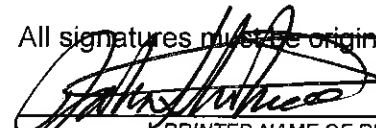
**APPLICATION FOR SURFACE MINING PERMIT**

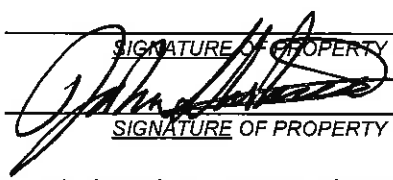
Executed on DECEMBER 2, 2010  
Month, Date, Year

**AUTHORITY FOR THIS APPLICATION IS HEREBY GIVEN:**

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

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

  
\_\_\_\_\_  
PRINTED NAME OF PROPERTY OWNER(S)  
John Strajksma  
\_\_\_\_\_  
PRINTED NAME OF PROPERTY OWNER(S)

  
\_\_\_\_\_  
SIGNATURE OF PROPERTY OWNER(S)  
\_\_\_\_\_  
SIGNATURE OF PROPERTY OWNER(S)

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

**PROPERTY INFORMATION:**

Name of Mine: Valley Rock & Sand, Inc. - Thermal Mine Site

Assessor's Parcel Number(s): 717-150-003, 717-140-002, 717-190-005

Section: 18 & 19 Township: 6 South Range: 9 East

Approximate Gross Acreage: 615.4 AC

General location of Mine (nearby or cross streets): North of Coachella Canal, South of Interstate 10, East of east end Airport Blvd., West of Mecca Hills.

Thomas Brothers map, edition year, page number, and coordinates: 1999 ed., page 390, grid F-11

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

90-acre expansion of aggregate mining from current 190 acres to 280 acres and extend life of project 25 years (20 years excavation/5 years reclamation) to 2035, at a continued annual extraction rate of approximately 400,000 tons per year. Estimated 45 to 88 offsite trips per day by trucks. See attached Exhibits for additional information.

**APPLICATION FOR SURFACE MINING PERMIT**

Related cases filed in conjunction with this request:

N/A

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

Case No. SMP 129R1 (Parcel Map, Zone Change, etc.)

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

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

Santa Ana River       Santa Margarita River       San Jacinto River       Whitewater River

**HAZARDOUS WASTE SITE DISCLOSURE STATEMENT**

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

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

The project is not located on or near an identified hazardous waste site.

The project is located on or near an identified hazardous waste site. Please list the location of the hazardous waste site(s) on an attached sheet.

Owner/Representative (1)  Date 12/14/2010

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



**COUNTY OF RIVERSIDE**  
**TRANSPORTATION AND LAND MANAGEMENT AGENCY**  
**Planning Department**  
*Ron Goldman · Planning Director*

**APPLICATION FOR SURFACE MINING PERMIT**

CHECK ONE AS APPROPRIATE:

Surface Mining Permit       Revised SMP (Original SMP No. 129)       Reclamation Plan

INCOMPLETE APPLICATIONS OR INACCURATE EXHIBITS WILL NOT BE ACCEPTED.

CASE NUMBER: SMP 129R2      DATE SUBMITTED: \_\_\_\_\_

**APPLICATION INFORMATION**

Applicant's Name: West Coast Aggregate Supply, Inc.      E-Mail: \_\_\_\_\_

Mailing Address: 92500 Airport Blvd.

Thermal \_\_\_\_\_  
City State ZIP  
\_\_\_\_\_

Daytime Phone No: ( 760 ) 399-1891      Fax No: ( 760 ) 399-5088

Mine Operator's Name: Ed DeBoer      E-Mail: edeboer@wcsug.com

Mailing Address: 92500 Airport Blvd.

Thermal \_\_\_\_\_  
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Engineer/Representative's Name: George A. Webber      E-Mail: Webber5@verizon.net

Mailing Address: Webber & Webber Mining Consultants, Inc., 101 E. Redlands Blvd., Suite 240

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Property Owner's Name: Quinn Enterprises, LP / BLM      E-Mail: N/A / Cheryl\_Martinez@blm.gov

Mailing Address: P.O. Box 5267 / Cheryl Martinez, BLM, 1201 Bird Center Drive

Buena Park / Palm Springs \_\_\_\_\_  
BLM: City State ZIP  
\_\_\_\_\_

Daytime Phone No: ( 760 ) 833-7147      Fax No: ( 760 ) 833-7199

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Mailing Address: P.O. Box 5267 / Cheryl Martinez, BLM, 1201 Bird Center Drive

Buena Park / Palm Springs Street CA 90622 / 92262

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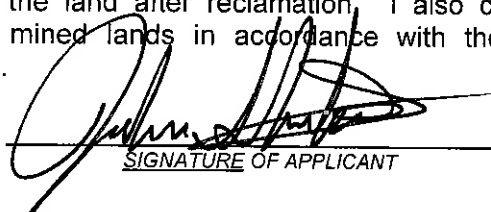
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John Struksma  
PRINTED NAME OF APPLICANT

  
SIGNATURE OF APPLICANT

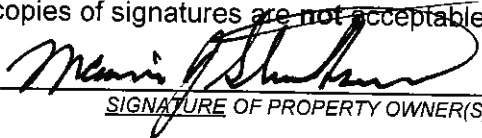
**APPLICATION FOR SURFACE MINING PERMIT**

Executed on 7/12/2011  
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 information contained in this application is true and complete.

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

<u>MARVIN J. STRUIKSONA</u> PRINTED NAME OF PROPERTY OWNER(S)	<u></u> SIGNATURE OF PROPERTY OWNER(S)
_____ PRINTED NAME OF PROPERTY OWNER(S)	_____ SIGNATURE OF PROPERTY OWNER(S)

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Approximate Gross Acreage: 615.4 Acres

General location of Mine (nearby or cross streets): North of Coachella Canal, South of Interstate 10, East of east end Airport Blvd., West of Mecca Hills.

Thomas Brothers map, edition year, page number, and coordinates: 1999 ed., page 390, grid F-11

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

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**APPLICATION FOR SURFACE MINING PERMIT**

Related cases filed in conjunction with this request:

N/A

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

Case No. SMP 129R1 (Parcel Map, Zone Change, etc.)

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

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Santa Ana River     Santa Margarita River     San Jacinto River     Whitewater River

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The project is not located on or near an identified hazardous waste site.

The project is located on or near an identified hazardous waste site. Please list the location of the hazardous waste site(s) on an attached sheet.

