

APPLICATION FOR M-3 PERMIT

In Zone M-3 (Regulated Industrial)

CASE No.

As Provided by Article III of the Zoning Ordinance

404

ORDINANCE No. 348

COUNTY OF RIVERSIDE, CALIFORNIA

TO THE RIVERSIDE COUNTY PLANNING COMMISSION:

Name of Applicant Livingston Rock & Gravel Co., Inc., a corporation
11382 East Live Oak Avenue, Arcadia, California

Use Applied for Rock Crusher and Quarry
(State proposed use as listed in Art. III of Ordinance No. 348)

Legal Description of Property In the County of Riverside, State of California,
(Give exact legal description as recorded in the office of the County Recorder)

more particularly described as follows:

Situated approximately 3/4 of a mile south of Cajalco Road and 3/4 of
(Give general location by street address, street boundaries, district, etc.)
a mile east of Highway 71, southeast of Corona, California

STATE OF CALIFORNIA, } ss.
COUNTY OF RIVERSIDE, }

I, H. M. DOUGHERTY, attorney for applicant, being first duly sworn, depose and say that the foregoing statement and answers therein contained are in all respects true and correct to the best of my knowledge and belief.

Signed *H. M. Dougherty*
H. M. DOUGHERTY

Phone No. OV 3-4242 3797 Tenth St., Riverside, California
(Address)

Subscribed and sworn to before me this 8th day of January, 1954
Lewis F. Johnson
(Notary Public)

STATE OF CALIFORNIA, } ss.
COUNTY OF RIVERSIDE, }

I, LEILAMAE HARLOW, being first duly sworn, depose and say that I am the owner of the property involved in this application and that such application is being made with my full knowledge and permission.

Signed *Leilamae Harlow*
Leilamae Harlow
(Applicant)

Phone No. 214-1415

Subscribed and sworn to before me this 8th day of January, 1954
Lewis F. Johnson
(Notary Public)

WOF 113966

February 5, 1959.

The Honorable Board of Supervisors
Court House
Riverside, California

SUBJECT: M-3 Case No. 404
Livingston Rock and Gravel Co.
Rock Crusher and Quarry
Temescal Canyon Area

First Supervisorial District

Gentlemen:

The Planning Commission respectfully recommends that your honorable Board adopt an order granting an M-3 Permit to Livingston Rock and Gravel Co., 11382 East Live Oak Avenue, Arcadia, California (a/o Svarner, Fitzgerald & Dougherty, 3797 Tenth Street, Riverside, California), to establish, operate and maintain a rock crusher and quarry on property located easterly from A. T. & S.F. Railroad right of way, approximately 1/2 mile southerly from Cajalco Road and approximately 3/4 mile easterly from State Highway No. 71, in the Temescal Canyon Area, in the unincorporated territory of Riverside County, California, and more particularly described in the application, copy of which is attached, subject to the following conditions:

1. That the operations permitted hereby be conducted within the area shown on plot plan marked Exhibit "A" on file with M-3 Case No. 404 in the office of the Riverside County Planning Commission.
2. That quarrying and crushing operations permitted hereby be set back not less than fifty (50) feet from all exterior boundaries of the property shown on said Exhibit "A".
3. That the access roadway be graded and gravelled so as to prevent undue dust arising therefrom.

4. That the rules and regulations of the Riverside County Air Pollution Control District be complied with. It will be necessary to secure a permit to construct and operate or use for all equipment, the use of which may cause the issuance of air contaminants, or the use of which may eliminate or reduce or control the issuance of air contaminants. Permit must be obtained prior to commencing of construction.
5. That in the event any of the operations permitted hereby by reason of atmospheric or other conditions are found by the Riverside County Health Department to be a nuisance or detrimental to the welfare of the residents of the area, the operations causing such nuisance shall cease and shall not again be commenced until permission is given by said Health Department.
6. That prior to construction of the plant contemplated by this permit, plans and specifications for such plant be submitted to and approved by the Riverside County Planning Commission as to conformance with the conditions, rules and standards set forth herein.
7. That operations permitted hereby shall not interfere with any water course or drainage channel, and further, that such operations be approved by the Chief Engineer of the Riverside County Flood Control and Water Conservation District.
8. That at the termination of any operations permitted hereby, the land be left in a neat and orderly condition, the bottom of any pit or pits levelled, shoulders of such pit or pits rounded off with no slope remaining greater than 2 feet horizontally to 1 foot vertically and that the entire premises be left free from stock piles or other residual material.

(The above condition does not apply to vertical face quarrying operations not below the level of the railroad right of way.)

Pursuant to Article III of Ordinance No. 348, Riverside County Zoning Ordinance, a public hearing was held before the Riverside County Planning Commission on Tuesday, January 27, 1959. A summary of testimony presented is attached.

After consideration of all the data and testimony presented, the Commission determined that a quarry and rock crushing operation at the location under consideration under the conditions herein set forth will not endanger the public health and safety or conflict with or be adverse to the general welfare.

It was therefore regularly moved and unanimously carried at the regular meeting of the Commission held on January 27, 1959 that the recommendation of the Planning Commission be transmitted to your honorable Board for final action.

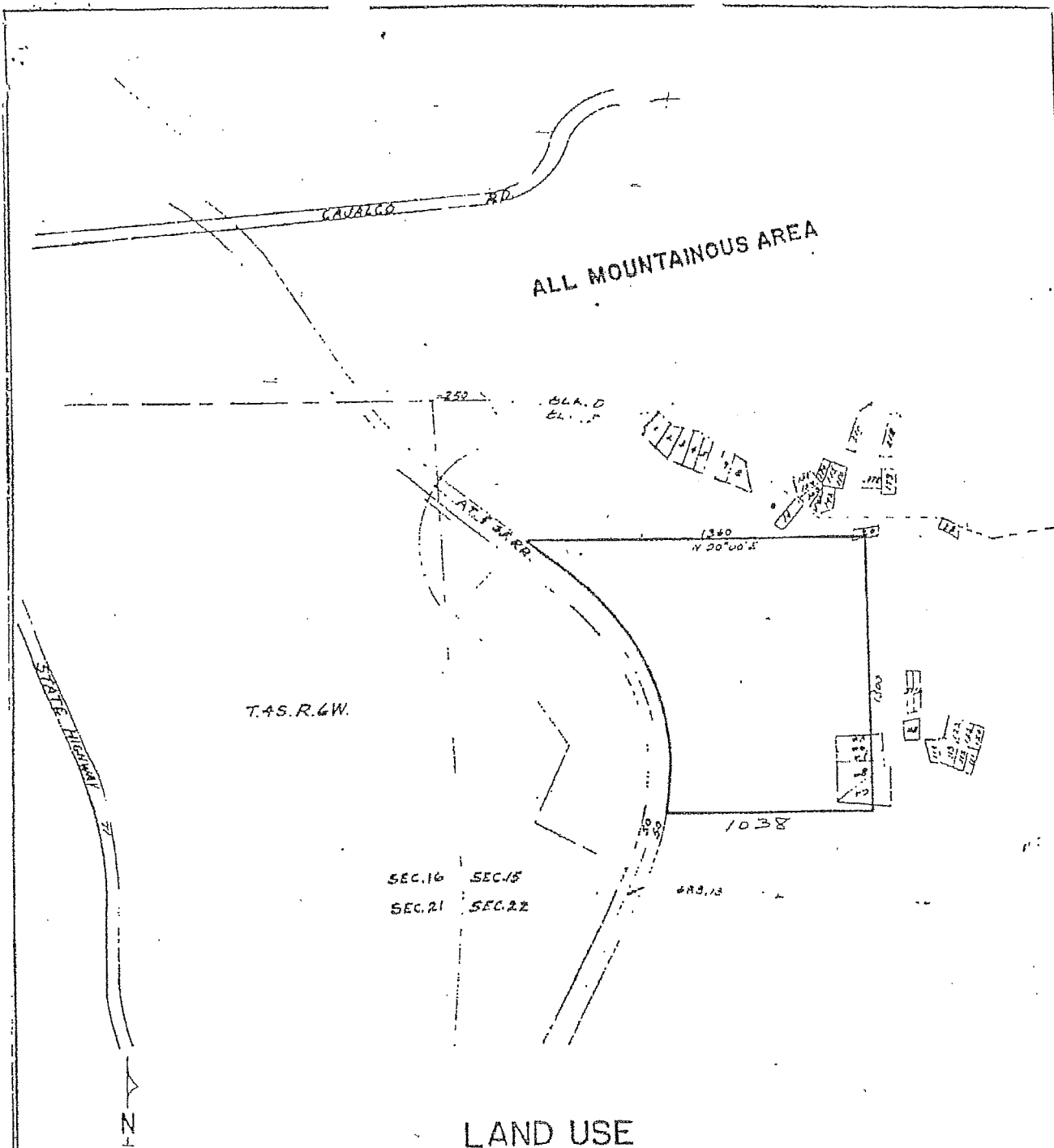
Respectfully submitted,

RIVERSIDE COUNTY PLANNING COMMISSION

Tyler Buss - Planning Director

TS:hc
Encls.
Appl, Sketch, Legal, Summary

cc: Supervisor Jones



LAND USE

M-3 CASE NO. 404

LIVINGSTON ROCK & GRAVEL ROCK CRUSHER & QUARRY TEMESCAL CANYON
 APPLICANT USE AREA OR DISTRICT

THE RIVERSIDE COUNTY PLANNING COMMISSION



PAUL HUBBS CONSTRUCTION CO.

GENERAL ENGINEERING CONTRACTOR - RIP RAP, "RIVERS AND HARBORS"



140 WEST VALLEY BLVD · RIALTO, CALIFORNIA 92376

TELEPHONE (714) 877-2726

April 9, 1970

Riverside County Planning Commission
4080 Lemon Street Room 101
Riverside, California

Gentlemen:

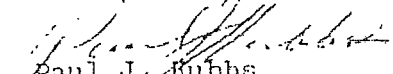
Enclosed is our application for conditional use permit.

The nature of the proposed use of this permit is for the construction of a rock crushing and screening plant and of the construction of an asphalt plant for the purpose of producing, base materials, asphalt aggregates and asphalt paving materials for commercial sales.

Hoping the above meets with your approval.

Very truly yours,

PAUL HUBBS CONSTRUCTION CO.


Paul J. Hubbs
Owner

PJH:hm

Encl.

APPLICATION FOR

CASE NO. _____

CONDITIONAL USE PERMIT

As Provided by ORDINANCE NO. 348 (Zoning Ordinance)

COUNTY OF RIVERSIDE, CALIFORNIA

TO THE RIVERSIDE COUNTY PLANNING COMMISSION:

Name of Applicant PAUL HUBBS CONSTRUCTION CO.

Use Applied for ROCK CRUSHING & ASPHALT PLANT
(State fully proposed use of property)

Legal Description of Property
(Give exact legal description as recorded in the office of the County Recorder)

All that portion of the southwest quarter of section 15, township
4, south, range 6 west, San Bernardino Base & Meridian, as shown
by sectionized survey of the Rancho El Sobrante de San Jacinto or 2^{da}
in Book 1, Page 6 of Maps, Records of San Bernardino County, California
Being also shown on assessor's map #51 in the office of the assessor of
Riverside County.

Situated That portion of the Catalco Ranch located on the south side of
(Give general location by street address, street boundaries, district, etc.)

Catalco Road and east of the Santa Fe Railway.

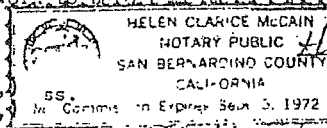
STATE OF CALIFORNIA,) ss.
COUNTY OF ~~RIVERSIDE~~)
San Bernardino

I, Paul J. Hubbs, owner Paul Hubbs Construction Co., being first duly sworn,
depose and say that the foregoing statement and answers therein contained are in all
respects true and correct to the best of my knowledge and belief.

Signed *Paul J. Hubbs*
Paul J. Hubbs
140 W. Valley Blvd. Rialto, California
(Address)

Phone No. (714) 877-2725

Subscribed and sworn to before me this _____ day of April, 19 70


Helen Clarice McCain
Helen Clarice McCain
(Notary Public)

STATE OF CALIFORNIA,)
COUNTY OF RIVERSIDE,)

I, _____, being first duly sworn,
depose and say that I am the owner of the property involved in this application and
that such application is being made with my full knowledge and permission.

Signed _____

Phone No. _____

(Address) _____

Subscribed and sworn to before me this _____ day of _____, 19 _____

(Notary Public)

CONDITIONAL USE CASE NO. 1146
Paul Hobbs Construction Company
Rock Crushing-Asphalt Plant
Zone W-2
El Cerrito District
First Supervisorial District

HEARING BOARD CONDITIONS
May 13, 1970

1. The operations permitted hereby be conducted within the area shown on plot plan marked Exhibit "A" on file with Conditional Use Case No. 1146 in the office of the Riverside County Planning Commission.
2. Quarrying, crushing and asphalt plant operations shall be set back not less than fifty (50) feet from all exterior boundaries of the property shown on said Exhibit "A". No blasting shall be permitted. The asphalt plant shall be set back an additional 1/4 mile from Cajalco Road.
3. Access to the site shall be limited to that as shown on Exhibit "A" on file and shall be suitably surfaced with 2 1/2 feet of asphaltic penetration oil followed in six months by an application of an asphaltic seal coat. If access other than that shown on said Exhibit "A" is desired by the applicant, said new access shall be subject to approval by the Planning Commission after public hearing.
4. Prior to the issuance of a building permit or prior to any use contemplated by this approval, the applicant shall first obtain permits and/or clearance from the following public agencies:

Air Pollution Control District
State Water Quality Control Bd. No. 8

State Division of Forestry
State Division of Highways

Written evidence of said permit or clearance from the above agencies shall be presented to the Land Use Division of the Department of Building and Safety at the time of the issuance of a building permit for the use contemplated hereunder.

5. The rules and regulations of the Riverside County Air Pollution Control District shall be complied with. The permittee shall secure a permit to construct and operate or use all equipment, the use of which may cause the emission of air contaminants, or the use of which may eliminate or reduce or control the emission of air contaminants. Said permit shall be obtained prior to commencing construction.
6. In the event any of the operations permitted hereby by reason of atmospheric or other conditions are found by the Riverside County Health Department to be a nuisance or detrimental to the welfare of the residents of the area, the operations causing such nuisance shall cease and shall not again be commenced until permission is given by said Health Department.
7. In the event the use permitted hereby ceases operation for a period of two years or more this permit shall become null and void.
8. At the termination of any operations permitted hereby, the land shall be left in a neat and orderly condition, and that the entire premises be left free from stock piles or other residual material.

RECEIVED
JUN 3 1970

RIVERSIDE COUNTY
PLANNING COMMISSION

9. The applicant shall file with the Land Use Division of the Riverside County Department of Building and Safety and have in force at all times in the amount of \$100,000 covering each person, \$500,000 covering each accident involving bodily injury and \$50,000 property damage.
10. This permit shall terminate on June 1, 1990.
11. The applicant, prior to any operation or development work shall obtain clearance from the State Division of Forestry with reference to the following:
 - (a) Burning permit and fire use requirements.
 - (b) Arrange for an inspection of Batch Plant in reference to chimneys and burners and the possibility of spark or fire emission.
 - (c) Equipment inspection regarding operation in hazardous fire areas.
12. This permit shall be used within 365 days of its effective date of approval, otherwise it shall become null and void and of no force or effect whatsoever.