Owner/Representative (1)  Date 7/27/11

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

**SURFACE MINING PERMIT NO. 129R2 –**  
**APPLICATION ATTACHMENT**

**BUREAU OF LAND MANAGEMENT:**

Authority for this application is hereby given:

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

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

Cheryl L. Martinez, BLM  
PRINTED NAME OF PROPERTY OWNER(S)

Cheryl L. Martinez  
SIGNATURE OF PROPERTY OWNER(S)

\_\_\_\_\_  
PRINTED NAME OF PROPERTY OWNER(S)

\_\_\_\_\_  
SIGNATURE OF PROPERTY OWNER(S)

**PROPERTY OWNERS / OWNERS OF MINERAL RIGHTS:**

APN 717-190-005  
Quinn Enterprises, LP  
P.O. Box 5267  
Buena Park, CA 90622  
(714) 522-5780

APN 717-140-002, APN 717-150-003  
Bureau of Land Management  
1201 Bird Center Drive  
Palm Springs, CA 92262  
(760) 833-7147

**APPLICATION FOR SURFACE MINING PERMIT**

Checklist for Identifying Projects Requiring a Project-Specific Water Quality Management Plan (WQMP) within the Whitewater River Region		
<b>Project File No.</b>	SMP00129R2	
<b>Project Name:</b>	Valley Rock & Sand - Thermal Mine Site	
<b>Project Location:</b>	Thermal, CA	
<b>Project Description:</b>	Sand & Gravel Mine	
<b>Project Applicant Information:</b>	West Coast Aggregate Supply, Inc.	
<b>Proposed Project Consists of, or includes:</b>	<b>YES</b>	<b>NO</b>
Single-family hillside residences that create 10,000 square feet, or more, of impervious area where the natural slope is 25% or greater.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Single-family hillside residences that create 10,000 square feet of impervious area where the natural slope is 10% or greater where erosive soil conditions are known.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Commercial and Industrial developments of 100,000 square feet or more.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Automotive repair shops (Standard Industrial Classification (SIC) Codes 5013-Motor vehicle supplies or parts, 5014-Tires & Tubes, 5541-Gasoline Service Stations, 7532-Top, Body & Upholstery Repair Shops and Paint Shops, 7533-Automotive Exhaust System Repair Shops, 7534-Tire Retreading and Repair Shops, 7536-Automotive Glass Replacement Shops, 7537-Automotive Transmission Repair Shops, 7538-General Automotive Repair Shops, 7539-Automotive Repair Shops, not elsewhere classified)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Retail gasoline outlets disturbing greater than 5,000 square feet.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Restaurants disturbing greater than 5,000 square feet. (Standard Industrial Classification (SIC) Code 5812: Establishments primarily engaged in the retail sale of prepared food and drinks for on-premise or immediate consumption, including, but not limited to: Automats (eating places), Beaneries, Box lunch stands, Buffets (eating places), Cafes, Cafeterias, Carry-out restaurants, Caterers, Coffee shops, Commissary restaurants, Concession stands, prepared food (e.g., in airports and sports arenas), Contract feeding, Dairy bars, Diners (eating places), Dining rooms, Dinner theaters, Drive-in restaurants, Fast food restaurants, Food bars, Food service (institutional), Frozen custard stands, Grills, (eating places), Hamburger stands, Hot dog (frankfurter) stands, Ice cream stands, Industrial feeding, Lunch bars, Lunch counters, Luncheonettes, Lunchrooms, Oyster bars, Pizza parlors, Pizzerias, Refreshment stands, Restaurants, Sandwich bars or shops, Snack shops, Soda fountains, Soft drink stands, Submarine sandwich shops, and Tea rooms.)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Home subdivisions with 10 or more housing units.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Parking lots of 5,000 square feet or more, or with 25 or more parking spaces, and potentially exposed to Urban Runoff.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>DETERMINATION: Circle appropriate determination.</b>		
If <b>any</b> question answered "YES"	Project requires a project-specific WQMP.	
If <b>all</b> questions answered "NO"	Project requires incorporation of Site Design Best Management Practices (BMPs) and Source Control BMPs imposed through Conditions of Approval or permit conditions.	

- D. This Agreement shall only be executed by an authorized representative of the Applicant and the Property Owner. The person(s) executing this Agreement represents that he/she has the express authority to enter into this agreement on behalf of the Applicant and/or Property Owner.
- E. This Agreement is not assignable without written consent by the County of Riverside. The County of Riverside will not consent to assignment of this Agreement until all outstanding costs have been paid by Applicant.
- F. Deposit statements, requests for deposits or refunds shall be directed to Applicant at the address identified in Section 4.

**Section 3. To ensure quality service, Applicant is responsible to provide one-week written notice to the County of Riverside Transportation and Land Management Agency (TLMA) Permit Assistance Centers if any of the information below changes.**

**Section 4. Applicant and Owner Information**

**1. PROPERTY INFORMATION:**

Assessors Parcel Number(s): 717-150-003, 717-190-005, 717-140-002

Property Location or Address:

92500 Airport Blvd., Thermal, CA 92274

**2. PROPERTY OWNER INFORMATION:**

Property Owner Name: Quinn Enterprises, LP Phone No.: (714) 522-0282

Firm Name: \_\_\_\_\_ Email: \_\_\_\_\_

Address: P.O. Box 5267

Buena Park, CA 90622

**3. APPLICANT INFORMATION:**

Applicant Name: West Coast Aggregate Supply, Inc. Phone No.: (760) 399-1891

Firm Name: \_\_\_\_\_ Email: \_\_\_\_\_

Address (if different from property owner)

92500 Airport Blvd.

Thermal, CA 92274

**4. SIGNATURES:**

Signature of Applicant:  Date: 7/12/2011

Print Name and Title: John Struiksma

Signature of Property Owner:  Date: 7/13/11

Print Name and Title: Marvin Struiksma

Signature of the County of Riverside, by \_\_\_\_\_ Date: \_\_\_\_\_

Print Name and Title: \_\_\_\_\_

**FOR COUNTY OF RIVERSIDE USE ONLY**

Application or Permit (s)#: \_\_\_\_\_

Set #: \_\_\_\_\_ Application Date: \_\_\_\_\_

## INDEMNIFICATION AGREEMENT

This INDEMNIFICATION AGREEMENT ("Agreement"), made by and between the COUNTY OF RIVERSIDE, a political subdivision of the State of California ("COUNTY"), and Quinn Enterprises, LP, a California Limited Partnership ("PROPERTY OWNER"), relating to the PROPERTY OWNER'S indemnification of the COUNTY under the terms set forth herein:

### WITNESSETH:

**WHEREAS**, the PROPERTY OWNER has a legal interest in the certain real property described as APN 717-140-002, 717-150-003 and 717-190-005 ("PROPERTY"); and,

**WHEREAS**, on December 14, 2010, PROPERTY OWNER filed an application for Surface Mine Permit No. 129R2 ("PROJECT"); and,

**WHEREAS**, judicial challenges of projects requiring discretionary approvals, including, but not limited to, California Environmental Quality Act determinations, are costly and time consuming. Additionally, project opponents often seek an award of attorneys' fees in such challenges; and,

**WHEREAS**, since property owners are the primary beneficiaries of such approvals, it is appropriate that such owners bear the expense of defending against any such judicial challenge, and bear the responsibility of any costs, attorneys' fees and damages which may be awarded to a successful challenger; and,

**WHEREAS**, in the event a judicial challenge is commenced against the PROJECT, the COUNTY has requested and the PROPERTY OWNER has agreed to defend, indemnify and hold harmless the 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 any approval of the COUNTY, its advisory agencies, appeal boards, or legislative body concerning the PROJECT or its associated environmental documentation ("LITIGATION"); and,

**WHEREAS**, this Agreement is entered into by the COUNTY and PROPERTY OWNER to establish specific terms concerning PROPERTY OWNER'S indemnification obligation for the PROJECT.