AGREEMENT

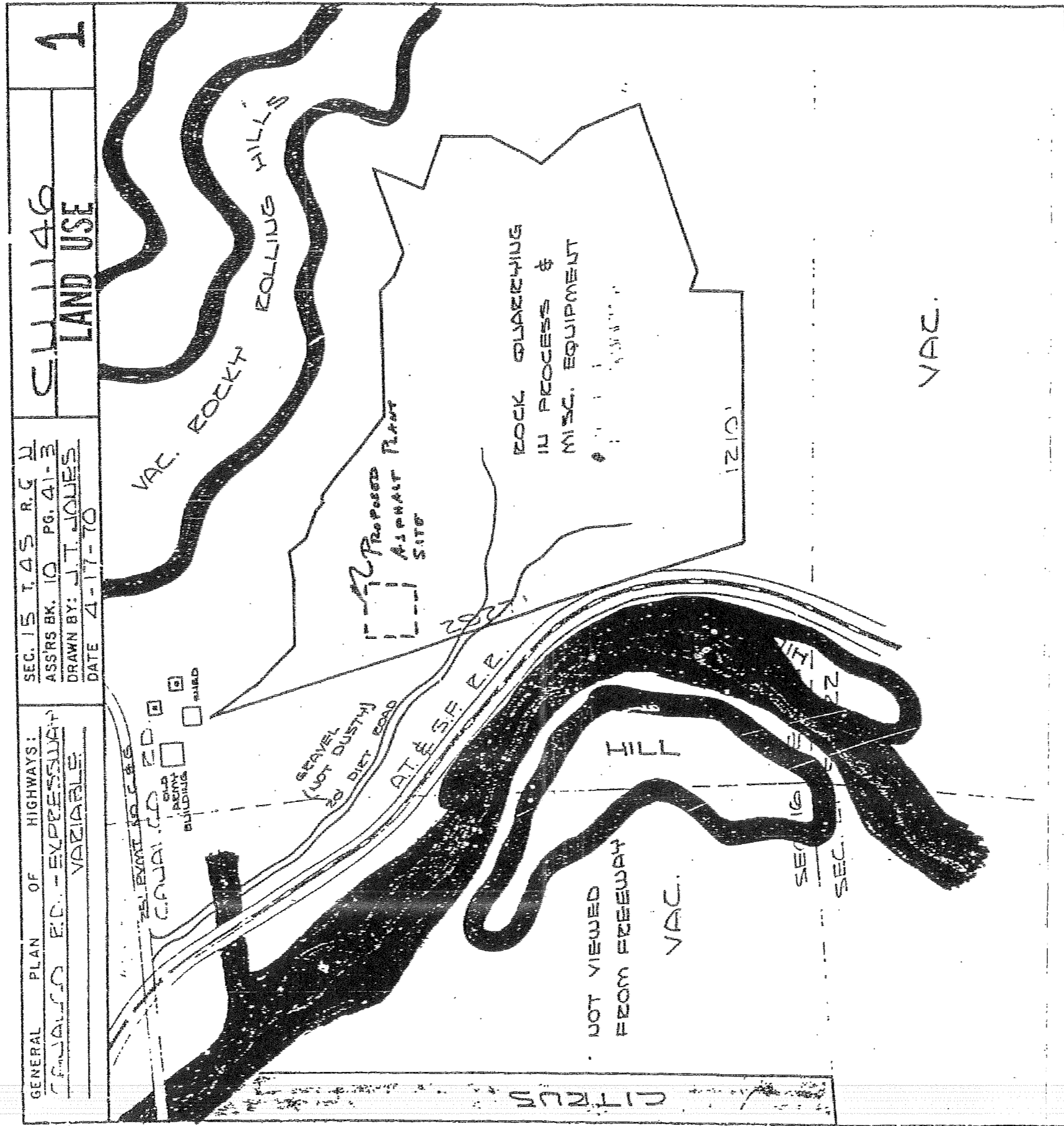
I accept and agree, prior to use of this permit or approval, to comply with all of the conditions set forth, and understand that the Office of Building and Safety will not issue a Building Permit, or allow occupancy on the use permitted until this signed confirmation, in quadruplicate, has been received by the Planning Commission.