**NOW, THEREFORE**, it is mutually agreed between COUNTY and PROPERTY OWNER as follows:

1. **Indemnification.** PROPERTY OWNER, at its own expense, shall defend, indemnify and hold harmless the COUNTY, its agents, officers, and employees from and against any claim, action or proceeding brought against the COUNTY, its agents, officers, and employees to attack, set aside, void or annul any



approval of the PROJECT including any associated costs, damages, and expenses including, but not limited to, costs associated with Public Records Act requests submitted to the COUNTY related to the PROJECT and an award of attorneys' fees and costs incurred or arising out of the above-referenced claim, action or proceeding brought against the COUNTY ("Indemnification Obligation.")

2. ***Defense Cooperation.*** PROPERTY OWNER and the COUNTY shall reasonably cooperate in all aspects of the LITIGATION. Nothing contained in this Agreement, however, shall be construed to limit the discretion of COUNTY, in the interest of the public welfare, to settle, defend, appeal or to decline to settle or to terminate or forego defense or appeal of the LITIGATION. It is also understood and agreed that all litigation pleadings are subject to review, revision and approval by COUNTY's Office of County Counsel.

3. ***Representation and Payment for Legal Services Rendered.*** COUNTY shall have the absolute right to approve any and all counsel retained to defend COUNTY in the LITIGATION. PROPERTY OWNER shall pay the attorneys' fees and costs of the legal firm retained by PROPERTY OWNER to represent the COUNTY in the LITIGATION. Failure by PROPERTY OWNER to pay such attorneys' fees and costs may be treated as an abandonment of the PROJECT and as a default of PROPERTY OWNER's obligations under this Agreement.

4. ***Payment for COUNTY's LITIGATION Costs.*** Payment for COUNTY's costs related to the LITIGATION shall be made on a deposit basis. LITIGATION costs include any associated costs, fees, damages, and expenses as further described in Section 1. herein as Indemnification Obligation. Within thirty (30) days of receipt of notice from COUNTY that LITIGATION has been initiated against the PROJECT, PROPERTY OWNER shall initially deposit with the COUNTY's Planning Department the total amount of Twenty Thousand Dollars (\$20,000). PROPERTY OWNER shall deposit with COUNTY such additional amounts as COUNTY reasonably and in good faith determines, from time to time, are necessary to cover costs and expenses incurred by the COUNTY, including but not limited to, the Office of County Counsel, Riverside County Planning Department and the Riverside County Clerk of the Board associated with the LITIGATION. Within ten (10) days of written notice from COUNTY, PROPERTY OWNER shall make such additional deposits. Collectively, the initial deposit and additional deposits shall be referred to herein as the "Deposit."

5. ***Return of Deposit.*** COUNTY shall return to PROPERTY OWNER any funds remaining on deposit after ninety (90) days have passed since final adjudication of the LITIGATION.

6. ***Notices.*** For all purposes herein, notices shall be effective when personally delivered, delivered by commercial overnight delivery service, or sent by

certified or registered mail, return receipt requested, to the appropriate address set forth below:

COUNTY:  
Office of County Counsel  
Attn: Melissa Cushman  
3960 Orange Street, Suite 500  
Riverside, CA 92501

PROPERTY OWNER:  
Quinn Enterprises, LP  
Attn: Marvin Struiksma  
PO Box 5267  
Buena Park, CA 90622

With a copy to:  
Bureau of Land Management  
1201 Bird Center Drive  
Palm Springs, CA 92262

Valley Rock & Sand, Inc.  
Attn: John Struiksma  
PO Box 790  
Thermal, CA 92274

7. ***Default and Termination.*** This Agreement is not subject to termination, except by mutual agreement or as otherwise provided herein. In the event of a default of PROPERTY OWNER's obligations under this Agreement, COUNTY shall provide written notification to PROPERTY OWNER of such alleged default and PROPERTY OWNER shall have ten (10) days after receipt of written notification to cure any such alleged default. If PROPERTY OWNER fails to cure such alleged default within the specified time period or otherwise reach agreement with the COUNTY on a resolution of the alleged default, COUNTY may, in its sole discretion, do any of the following or combination thereof:

- a. Deem PROPERTY OWNER's default of PROPERTY OWNER's obligations as abandonment of the PROJECT and as a breach of this Agreement;
- b. Rescind any PROJECT approvals previously granted;
- c. Settle the LITIGATION.

In the event of a default, PROPERTY OWNER shall remain responsible for any costs and attorney's fees awarded by the Court or as a result of settlement and other expenses incurred by the COUNTY related to the LITIGATION or settlement.

8. ***COUNTY Review of the PROJECT.*** Nothing in this Agreement shall be construed to limit, direct, impede or influence the COUNTY's review and consideration of the PROJECT.

9. ***Complete Agreement/Governing Law.*** This Agreement represents the complete understanding between the parties with respect to matters set forth herein. This Agreement shall be construed in accordance with the laws of the State of California.

10. **Successors and Assigns.** The obligations specific herein shall be made, and are binding on the successors in interest of the PROPERTY OWNER, whether the succession is by agreement, by operation of law or by any other means.

11. **Amendment and Waiver.** No modification, waiver, amendment or discharge of this Agreement shall be valid unless the same is in writing and signed by all parties.

12. **Severability.** If any term, provision, covenant or condition of this Agreement is held to be invalid, void or otherwise unenforceable, to any extent, by any court of competent jurisdiction, the remainder of this Agreement shall not be affected thereby, and each term, provision, covenant or condition of this Agreement shall be valid and enforceable to the fullest extent permitted by law.

13. **Survival of Indemnification.** The parties agree that this Agreement shall constitute a separate agreement from any PROJECT approval, and if the PROJECT, in part or in whole, is invalidated, rendered null or set aside by a court of competent jurisdiction, the parties agree to be bound by the terms of this Agreement, which shall survive such invalidation, nullification or setting aside.

14. **Interpretation.** The parties have been advised by their respective attorneys, or if not represented by an attorney, represent that they had an opportunity to be so represented in the review of this Agreement. Any rule of construction to the effect that ambiguities are to be resolved against the drafting party shall not be applied in interpreting this Agreement.

15. **Captions and Headings.** The captions and section headings used in this Agreement are inserted for convenience of reference only and are not intended to define, limit or affect the construction or interpretation of any term or provision hereof.

16. **Jurisdiction and Venue.** Any action at law or in equity arising under this Agreement or brought by a party hereto for the purpose of enforcing, construing or determining the validity of any provision of this Agreement shall be filed in the Courts of Riverside County, State of California, and the parties hereto waive all provisions of law providing for the filing, removal or change of venue to any other court or jurisdiction.


17. **Counterparts; Facsimile & Electronic Execution.** This Agreement may be executed in one or more counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same document. To facilitate execution of this Agreement, the parties may execute and exchange facsimile or electronic counterparts, and facsimile or electronic counterparts shall serve as originals.


18. **Joint and Several Liability.** In the event there is more than one PROPERTY OWNER, the liability of PROPERTY OWNER shall be joint and several, and PROPERTY OWNER each of them shall be jointly and severally liable for performance of all of the obligations of PROPERTY OWNER under this Agreement.

19. **Effective Date.** The effective date of this Agreement is the date the parties sign the Agreement. If the parties sign the Agreement on more than one date, then the last date the Agreement is signed by a party shall be the effective date.

**IN WITNESS WHEREOF**, the parties hereto have duly caused this Agreement to be executed by their authorized representatives as of the date written.

**COUNTY:**  
COUNTY OF RIVERSIDE,  
a political subdivision of the State of California

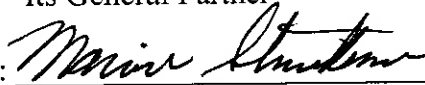
By:   
Steven Weiss  
Riverside County Planning Director

FORM APPROVED COUNTY COUNSEL  
BY:  7/14/16  
MELISSA R. CUSHMAN DATE

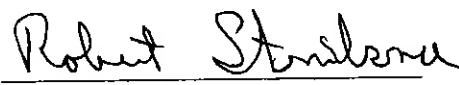
Dated: 7-19-16

**PROPERTY OWNER:**  
Quinn Enterprises, LP, a California Limited Partnership

By: Quinn Enterprises, LLC, a California Limited Liability Company  
Its General Partner

By:   
Marvin Struiksma  
President

Dated: 6-10-16

By:   
Robert Struiksma  
Assistant Secretary

Dated: 6-10-16

**CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT**

**CIVIL CODE § 1189**

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California )  
County of Orange )

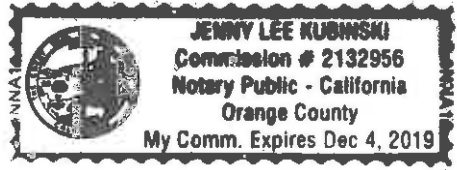
On Jan 10, 2016 before me, Jenny Lee Kubinski, Notary Public  
Date Here Insert Name and Title of the Officer

personally appeared Robert Struiksma  
Name(s) of Signer(s)

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.



Signature Jenny Lee Kubinski  
Signature of Notary Public

Place Notary Seal Above

**OPTIONAL**

Though this section is optional, completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

**Description of Attached Document**

Title or Type of Document: \_\_\_\_\_ Document Date: \_\_\_\_\_  
Number of Pages: \_\_\_\_\_ Signer(s) Other Than Named Above: \_\_\_\_\_

**Capacity(ies) Claimed by Signer(s)**

Signer's Name: \_\_\_\_\_  
 Corporate Officer — Title(s): \_\_\_\_\_  
 Partner —  Limited  General  
 Individual  Attorney in Fact  
 Trustee  Guardian or Conservator  
 Other: \_\_\_\_\_  
Signer Is Representing: \_\_\_\_\_

Signer's Name: \_\_\_\_\_  
 Corporate Officer — Title(s): \_\_\_\_\_  
 Partner —  Limited  General  
 Individual  Attorney in Fact  
 Trustee  Guardian or Conservator  
 Other: \_\_\_\_\_  
Signer Is Representing: \_\_\_\_\_

PROPERTY OWNERS CERTIFICATION FORM

I, VINNIE NGUYEN, certify that on 3/31/2017,

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

APN (s) or case numbers SMP00129R2 For

Company or Individual's Name Planning Department,

Distance buffered 2400'.

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

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

NAME: Vinnie Nguyen

TITLE GIS Analyst

ADDRESS: 4080 Lemon Street 2<sup>nd</sup> Floor

Riverside, Ca. 92502

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

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

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

**SURFACE MINING PERMIT NO. 129 REVISED PERMIT NO. 2, AMENDED NO. 2** – Intent to Adopt a Mitigated Negative Declaration – Applicant: Valley Rock & Sand, Inc. – Engineer/Representative: George Webber – Fourth Supervisorial District – Chuckwalla Area Zoning District – Eastern Coachella Valley Area Plan: Open Space: Open Space: Mineral Resources (OS-MIN) – Conservation Habitat (OS-CH) – Water (OS-W) – Location: Easterly of Buchanan Street and the Coachella Canal, northerly of 57<sup>th</sup> Avenue, and southerly of 54<sup>th</sup> Avenue – 615.4 Gross Acres – Zoning: Mineral Resources and Related Manufacturing (M-R-A) – Watercourse, Watershed & Conservation Areas (W-1) – Natural Assets (N-A) – **REQUEST:** A 90-acre expansion of aggregate mining facility from currently 190 acres to 280 acres and extend the life of the project by 25 years (20 years excavation/5 years reclamation) to 2038 at an annual extraction rate of approximately 360,000 tons per year. Under the current operation there are 60 acres with a projected volume of 1.4 million tons. The additional 94 acres will provide a projected additional volume of 7.6 million tons. The current rate of production is 200,000 tons per year. The proposed revision will not increase the maximum permitted annual production, nor require additional processing equipment. Project Planner: Brett Dawson at (951) 955-0972 or email at [bdawson@rivco.org](mailto:bdawson@rivco.org).

TIME OF HEARING: 9:00 am or as soon as possible thereafter.  
DATE OF HEARING: **MAY 17, 2017**  
PLACE OF HEARING: RIVERSIDE COUNTY ADMINISTRATIVE CENTER  
BOARD CHAMBERS, 1ST FLOOR  
4080 LEMON STREET, RIVERSIDE, CA 92501

For further information regarding this project please contact Project Planner Brett Dawson at 951-955-0972 or email at [bdawson@rivco.org](mailto:bdawson@rivco.org), or go to the County Planning Department's Planning Commission agenda web page at <http://planning.rctlma.org/PublicHearings.aspx>.