Date _____

Applicant's Signature _____

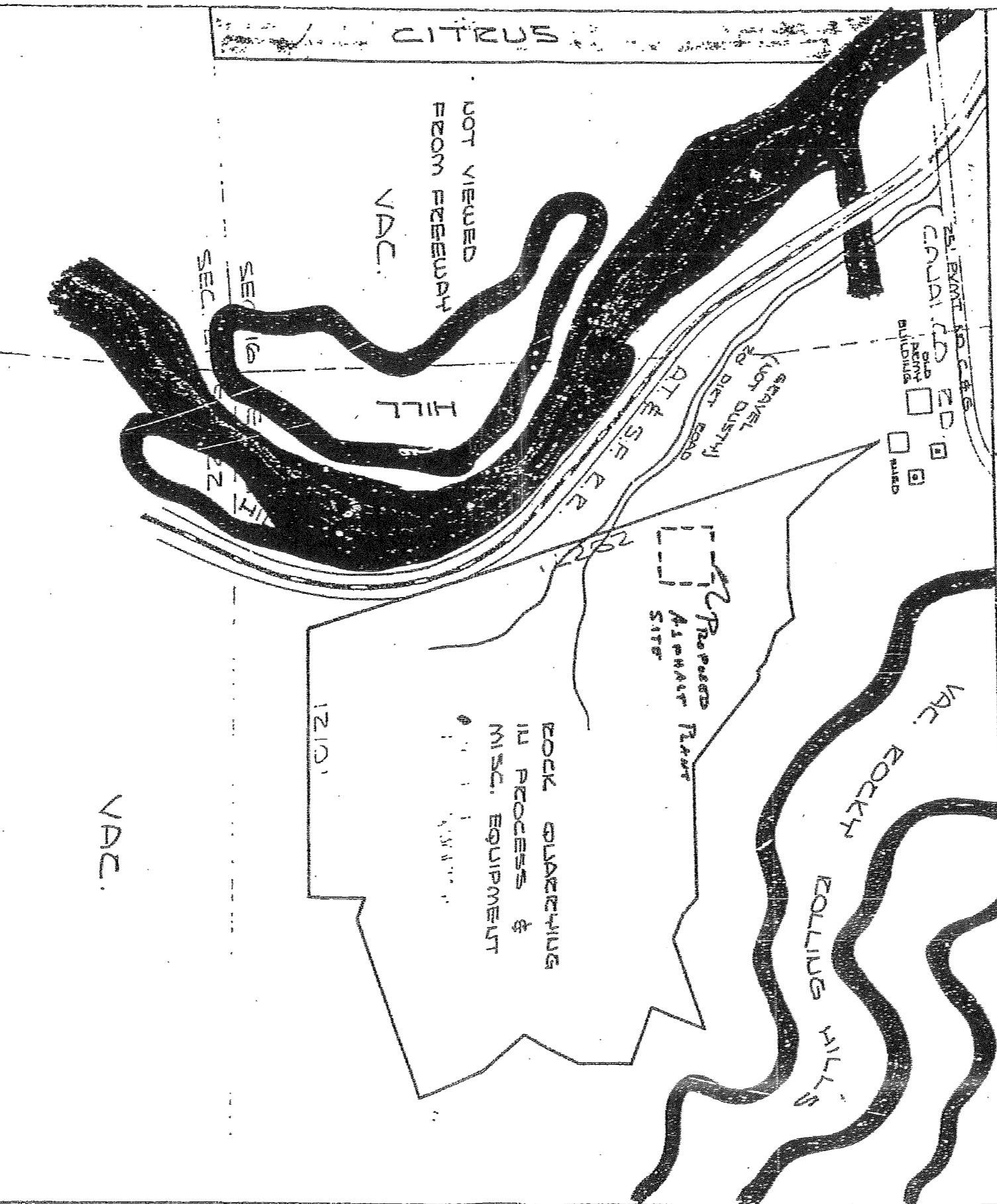
Date June 1, 1970

Owner's Signature *[Handwritten Signature]*



 400 800 SCALE	HUBBS CONSTR. CO. APPLICANT	ROCK CRUSHING PLANT USE	EL TERRITO AREA
RIVERSIDE	COUNTY	PLANNING	COMMISSION

GENERAL PLAN OF HIGHWAYS: CALIFORNIA EXPRESSES VARIABLES	SEC. 15 T. 4 S. R. 6 W. ASSRS BK. 10 Pg. 41-3 DRAWN BY: J.T. JONES DATE 4-17-70	CULI 1146 LAND USE	1
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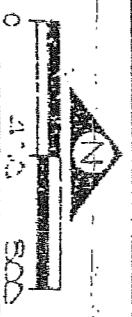
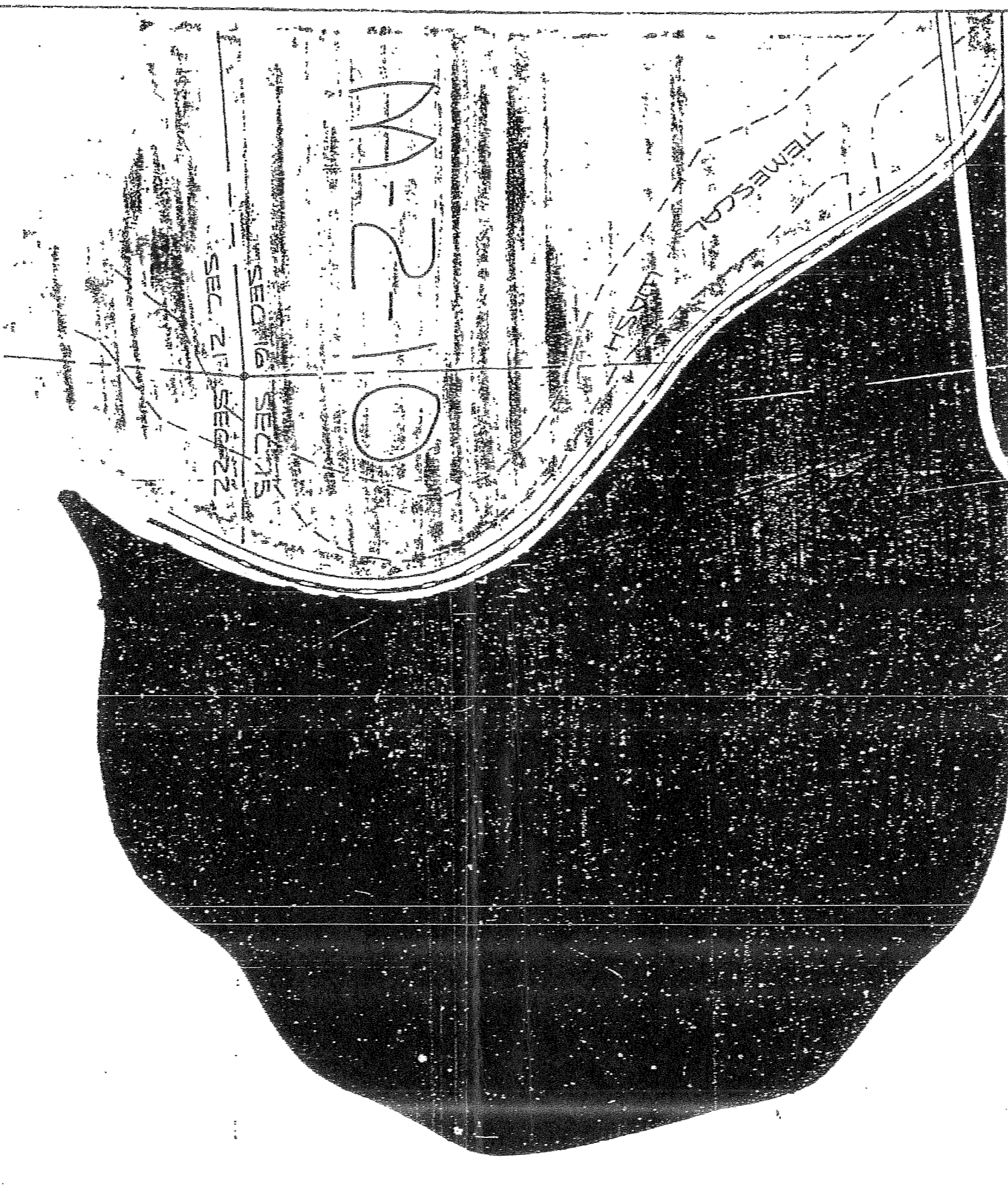
<p>400' 800'</p>	HUBBS CONSTR. CO. APPLICANT	ROCK QUARRYING PLANT USE	EL CERRITO AREA
RIVERSIDE	COUNTY	PLANNING	COMMISSION

GENERAL PLAN OF HIGHWAYS:
SANTA FE EXPRESSWAY
VARIABLE

SEC. 15 T. 45 R. 6 W.
ASSRS BK. 10 PG. 21-3
DRAWN BY: J.T. JONES
DATE 4-17-70

C111146
EXISTING ZONING

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HUBBS CONSTR. CO.
APPLICANT
RIVERSIDE

EDGE CRUSHING PLANT
USE
COUNTY PLANNING

EL CAPITAN
AREA
COMMISSION

S2 SEC 15 T4S R6W
RO. EL SOBRANTE DE
SAM. JACINTO
ASSESSOR'S MAP NO. 51.
SHEET No. 3

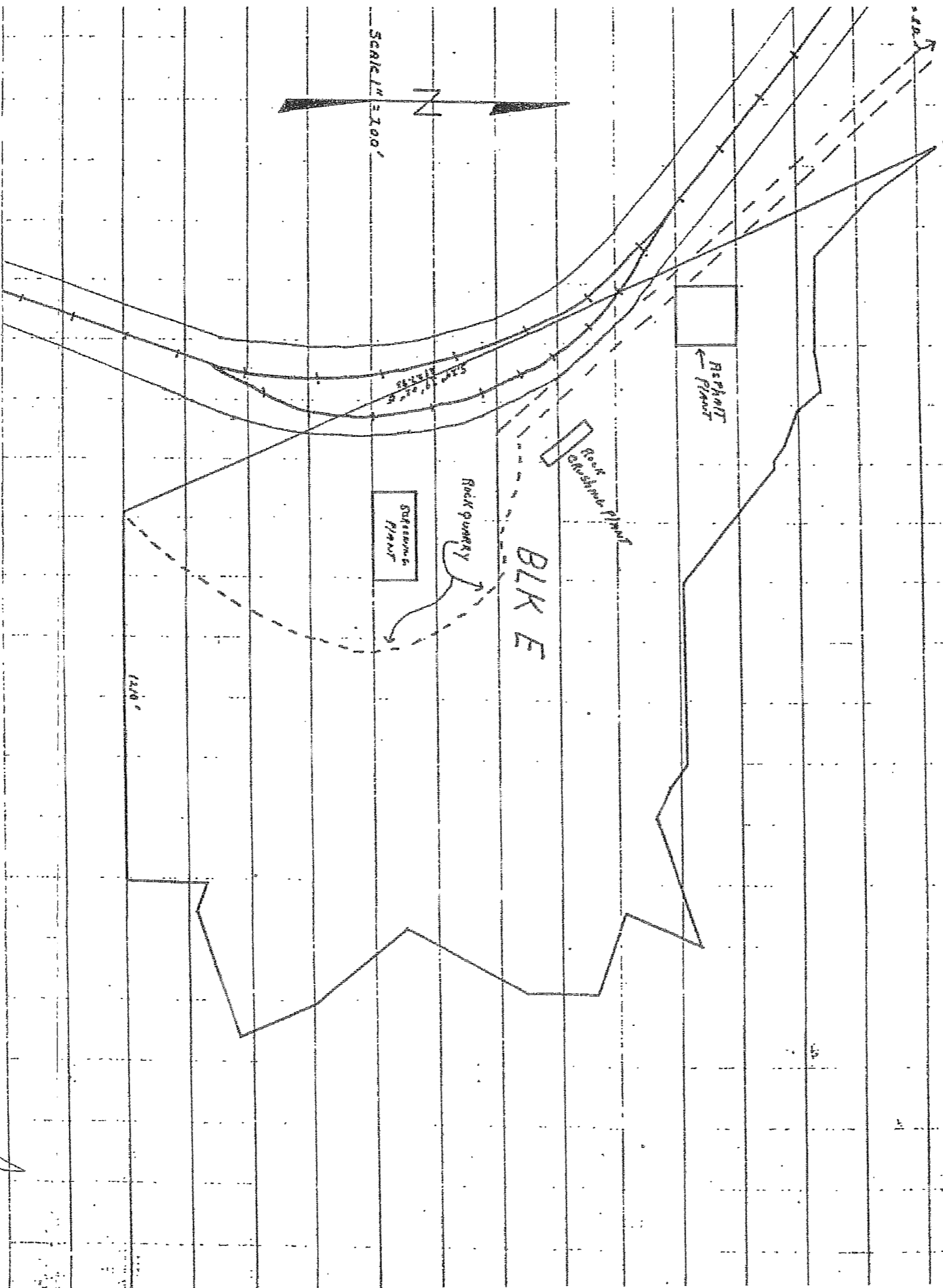


EXHIBIT NO. 4
CASE NO. 776
CV 1146

U.S. GEOLOGICAL SURVEY
WASHINGTON, D.C. 20508

U.S. GEOLOGICAL SURVEY
WASHINGTON, D.C. 20508

ROUTE TO Reclamation Plan 118

DATE 4-2-82

BH

PROJECT DESCRIPTION:

SIGNED BY: *Geo. P. Conner*

CD

RA. Description of Mineral Commodity:

Reclamation Plan # 118

NI

The Mining operations being evaluated in this report have been in operation since at least the mid 1950's. Figure I shows the location of the property. The whole region along Temescal Creek has been mined for nonmetallic mineral commodities since the turn of the century. These commodities include sand and gravel, clay and rock.

HS

EA

BJ

The primary mining activity on the property is an open pit rock quarry called Harlow Quarry. (See Figure 2) Granitic and metamorphic type rock of varying character is quarried and used for a variety of purposes, primarily for flood control projects. The operating area of the quarry consists of a number of benches and working faces (quarry walls) that encompass approximately 20 acres. See the attached maps for location and topography of the quarry area.

A secondary mining operation is located at the north end of this property and is included within this operation and reclamation planning area. A thick bed of high quality clay (apparently a small outcrop of Silverado formation commercial quality clay) forms the top of a small hill at the north edge of the property. A small open pit clay mining operation has been developed in this deposit. It has been operated intermittently in the past and current plans call for similar operation in the future.

B. General Geology and Deposits Being Mined:

The project area is located in a complex geologic area southeast of the City of Corona. The primary references used in compiling the geologic information for the site are: "Geology of the Corona South Quadrangle and Santa Ana Narrows Area: Riverside, Orange and San Bernardino, California", California Division of Mines, Bulletin 178; and an unpublished Masters Thesis (Pomona College) by Pampeyan, "Geology of the Cajalco Area, Riverside County, California."

The mining operation lies in a transition zone between sedimentary deposits of the easternmost portion of the Los Angeles Basin and the igneous Southern California batholith as expressed by the Northwestern peninsular ranges (the Gavilan), otherwise noted as the Ferris Block.

The local geology is dominated by the presence of the following features: The Santa Ana Mountain anticline, the Arena Blanca syncline and the Elsinore fault zone (the latter two features comprise the Corona-Elsinore Trough) to the west of the site; Temescal Creek and wash are adjacent to the site on the west and the Ferris Block (Cajalco Bench) underlies the whole site.

Project Description

D. 19

From an historic geologic perspective, the region traces its origin to the late Jurassic or early Cretaceous igneous intrusions that ultimately produced the Southern California batholith. These igneous rocks were emplaced into older marine sediments (Bedford Canyon formation) existing in the area at that time. Since then, sedimentary deposits from both the east and west have filled the Corona Elsinore trough. At certain times sediments have been deposited on the western edge of the Perris Block.

6.0 *Embry*
During that period since the batholithe emplantation, the region has undergone an episode of folding (apparently compressional in origin) that resulted in the formation of the Santa Ana Mountain anticline and the Arena Blanca Syncline. Subsequent uplift created the mountains. The Elsinore fault zone (active into recent time) has contributed to the evolution of the Corona Elsinore trough which is apparently an erosional feature with Temescal Creek wash representing the most recent geologic feature. Evidence suggests that it is a superimposed stream that has eroded a steep face primarily in basement rock (igneous) where the sedimentary and basement complex are in contact at the surface.

On the project site the major rock quarry has been developed in the igneous basement complex. Based on field evaluation the quarry is located in the Temescal Wash Quartz Latite Porphyry, with altered and unaltered Bedford Canyon sediments adjacent. The quarry exposes geologic material of all types, including zones of metasedimentary alteration. The existing quarry operation is shown in the maps.

The clay deposit is a small outlier of the Silverado Formation, a Paleocene sediment series which contains red clays of economic importance. On the property the deposit occupies a limited portion of a ridge at the northern end of the property. This deposit is not large and appears to occupy an area small than 10 acres. The existing clay quarry is shown in Figure 2.

C. The following is a limited description of the natural environmental and land use characteristics for the project site and adjacent area:

0 road
1. Geology. See Section B above for a description of historical structural and lithologic characteristics of the site. The site topography (See Figure 2) is highly varied and includes substantial man made modification due to quarrying operations. The west portion of the site is essentially flat since it is located in the Temescal Creek channel and flood plain. Recent Alluvial deposits cover this whole area. Moving east from the flood plain, the site enters the low hills that form the western edge of the Perris Block. Portions of this igneous bedrock are overlain by both Bedford Canyon metasedimentary sediments and the Silverado formation. The topography in this area has been altered by quarrying activity and consists of roads, road cuts, quarry benches and quarry walls (vertical). Elevations rise from approximately 850 feet to 1000 feet just above the highest quarry face. Vertical faces as high as 80 feet are located in the quarry.

The rest of the site is located north and west of the quarry. It consists of rolling hills sloping from south to the west and north. Highest elevation is located at the southern boundary at 1250 feet and lowest elevation is approximately 800 feet located at the northwestern boundary of the site.

2. Hydrology. With the exception of Temescal Creek, the site does not contain any permanent surface water. During prolonged or intense precipitation, the dry stream channels shown in Figure 2 on the ridge does carry concentrated flow (streams) which run off directly into Temescal Creek. Two large channels release stream flow into the quarry area. It flows across bedrock and quarry debris into Temescal wash. Runoff from the rest of the quarry flows as sheetwash or small streams into the creek. Runoff from the northern portion of the site flows generally to Cajalco Road land and from there to Temescal Creek.

Temescal Creek has flowed year round for the past few years, but in the past it was an intermittent or ephemeral stream. Approximately 20 creeks in 3 distinct sub basins (including Elsinore Lake) contribute flow to Temescal Creek above its entry onto the property. Water quality in Temescal Creek varies with the volume of flow. When high flows occur due to precipitation, the sediment load and total dissolved solids (TDS) rise significantly. After flood flows recede the sediment load is minor and TDS ranges from 165 to 245 parts per million. (Data in this section is taken from "Santa Ana River Basin, Water Quality Control Plan Report, Part 1, Vol 1, 1975). No recent surface water quality data is available.

A well on the property (adjacent to Temescal Creek) provides all water required for operations. The occurrence of groundwater on the rest of the site (away from the creek) is not known but the probability is low (at any reasonable depth) due to the impermeable underlying bedrock. The nearest well data indicates high TDS in the groundwater (945PPM). Calcium is the major cation and carbonates and sulfates are the major anions.

3. Soils. Data on soils are obtained from sheet No. 82 of the "Western Riverside Area, California; Soil Survey", November 1971. The majority of the natural soil on undisturbed parts of the site are capability VII soils, i.e., incapable of agriculture and generally shallow and poor quality soils. The soils found on the property include: Rough broken land; Cortina cobbly Loamy sand; Lodo rocky loam (25 50% slopes); and Temescal rocky loam. See Appendix B for detailed soil descriptions. Although generally poor quality soils from an agricultural standpoint, these soils support a typical mixed inland sage scrub climax vegetation community and some chapparral in higher locations. These soils are subject to severe erosion due to shallow soil profiles and steep slopes. Soils on the property do not have sufficient depth to warrant stockpiling the top soil. The areas already quarried and disturbed have had all soil removed and the remaining material is either rock out crops or weathered parent material.

02 167 70

P. 8
Soils

9.0
4. Vegetation. The quarry sites are devoid of vegetation due to benching and quarrying operations. Within the property area designated for future expansion, the plant community consists of a typical natural brushland composed of inland sage scrub and mixed chaparral. Portions of the brushland are disturbed as a result of horseback riding trails established throughout the local area. Typical plant species found in the local area include: California buckwheat (*Eriogonum fasciculatum*), sagebrush (*Artemisia californica*), chamise (*Adenostoma fasciculatum*), and ceanothus (*Ceanothus* spp).

and Use 9.0
5. Land Use. The project site has had approximately one third of its area altered by quarrying or quarry related land uses. Existing facilities and uses onsite include: graded access roads; abandoned railroad line; storage and working quarry areas; office, repair and scale area; and an abandoned conveyor belt system. The adjacent land uses (see Figure 2) include: to the west are open space and flood control areas in Temescal Wash, an abandoned sand and gravel dredging operation, abandoned reservoir ponds, citrus orchards, abandoned farm land, and an industrial storage area; to the south are abandoned ponds, more wash area, and open space on the major ridge into which the largest quarry face is cut; to the north are dirt roads, horse trails, used for recreation a few residences located adjacent to Cajalco road and disturbed open space; and to the east is more disturbed open space used primarily for equestrian recreation and hunting.