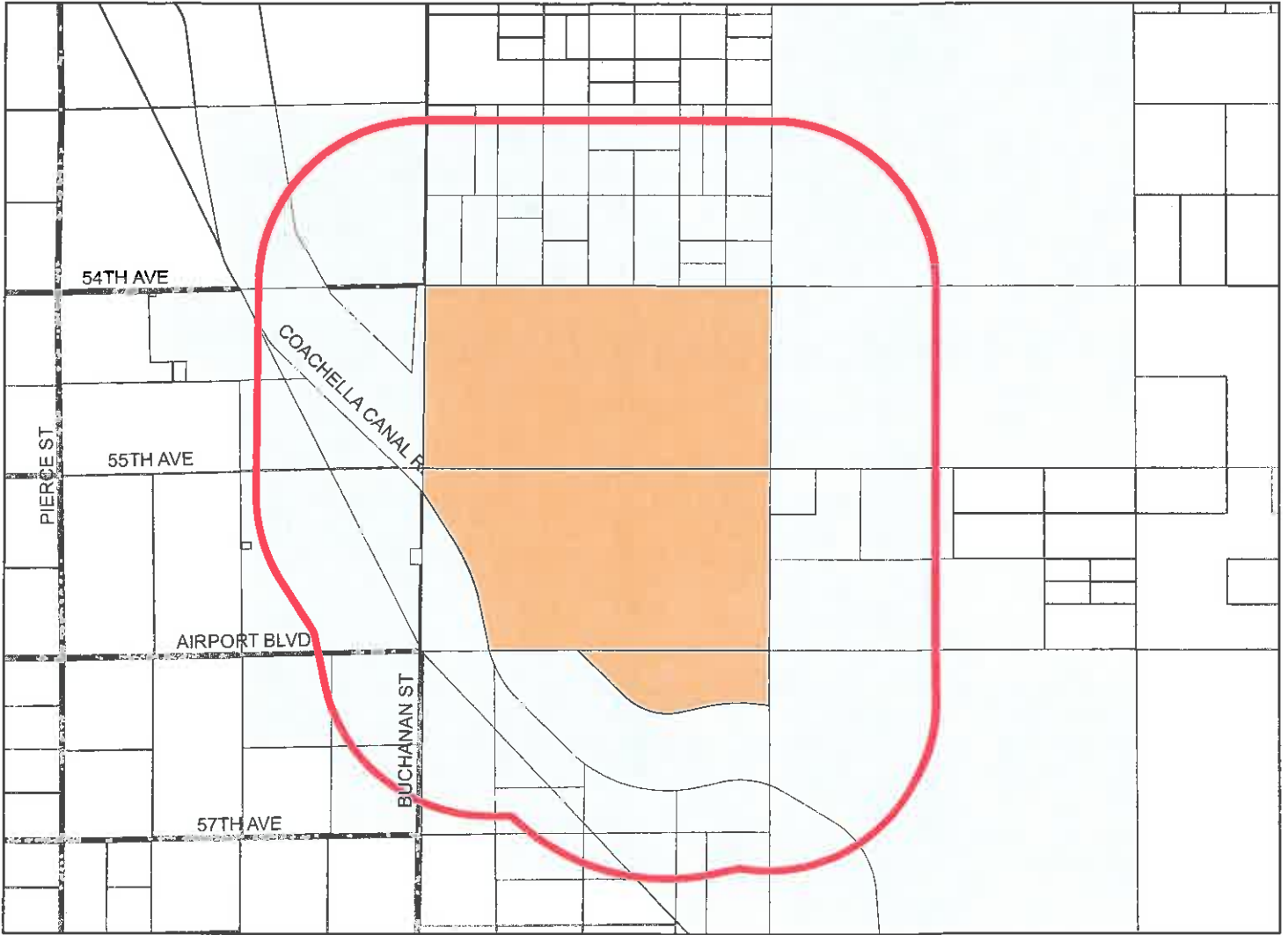
The Riverside County Planning Department has determined that the above project will not have a significant effect on the environment and has recommended adoption of a mitigated negative declaration. The Planning Commission will consider the proposed project and the proposed mitigated negative declaration, at the public hearing. The case file for the proposed project and the proposed mitigated negative declaration may be viewed Monday through Thursday, 8:30 a.m. to 5:00 p.m., at the County of Riverside Planning Department, 4080 Lemon Street, 12th Floor, Riverside, CA 92501. For further information or an appointment, contact the project planner.

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

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

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

**SMP00129R2 ( 2400 feet buffer )**



**Selected Parcels**

763-200-003	763-380-005	717-080-034	717-080-017	717-080-019	717-080-022	717-190-001	717-190-002	717-190-006	717-190-008
717-190-010	717-190-011	717-190-012	717-190-013	717-190-014	717-200-005	717-200-006	717-200-011	717-200-016	717-200-026
717-200-027	757-180-005	717-080-003	717-080-004	717-080-007	717-080-009	717-080-023	717-080-024	717-080-028	717-080-031
717-080-032	757-180-007	717-080-033	763-380-004	763-380-017	717-080-035	757-180-004	763-380-012	763-380-013	763-380-014
763-380-015	763-390-008	763-390-010	763-390-011	717-080-015	717-080-025	717-080-026	717-160-001	717-160-002	717-160-003
717-140-001	717-160-006	717-190-005	717-080-029	717-090-002	717-140-002	717-150-003	717-150-004	717-190-015	717-210-003
717-210-004	763-200-004	763-380-007	763-390-007	717-080-021	717-080-016	717-080-018	717-080-020		