Proposed Operation:

Info
A. Quarry operations began in the 1950's and they have been conducted continuously since that time. Based on existing rules and regulations the operators have had a vested right of operations since 1976. The owner proposes to reclaim the whole quarry site at the end of operations since areas mined prior to 1976 are integrally tied to current operations. Clay mining operations have been conducted at a low volume of removal since the 1960's. Reclamation of this area will include the whole operation for the same reason described above.

B. The projected operational lifetime for both quarries is 20 years. For the rock quarry this time frame is based on the mine site boundaries as currently configured. The rock resource adjacent to the quarry could extend the operational lifetime if incorporated, but no plans presently exist to do this. If such action is contemplated at a later date the mining plan will be amended. For the clay mining operation it is estimated that the total clay resource will be exhausted (on the property) by the end of 20 years. This is based upon projected mining rate of 5,000 tons per year (TPY).

C. Mining method. Multibench for the rock quarry and clay operations.

C. 1.0-2.0
D. Type of mining operation: Rock quarry continuous; Clay quarry intermittent.

E. 1. Tonnage of mined material:

Rock quarry: est 75,000 TPY of rock

Clay mine: est 5,000 TPY of clay

2. Tonnage of waste overburden:

Rock Quarry: Minimal amount of overburden since almost all material will be used for construction operations. Est. 10,000 TPY.

Clay Quarry: Minimal amount of overburden due to the surface location of the formation being mined. Overburden estimate of 1,000 TPY maximum, with most being consumed in the rock quarry operation.

3. Total Tonnage to be Handled:

Rock Quarry: 85,000 TPY

Clay Quarry: 6,000 TPY

F. Maximum Anticipated Depth: Operations at both the rock and clay quarries are surface mining operations that are not anticipated to become open pit in character. Although not extending below the surface, the quarry will have walls that will result in a vertical relief of approximately 100 to 150 feet after 20 years at the rock quarry and approximately 50 feet in the clay quarry.

G. No processing, except size segregation of rocks, will be conducted at either operation.

80
H. Current water consumption for the rock quarry operation is estimated at about 5,000 gallons per day. This is used almost exclusively for dust control of quarry operations and transport of the rock. The clay operation is expected to consume only minimal amounts of water (1,000 GPD of operations or less) for dust control. All water is obtained from the existing well onsite.

20
Mining Plan:

A. The progression of mining for the rock quarry is shown in Figures 3-7. Five year increments are shown on the cross sections contained in Figures 7A-7D. These 5 year increments show those areas of the quarry anticipated to be mined at a rate 75,000 TPY during each period. Figure 7 shows the final contours at the end of 20 years of operations. Figure 8-11 shows the equivalent progression of mining for the clay quarry. Figures 12 and 13 show the cross sections for the clay mine.

B. ~~As previously indicated, mining has been conducted at both locations for many years. Because it is operated continuously, substantial equipment is located at the rock quarry. At the clay mine, which is operated intermittently, mining equipment is brought to the site as needed.~~

C. Refer to Figures 1 11 for maps containing the features and information requested in Items C.1. through C 5.

Reclamation Plan:

A. Refer to Figures 7A 7D, 12 and 13 for cross sections of the mine in its final form.

B. The area to be reclaimed at the rock quarry is shown in Figure 7. Approximately 50 60 acres will be reclaimed. The area to be reclaimed at the clay mine is shown in Figure 11. Approximately ten acres will be reclaimed in this area.

C. The rock quarry will ultimately consist of a series of flat (gently sloping) benches of varied width (as shown in Figures 3 7D) and vertical walls approximately 40 feet in height. A road will provide access to each bench. Depending on future zoning the rock quarry area could potentially be used for light industrial purposes, particularly open storage which would require a minimum amount of water for operation. If not used for industrial purposes it is probable that the land will function as non use open space.

The clay mine area should be suitable for residential use or as usable open space, such as horseback riding, at the end of its operation.

D. Soil will be removed from both mine locations as part of normal operations. Based on the soil survey (and field confirmation) the local soils are not generally suitable for stockpiling. However, fine material from quarry operations (not actual soil) will be available at the end of the mining operation for emplacement on the bench. With proper fertilization and vegetation planting the material should serve as an adequate growing medium which will eventually evolve into soil.

E. Reclamation Methods, Sequence and Timing.

1. Backfilling and grading; Vertical quarry faces or walls will not be affected by this process. Benches will be covered by fine materials remaining from quarry operations. A depth of 1 to 2 feet will be emplaced by loaders and graded by grading equipment to create a very shallow slope to the rear (towards the vertical face) of the benches. This will be done at the termination of mining.

2. Slopes of vertical faces in the igneous rock are extremely stable. The walls will be scaled (loose material knocked loose) and left in their final mined state. The only change to this plan would be if joint patterns in the rock encountered in future mining operations indicated instability. In such case the slope would be modified to a safe non hazardous angle and it would be properly stabilized using artificial means, if necessary. At the clay mine, slopes will be angled 1:1 or 2:1 to ensure a stable slope during operation. This slope will be replanted without backfilling if possible. The final reclaimed slopes shall not exceed an angle of 2:1.

3. It is not anticipated that any tailing or waste material dumps will exist at the end of mine operations. The only material not used at the rate generated in both operations is the fine material. Accumulated fines will be used to backfill quarry benches and it will all be consumed in this manner.

4. As shown in Figure 2 only minor runoff channels currently cross the rock quarry and no such channels cross the clay mine site. At the end of mining at the rock quarry the two major runoff channels will be combined at the quarry. The flow will be directed into an artificial channel constructed in bedrock to which flow from the benches will also be directed. This channel will carry runoff the short distance to Temescal Creek. At the entrance to the creek a rock energy dissipator will be constructed to prevent erosion at that point. The final artificial channel will not be constructed until the end of mine operations. Temporary channels will be used up to that time and alignments may vary during operations. The channel will be kept free of debris as much as possible to minimize sediment input to Temescal Creek during operations. Calverts will be used under roads where the final channel crosses them.

At the clay mine the only drainage of concern will be that generated onsite. If feasible slopes will be left in a fashion that will generate only sheet flow. If necessary, a small artificial channel (with components similar to that described above) will be constructed to convey flow to the natural stream channel just to the north.

5. All usable equipment will be removed from the site at the completion of operations. The rest of the equipment and refuse will be removed by the operator to a proper landfill or recycling facility or will be sold for salvage where feasible. The remaining buildings will be left intact and mothballed until a decision is made on future use of the property. At that time a decision will be made on what to do with the structures. Clean up of all debris will be an ongoing process, but final clean up will be completed within one year after final closure of the operations at both the rock and clay quarries.

6. As far as is known the only contaminants generated at either operation is natural sediment which may enter Temescal Creek and become part of the suspended sediment load carried by this creek. Once the site is final graded and the channel is constructed across the rock quarry, potential sediment load should attain a minimum level over the long term.

7. The methods to minimize the erosion and sedimentation have been described above. The only treatment of natural streambeds and banks will occur where the upper natural wash is connected to the artificial channel which will traverse the quarry and where the artificial channel enters Temescal Creek. No unusual problems are anticipated at these locations. It is probable that since flows will be larger and the channel shorter, the artificial channel will require several energy dissipation features or it will have to be filled with rock to minimize erosion potential.

8. The hazards remaining at the end of operations are all related to the vertical walls. Above the walls, set back approximately 10 to 20 feet, a barbed wire fence will be constructed as a barrier to persons who might accidentally fall down the vertical face of these quarry walls. Signs will be posted at 100 foot intervals on the fence to warn persons of the hazards. At the base of the walls signs will be posted noting the dangers of falling rock. As previously noted the walls of both quarries will be scaled and, where appropriate, constructed at an appropriate angle of repose to minimize hazards of slope failure. The tops of all wall faces shall be rounded to reduce the hazard of loose rock falling.