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



ASMT: 717080015, APN: 717080015  
JASON CARTIE, ETAL  
9070 IRVINE CENTER NO 145  
IRVINE CA 92618

ASMT: 717080029, APN: 717080029  
RIVERSIDE COUNTY FLOOD CONT  
3535 10TH ST STE 300  
RIVERSIDE CA 92501

ASMT: 717080016, APN: 717080016  
USA BLUM  
C/O S EUBANKS  
22835 SAN JUAN DE LAGOS  
MORENO VALLEY CA 92553

ASMT: 717080032, APN: 717080032  
COUNTY OF RIVERSIDE  
C/O REAL ESTATE DIVISION  
P O BOX 1180  
RIVERSIDE CA 92502

ASMT: 717080019, APN: 717080019  
BARRON THOMAS  
C/O STEVE GAGE TRUST  
P O BOX 795742  
DALLAS TX 75379

ASMT: 717080033, APN: 717080033  
CVCWD  
P O BOX 1058  
COACHELLA CA 92236

ASMT: 717080020, APN: 717080020  
ABEBA BEKELE, ETAL  
11560 MARIPOSA BAY LN  
NORTHRIDGE CA 91326

ASMT: 717080034, APN: 717080034  
ANN HERTEL  
816 SHORESIDE DR  
SACRAMENTO CA 95831

ASMT: 717080021, APN: 717080021  
USA BLM  
C/O S EUBANKS  
22835 CL SAN JUAN D LAGOS  
MORENO VALLEY CA 92553

ASMT: 717080035, APN: 717080035  
STEVEN MYNSBERG, ETAL  
429 LEXINGTON CIR  
OCEANSIDE CA 92057

ASMT: 717080022, APN: 717080022  
KAORI WARING, ETAL  
4380 S MONACO ST NO 3072  
DENVER CO 80237

ASMT: 717160003, APN: 717160003  
PETER WEINTRAUB  
9358 AIRDROME ST  
LOS ANGELES CA 90035

ASMT: 717080026, APN: 717080026  
PATTERSON CHARLENE TRUST  
26972 CALLE DOLORES  
CAPISTRANO BEACH CA 92624

ASMT: 717190005, APN: 717190005  
QUINN ENTERPRISES  
P O BOX 5067  
BUENA PARK CA 90622



ASMT: 717210004, APN: 717210004  
USA 717  
US DEPT OF INTERIOR  
WASHINGTON DC 21401

ASMT: 763390011, APN: 763390011  
BOBBIE BOZICK, ETAL  
65500 LINCOLN AVE  
MECCA CA 92254

ASMT: 757180004, APN: 757180004  
RACHEL CHESLER, ETAL  
P O BOX 386  
PALM DESERT CA 92261

ASMT: 757180005, APN: 757180005  
CITRINE ENTERPRISES  
88100 58TH AVE  
THERMAL CA 92274

ASMT: 757180007, APN: 757180007  
CROWN HILL RANCHES INC  
85810 PETER RABBIT LN  
COACHELLA CA 92236

ASMT: 763380005, APN: 763380005  
ALL AMERICAN GREEN  
800 WILSHIRE BL STE 1500  
LOS ANGELES CA 90017

ASMT: 763380017, APN: 763380017  
HOWARD KECK  
7947 WOODLEY AVE  
VAN NUYS CA 91406

ASMT: 763390007, APN: 763390007  
USA 763  
U S DEPT OF INTERIOR  
WASHINGTON DC 21401



# RIVERSIDE COUNTY PLANNING DEPARTMENT

**Steve Weiss AICP**  
**Planning 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.**  
**Smp00129r2**  
**(EA42415)**

*Project Title/Case Numbers*

**Brett Dawson**  
*County Contact Person*

**(951) 955-0972**  
*Phone Number*

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

**Weber and Weber**  
*Project Applicant*

**N/A**  
*Address*

**The project is located East of Buchanan Street and the Coachella Canal, North of 57<sup>th</sup> Avenue and South of 54<sup>th</sup> Avenue .**

*Project Location*

**SURFACE MINING PERMIT NO. 129 REVISED PERMIT NO. 2, AMENDED NO.2 – EA42415 –Applicant: Valley Rock & Sand, Inc. – Engineer/Representative: George Webber - Fourth Supervisorial District – Chuckawalla Area Zoning District – Eastern Coachella Valley Area Plan: Open Space: Open Space: Mineral Resources (OS-MIN), Conservation Habitat (OS-CH) and Water (OS-W) – Location: East of Buchanan Street and the Coachella Canal, North of 57<sup>th</sup> Avenue, South of 54<sup>th</sup> Avenue – 615.4 Gross Acres - Zoning: Mineral Resources and Related Manufacturing (M-R-A), Watercourse, Watershed & Conservation Areas (W-1) and Natural Assets (N-A) - REQUEST: A 90-acre expansion of aggregate mining facility from currently 190 acres to 280 acres and extend the life of the project by 25 years (20 years excavation/5 years reclamation) to 2038 at an annual extraction rate of approximately 360,000 tons per year. Under the current operation there are 60 acres with a projected volume of 1.4 million tons. The additional 94 acres will provide a projected additional volume of 7.6 million tons. The current rate of production is 200,000 tons per year. The proposed revision will not increase the maximum permitted annual production, nor require additional processing equipment – APN(s): 717-150-003, 717-140-002, 717-190-005 – Related Cases: SMP00129, SMP00129R1, SMP00129S1**

*Project Description*

This is to advise that the Riverside County Planning Director, as the lead agency, has approved the above-referenced project on May 17, 2017, 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 and certified for the project pursuant to the provisions of the California Environmental Quality Act and reflect the independent judgment of the Lead Agency.
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 adopted
6. Findings were made pursuant to the provisions of CEQA.

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.

<i>Signature</i>	<b>Project Planner</b> <i>Title</i>	<i>Date</i>
------------------	--	-------------

Date Received for Filing and Posting at OPR: N/A

COUNTY OF RIVERSIDE  
SPECIALIZED DEPARTMENT RECEIPT  
Permit Assistance Center

\* REPRINTED \* R1704744

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

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

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

\*\*\*\*\*  
\*\*\*\*\*

Received from: WEST COAST AND GRAVEL \$2,216.25  
paid by: CK 8086  
paid towards: CFG05782 CALIF FISH & GAME: DOC FEE  
CA FISH AND GAME FOR EA42415  
at parcel #: 90500 AIRPORT BLV THER  
appl type: CFG3

By \_\_\_\_\_ Apr 14, 2017 15:23  
MGARDNER posting date Apr 14, 2017

\*\*\*\*\*  
\*\*\*\*\*

Account Code	Description	Amount
658353120100208100	CF&G TRUST	\$2,216.25

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

Additional info at [www.rctlma.org](http://www.rctlma.org)

SURFACE MINING PERMIT Case #: SMP00129R2

Parcel: 717-140-002

10. GENERAL CONDITIONS

10.PLANNING. 3

SMP - LOW PALEO (cont.)

RECOMMND

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

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

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

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

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

7.Any recovered fossil remains will be prepared to the point of identification and identified to the lowest taxonomic level possible by knowledgeable paleontologists. The remains then will be curated (assigned and labeled with museum\* repository fossil specimen numbers and corresponding fossil site numbers, as appropriate; places in specimen trays and, if necessary, vials with completed specimen data cards) and catalogued, an associated specimen data and corresponding geologic and geographic site data will be archived (specimen and site numbers and corresponding data entered into appropriate museum repository catalogs and computerized data bases) at the museum repository by a laboratory technician. The remains will then be accessioned into the museum\* repository fossil collection, where they will be permanently stored, maintained, and, along with associated specimen and site data, made available for future study by qualified scientific investigators. \* The County of Riverside must be

SURFACE MINING PERMIT Case #: SMP00129R2

Parcel: 717-140-002

10. GENERAL CONDITIONS

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

consulted on the repository/museum to receive the fossil material prior to being curated.

10.PLANNING. 4 SMP - SSR00698 RECOMMND

County Slope Stability Report (SSR) No. 698 was prepared for this project (SMP00129R2) by C.H.J., Inc. and is entitled, "Slope Stability Investigation, Proposed Expansion of West Coast Aggregates Thermal Quarry (SMP 129R2), Thermal Area of Riverside County, California", dated March 18, 2011.

SSR00698 concluded:

1.The proposed slope configuration for the proposed quarry expansion area is feasible from a geotechnical standpoint.

2.The proposed cut slopes will be adequately stable against gross failure for their intended use.

SSR00698 recommended:

1.Cut slopes should be constructed no steeper than 2(h):1(v), up to approximately 100 feet in maximum height, and should include setbacks and terracing in conformance with the 2010 CBC, Appendix J and/or the applicable grading codes.

2.Measures should be provided to prevent surface water from flowing over slope faces.

SSR No. 698 satisfies the requirement for a slope stability assessment for SMP00129R2. Final approved of SSR No. 698 is hereby granted for SMP00129R2.

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

The development of these premises shall comply with the standards of Ordinance Nos. 348 and 555 and all other applicable Riverside County ordinances and state and federal codes. The development of the premises shall conform substantially with that as shown on the Mining and Reclamation Plans and Project Description, unless otherwise amended by these conditions.

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10. GENERAL CONDITIONS

10.PLANNING. 6 SMP - CAUSES FOR REVOCATION

RECOMMND

In the event the use hereby permitted under this surface mining permit,

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

10.PLANNING. 7 SMP - CONDITION REVIEW FEE

RECOMMND

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

10.PLANNING. 8 SMP - SLOPE STABILITY

RECOMMND

During the life of the permit the permittee shall comply with the recommendations concerning slope stability made in the slope stability report (SSR) No. 698.

10.PLANNING. 9 SMP - SPARK ARRESTOR REQUIRED

RECOMMND

During the life of the permit, the permittee shall comply with spark arrestor requirements of the Public Resources Code, Section 4422, for all equipment used on the premises other than turbocharger vehicles designed and licensed for highway use.

10.PLANNING. 10 SMP - DUST PREVENTION MEASURE

RECOMMND

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

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10. GENERAL CONDITIONS

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

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

10.PLANNING. 12 SMP- RUNOFF OUTLETS RECOMMND

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

10.PLANNING. 13 SMP- OPERATING HOURS RECOMMND

On-site operating hours, other than maintenance or emergencies, shall be limited to the hours between 6:00 A.M. and 10:00 P.M., Monday through Saturday. Operations shall be prohibited on Sundays and Federally recognized holidays.

10.PLANNING. 14 SMP - LOADED TRUCK CARE RECOMMND

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

10.PLANNING. 15 SMP - FIRE PREVENTION RECOMMND

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

10.PLANNING. 16 SMP - CEASED OPERATION EFFECT RECOMMND

In the event the use hereby permitted ceases operation for a period of one (1) year or more, this approval shall become null and void, unless an Interim Management Plan is submitted to the County Geologist within 90 days of becoming idle, as specified in Riverside County Ordinance



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10. GENERAL CONDITIONS

10.PLANNING. 16 SMP - CEASED OPERATION EFFECT (cont.) RECOMMND

No. 555. The applicant shall be responsible for the submission of the Interim Management Plan and remains responsible for the implementation of the Reclamation Plan should the permit become null and void.

10.PLANNING. 17 SMP - STOCKPILE PROTECTION RECOMMND

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

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

The development of the property shall comply with all provisions of Riverside County Ordinance No. 348, Article XIIb, Section 12.62 (Specific Development and Performance Standards), except as modified by the conditions of this permit.

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

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

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

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

10.PLANNING. 21 SMP - NO EXPLOSIVES RECOMMND

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

10.PLANNING. 22 SMP - NPDES COMPLIANCE (I) RECOMMND

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

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10. GENERAL CONDITIONS

10.PLANNING. 22 SMP - NPDES COMPLIANCE (I) (cont.) RECOMMND

Plans during the life of this permit.

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

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

10.PLANNING. 24 SMP - SIGNS NEED PERMIT RECOMMND

No signs are approved pursuant to this use. Prior to the installation of any on-site advertising or directional signs, a signing plan shall be submitted to and approved by the Riverside County Planning Department, pursuant to the requirements of Section 18.30.a.(1) of Riverside County Ordinance No. 348 (Plot Plans not subject to the California Environmental Quality Act and not subject to review by any governmental agency other than the Planning Department), and all necessary building permits shall be obtained from the Riverside County Department of Building and Safety.

10.PLANNING. 25 SMP - RESPONSIBLE TO RECLAIM RECOMMND

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

10.PLANNING. 26 SMP - ANNUAL REPORT RECOMMND

During the life of this permit, the permittee shall annually prepare and submit a written report to the County Geologist, demonstrating compliance with all the conditions of approval and mitigation measures required for this SMP No. 129R2 and EA No.42415. This report shall be submitted along with the mine operator's annual mining report and annual inspection application package required for this mine's annual SMARA inspection. This package shall be submitted to the County

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10. GENERAL CONDITIONS

10.PLANNING. 26 SMP - ANNUAL REPORT (cont.) RECOMMND

no later than June 30 of each calendar year.

10.PLANNING. 27 SMP - NO BLASTING ALLOWED RECOMMND

Blasting is not permitted and shall not be conducted at this site.

10.PLANNING. 31 SMP - 90 DAYS TO PROTEST RECOMMND

The project applicant has 90 days from the date of approval of these conditions to protest, in accordance with the procedures set forth in Government Code Section 66020, the imposition of any and all fees, dedications, reservations and/or other exactions imposed on this project as a result of this approval or conditional approval of this project.

10.PLANNING. 33 USE - BUSINESS LICENSING RECOMMND

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

10.PLANNING. 35 SMP - PDA05037 RECOMMND

County Archaeological Report (PDA) No. 5037 submitted for this project (SMP00129R2) was prepared by CRM Tech and is entitled: "Historical/ Archaeological Resources Survey Report Valley Rock and Sand Mine Expansion", dated April 15, 2005.

PDA05037 concludes: One previously recorded prehistoric isolate was not relocated. No other cultural resources were identified.

PDA05037 recommends: No further studies necessary. These documents are herein incorporated as a part of the record for project.

10.PLANNING. 36 SMP - PDP01555 ACCEPTED RECOMMND

County Paleontological Report (PDP) No. 1555, submitted for this case (SMP00129R2), was prepared by CRM Tech, Inc. and is entitled: "Paleontological Resource Assessment Report, Valley Rock and Sand Mine Expansion, near the Community of

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10. GENERAL CONDITIONS

10.PLANNING. 36 SMP - PDP01555 ACCEPTED (cont.)

RECOMMND

Thermal, Riverside County, California", dated April 22, 2005.

PDP01555 concluded:

The results of the present study indicate that the proposed mining operation is not likely to encounter paleontological resources within the surficial, younger Quaternary sediments present on the low-lying portions of the project area. However the project's potential to impact paleontological resources in the Plio-Pleistocene formation present in the elevated northeastern portion of the project area and on the ancient lakebed sediments that may be present at depth in the low-lying portions cannot be determined without visual inspections during mining operations.

PDP01555 recommended:

Periodical monitoring of earth-moving activities in the project is recommended to determine if any fossil-bearing conglomerate or lakebed sediments are being impacted. Should possible fossil-bearing sediments be reached, continuous monitoring of earth-moving activities for paleontological resources will become necessary, along with a program to mitigate impacts to the resources that are unearthed.

PDP01555 satisfies the requirement for a Paleontological Resource Assessment for CEQA purposes. PDP01555 is hereby accepted for SMP00129R2.

10.PLANNING. 37 SMP - SSR00698 UPDATE ACCEPTED

RECOMMND

County Slope Stability Report (SSR) No. 698 was prepared for this project (SMP00129R2) by C.H.J., Inc. and is entitled, "Slope Stability Investigation, Proposed Expansion of West Coast Aggregates Thermal Quarry (SMP 129R2), Thermal Area of Riverside County, California", dated March 18, 2011. In addition, CHJ has submitted the following report:

"Update to Slope Stability Report, Valley Rock and Sand - Thermal Quarry SMP 129R2 (Phases I and 2), Thermal, California", dated February 3, 2017.

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10. GENERAL CONDITIONS

10.PLANNING. 37 SMP - SSR00698 UPDATE ACCEPTED (cont.) RECOMMND

SSR00698 concluded:

- 1.The proposed slope configuration for the proposed quarry expansion area is feasible from a geotechnical standpoint.
- 2.The proposed cut slopes will be adequately stable against gross failure for their intended use.
- 3.The results of our analysis indicate that slopes up to 120 feet tall and configured according to the reclamation plan are suitably stable for the proposed reclamation.

SSR00698 recommended:

- 1.Cut slopes should be constructed no steeper than 2(h):1(v), up to approximately 120 feet in maximum height, and should include setbacks and be constructed in conformance with the 2016 CBC, Appendix J and/or the applicable grading codes.
  - 2.Measures should be provided to prevent surface water from flowing over slope faces.
- SSR No. 698 satisfies the requirement for a slope stability assessment for SMP00129R2. Final approved of SSR No. 698 is hereby granted for SMP00129R2.

10.PLANNING. 38 SMP- MONITOR CLEANUP RECOMMND

Annual mine inspections by the County Department of Building and Safety shall be conducted to monitor storage and cleanup activities in compliance with the approved plan of Operations and reclamation plan.

10.PLANNING. 39 SMP-LAND USE ADJ. GUIDELINES RECOMMND

The project site (Surface Mining Permit No. 129 Revised No. 2) is located within the Coachella Valley Multiple Species Habitat Conservation Plan (CVMSHCP). The proposed 90-acre expansion area is not located within a Conservation Area, but is located adjacent to the Mecca Hills/Orocopia Mountains Conservation Area. Therefore, the proposed expansion is subject to the CVMSHCP Land Use Adjacency Guidelines (CVMSHCP Section 4.5). The purpose of the Land Use Adjacency Guidelines is to avoid or minimize indirect effects from development adjacent to the Conservation

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## 10. GENERAL CONDITIONS

10.PLANNING. 39

SMP-LAND USE ADJ. GUIDELINES (cont.)

RECOMMND

Areas. A general information condition has been applied to the project by the County of Riverside requiring the project to comply with the Land Use Adjacency Guidelines.

### 4.5.1 Drainage

Proposed Development adjacent to or within a Conservation Area shall incorporate plans to ensure that the quantity and quality of runoff discharged to the adjacent Conservation Area is not altered in an adverse way when compared with existing conditions. Stormwater systems shall be designed to prevent the release of toxins, chemicals, petroleum products, exotic plant materials or other elements that might degrade or harm biological resources or ecosystem processes within the adjacent Conservation Area.

### 4.5.2 Toxics

Land uses proposed adjacent to or within a Conservation Area that use chemicals or generate bioproducts such as manure that are potentially toxic or may adversely affect wildlife and plant species, Habitat, or water quality shall incorporate measures to ensure that application of such chemicals does not result in any discharge to the adjacent Conservation Area.

### 4.5.3 Lighting

For proposed Development adjacent to or within a Conservation Area, lighting shall be shielded and directed toward the developed area. Landscape shielding or other appropriate methods shall be incorporated in project designs to minimize the effects of lighting adjacent to or within the adjacent Conservation Area in accordance with the guidelines to be included in the Implementation Manual.

### 4.5.4 Noise

Proposed Development adjacent to or within a Conservation Area that generates noise in excess of 75 dBA Leq hourly shall incorporate setbacks, berms, or walls, as appropriate, to minimize the effects of noise on the adjacent Conservation Area in accordance with the guidelines to be included in the Implementation Manual.

### 4.5.5 Invasives

Invasive, non-native plant species shall not be incorporated in the landscape for land uses adjacent to or within a Conservation Area. Landscape treatments within or adjacent to a Conservation Area shall incorporate native

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10. GENERAL CONDITIONS

10.PLANNING. 39 SMP-LAND USE ADJ. GUIDELINES (cont.) (cont.) RECOMMND

plant materials to the maximum extent Feasible; recommended native species are listed in Table 4-112. The plants listed in Table 4-113 shall not be used within or adjacent to a Conservation Area. This list may be amended from time to time through a Minor Amendment with Wildlife Agency Concurrence.

4.5.6 Barriers

Land uses adjacent to or within a Conservation Area shall incorporate barriers in individual project designs to minimize unauthorized public access, domestic animal predation, illegal trespass, or dumping in a Conservation Area. Such barriers may include native landscaping, rocks/boulders, fencing, walls and/or signage.

4.5.7 Grading/Land Development

Manufactured slopes associated with site Development shall not extend into adjacent land in a Conservation Area.

10.PLANNING. 40 SMP- AQ MITIGATION MEASURE RECOMMND

If mining exceeds 324,000 tons/year of 90% of the maximum 360,000 tons/year, then the operator shall be required to utilize a loader or a haul truck rated at Tier 4 or Tier 4 Interim emission standards.

10.PLANNING. 41 SMP- HAZ MIT MEASURE RECOMMND

All onsite generated waste oil will be stored in appropriate containers and disposed at an offsite permitted facility by properly trained and licensed personnel. The Plan of Operations and Reclamation Plan include provisions for the removal of all equipment following termination of mining operations.

TRANS DEPARTMENT

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

With respect to the conditions of approval for the referenced exhibit, the Transportation Department recommends that the applicant provide the following street improvements, street improvement plans and/or road dedications in accordance with Ordinance 460 and Riverside County Road Improvement Standards (Ordinance 461). It is understood that the exhibit correctly shows all existing

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10. GENERAL CONDITIONS

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

easements, traveled ways, and drainage courses with appropriate Q's, and that their omission or unacceptability may require the map to be resubmitted for further consideration. These Ordinances and all conditions are essential parts and a requirement occurring in ONE is as binding as though occurring in all. All questions regarding the true meaning of the conditions shall be referred to the Transportation Department.

10.TRANS. 2 USE - WEIGHT LIMITS RECOMMND

No load exceeding maximum legal weight limits shall be permitted over the Airport Boulevard bridge at the Coachella Valley Water District (CVWD) canal.

20. PRIOR TO A CERTAIN DATE

E HEALTH DEPARTMENT

20.E HEALTH. 1 USE - HAZMAT BUS PLAN RECOMMND

PRIOR TO BOARD OF SUPERVISOR APPROVAL OF THIS PLANNING CASE, the facility will require a business emergency plan for the storage of hazardous materials greater than 55 gallons, 200 cubic feet or 500 pounds, or any acutely hazardous materials or extremely hazardous substances. Please contact HazMat at (760) 863-8976 for further information.

PLANNING DEPARTMENT

20.PLANNING. 2 SMP- LIFE OF PERMIT RECOMMND

This permit shall become null and void December 31, 2042 [twenty (20) years of mining and 5 years for revegetation monitoring].

Extensions of time to the life of this permit shall require submission of a revised permit application in accordance with Riverside County's Ordinance No. 555.