9. As indicated above, benches and shallow slopes will be revegetated with an appropriate seed mix. All disturbed areas native plants listed in appendix "C" will be used for replanting as indicated. If other uses are proposed then a suitable revegetation seed mixture will be used. All benches angled at 2:1 or less will be appropriately fertilized and hydromulched to initiate a successful plant cover. After an initial revegetation effort, the area will be surveyed and, if necessary, a follow up effort will be conducted at appropriate locations.

10. As indicated above it is anticipated that no waste piles will be left onsite at the completion of mining. All other final slopes will be field reviewed and checked by an engineer to confirm their stability.

Note: All reclamation measures will be implemented within one year after mine closure, unless otherwise noted.

F. During operation of the mines the following reclamation activities will be conducted:

1. Due to the heavy equestrian recreation present in the area, the rock quarry operations will be fenced and properly signed within six months of approval of this plan. The fence will be two strand barbed wire and will extend around all vertical faces where a safety hazard exists.

2. A survey of rare endangered and sensitive plant and animal species will be conducted in those natural areas that will be mined in the future. This study will be completed prior to any major expansion into undisturbed areas. If any species needing protection are identified, a plan for relocation, if feasible, will be identified and implemented.

3. A temporary runoff channel will be constructed and maintained throughout operations at the rock quarry. This channel will be designed to minimize sedimentation into Temescal Creek. A sediment basin will be constructed.

4. All operating piles of material will be maintained at a stable slope and to the degree possible quarry walls will be scaled periodically to minimize the hazard from falling rock.

G. The nature of the existing quarry operation is such that quarry walls and benches over the whole site will be in use until the operation is terminated. Once a vertical face is abandoned it will be scaled but the bench area will continue to be used for storage of material. The major reclamation will not be initiated until quarry operations are terminated. The same operational requirements will apply to the clay quarry during its lifetime.

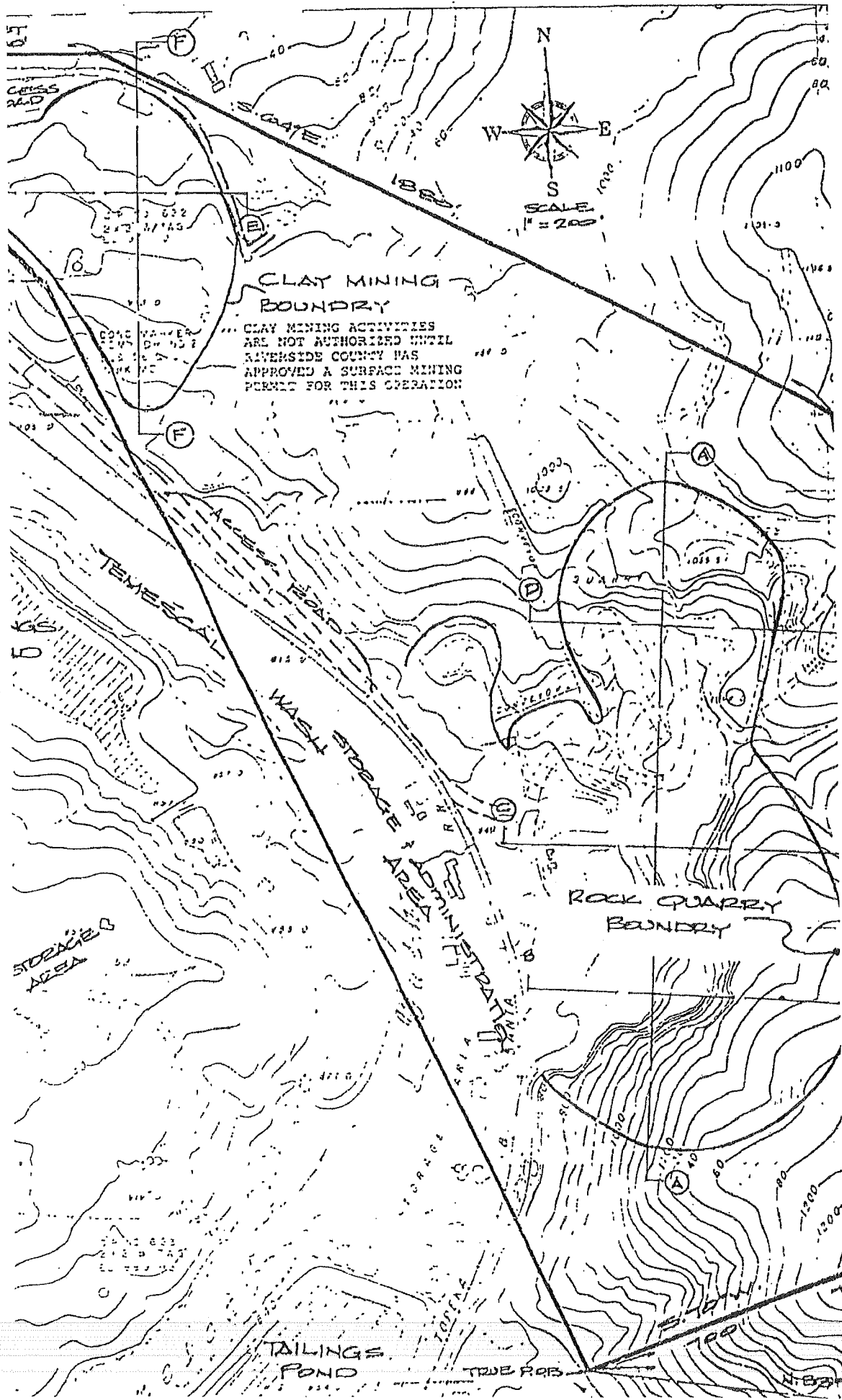
H. Reclamation will not permanently affect future mining at either quarry, assuming a sufficient economic mineable resource remains. Over the short term, reopening either mining operation after reclamation would destroy parts of the revegetated benches and could disrupt the final drainage plans. These facilities and areas would be modified if quarrying was reinstated. Both could be corrected subsequently, if necessary.

APPENDIX A

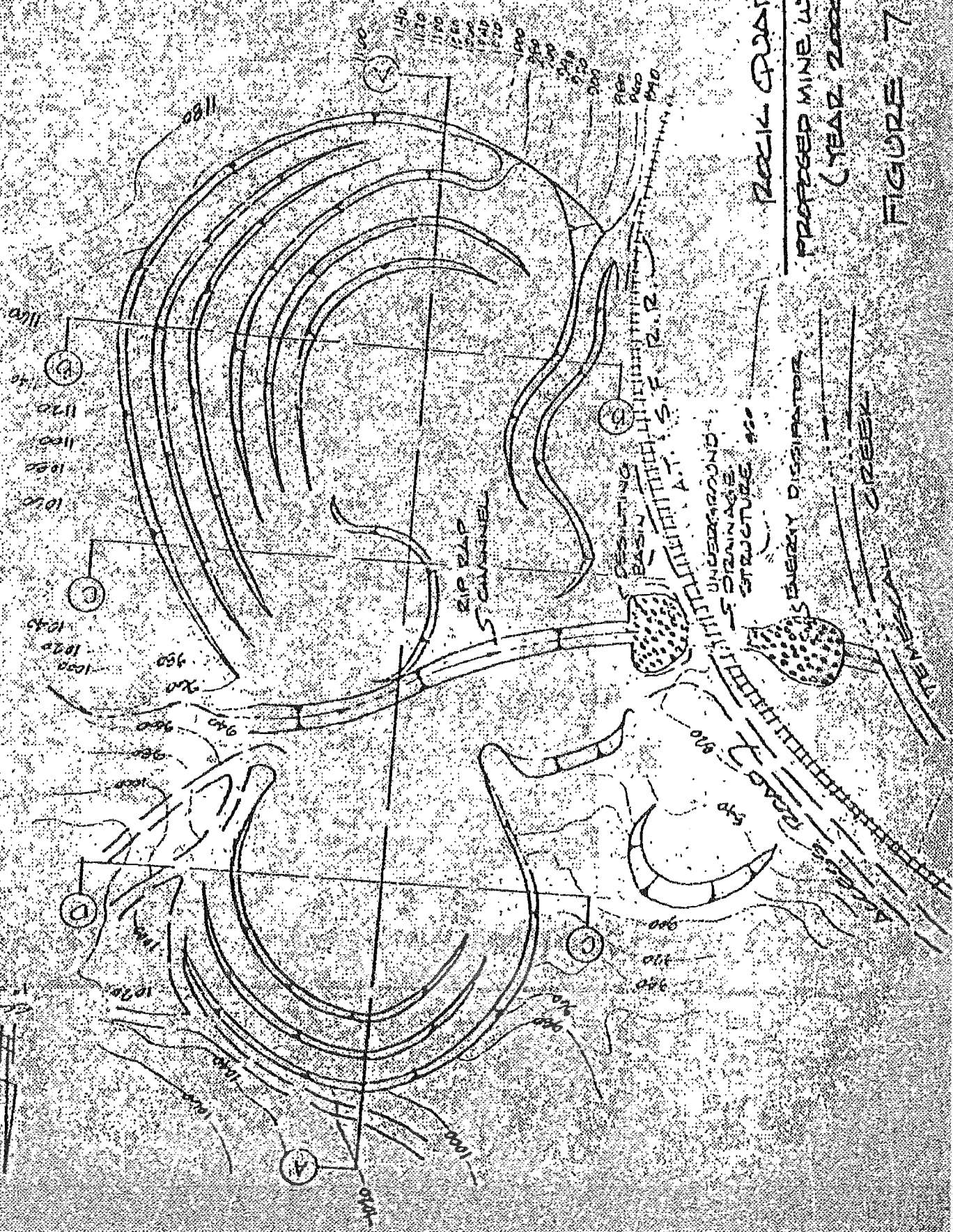
That certain real property in the County of Riverside, State of California, described as follows:

That portion of the West one half of Section 15, Township 4 South, Range 6 West, San Bernardino Meridian, as shown by Sectionized survey of Rancho El Sobrante de San Jacinto, recorded in Book 1 of Maps, page 8 in the Office of the County Recorder of San Bernardino County, California, described as follows:

Commencing at Station 23 of said Rancho El Sobrante de San Jacinto; thence North $83^{\circ} 30'$ West, 1210 feet to the true point of beginning; thence Northwesterly to a point which is 250 feet East of Station 21 of said Rancho; thence Northwesterly on a line whose Northerly terminus is a point on the Northerly line of Section 16, of said Township 4 South, Range 6 West, San Bernardino Meridian, that is 125 feet Easterly of the North one quarter corner of said Section 16, to the Westerly line of said Section 15; thence Northerly along said Westerly line a distance of 280 feet; thence East, 380 feet; thence South 64° East 1880 feet; thence South 11° East, 970 feet; thence South 6° West, 1020 feet; thence South 70° , West, 700 feet to the true point of beginning.



RECLAIMATION PLAN



ROCK QUARRY

PROPOSED MINE WADJAGE
(YEAR 2000)

FIGURE 7



RIVERSIDE COUNTY
PLANNING DEPARTMENT

Carolyn Syms Luna
Director

November 12, 2013

TO: Christine Goeyvaerts
Cajalco Road Quarry
P.O. Box 3600
92878

RE: **RCL00118S1**
CEQA Exempt
Regional Team: Riverside

On **11/12/10**, the **Riverside County Planning Department** approved the above referenced case based on the findings and conclusions of the attached staff report and subject to the attached conditions of approval.

Action taken on the above referenced case is considered final.

Sincerely,

RIVERSIDE COUNTY PLANNING DEPARTMENT
Carolyn Syms Luna, Director

David L. Jones, CEG No. 2283
Chief Engineering Geologist, TLMA-Planning

Attachments: Conditions of Approval

cc: Building and Safety Department: Chris Trinidad (hard copy via hand delivery)
Office or Mine Reclamation: Director (hard copy via FedEx)
File: RCL00118S1

Y:\Planning Case Files-Riverside office\RCL00118S1\Administrative Approval Letter.docx

Riverside Office • 4080 Lemon Street, 12th Floor
P.O. Box 1409, Riverside, California 92502-1409
(951) 955-3200 • Fax (951) 955-3157

Desert Office • 77588 El Duna Court
Palm Desert, California 92211
(760) 863-8277 • Fax (760) 863-7555

SUBSTANTIAL CONFORMANCE Case #: RCL00118S1

Parcel: 281-160-004

10. GENERAL CONDITIONS

EVERY DEPARTMENT

10. EVERY. 1 SMP - PROJECT DESCRIPTION

INEFFECT

The use hereby permitted is for mine site reclamation and associated site restoration as indicated on Exhibits B and C and as described in court order number RIC 387195.

10. EVERY. 2 SMP - HOLD HARMLESS

INEFFECT

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. 3 SMP DEFINITIONS

INEFFECT

The words identified in the following list that appear in all capitals in the attached conditions of

SUBSTANTIAL CONFORMANCE Case #: RCL00118S1

Parcel: 281-160-004

10. GENERAL CONDITIONS

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

INEFFECT

Reclamation Plan No. RCL00118S1, shall be henceforth defined as follows:

APPROVED EXHIBIT NO. "B" = Case #: RCL00118S1, Exhibit: B (Reclamation Plan), Dated: 10/24/13, Planner: D. JONES.

APPROVED EXHIBIT NO. "C" = Case #: RCL00118S1, Exhibit: C, (Project Description), Dated: 10/24/13, Planner: D. JONES.

*There is no EXHIBIT A as this is a vested mining operation and no mining permit or associated plan is required.

PLANNING DEPARTMENT

10. PLANNING. 1 SMP - SSR00699

INEFFECT

County Slope Stability Report (SSR) No. 699 was prepared for this project (RCL00118S1) by C.H.J., Inc. and is entitled, "Slope Stability Investigation, Proposed Reclamation of Hubbs Quarry, Riverside County, California", dated June 14, 2013.

SSR00699 concluded:

- 1. Moderate to severe seismic shaking of the site can be expected to occur during the lifetime of the proposed mining and reclamation.
- 2. A 1(h):1(v) reclamation slope up to approximately 405 feet in height formed along the east and south sides of the quarry is suitably stable against gross failure for the anticipated long-term conditions, including the effects of seismic shaking.
- 3. A 2(h):1(v) reclamation slope formed in the Silverado Formation and underlying crystalline rock units and a 3(h):1(v) reclamation slope formed in Qvof are suitably stable against gross failure for the anticipated long-term conditions, including the effects of seismic shaking.
- 4. Inclusion of horizontal safety benches in final slope design is an effective protection from rockfall, will reduce tensional forces in surface rock, and reduce surface erosion rates.
- 5. Use of debris fences, steel netting or other structural

SUBSTANTIAL CONFORMANCE Case #: RCL00118S1

Parcel: 281-160-004

10. GENERAL CONDITIONS

10.PLANNING. 1 SMP - SSR00699 (cont.)

INEFFECT

installations are not anticipated to be necessary.

SSR00698 recommended:

1.Slopes may be protected with berms as necessary to prevent slope erosion in areas where overland flow is directed toward slopes.

2.2(h):1(v) south-facing slopes should be provided with 6- and 12-foot wide terraces in accordance with Appendix J of the 2010 CBC. Terraces in the non-rock portions of these slopes, where required, should be provided with gunite v-ditches.

3.Use of steel netting or other structural installations to mitigate toppling or rockfall is not considered necessary; however, these measures, as well as a berm at the toe of the final quarry slopes, can be considered if warranted by future observation or conditions.

4.Periodic geologic mapping of the reclamation slopes should be performed during slope construction (annual inspections) to identify any conditions that may preclude reclamation of the site in accordance with the approve reclamation plan.

SSR No. 699 satisfies the requirement for a slope stability assessment for RCL00118S1. Final approved of SSR No. 699 is hereby granted for RCL00118S1.

10.PLANNING. 2 SMP - PREVIOUS CONDITIONS

INEFFECT

ALL PREVIOUS CONDITIONS APPROVED FOR THIS RECLAMATION PLAN SHALL REMAIN IN EFFECT FOR THIS AMENDED RECLAMATION PLAN RCL00118S1 UNLESS EXPRESSLY MODIFIED BY THIS AMENDMENT.



RIVERSIDE COUNTY PLANNING DEPARTMENT

Carolyn Syms Luna
Director

NOTICE OF EXEMPTION

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, CA 92201

Project Title/Case No.: Reclamation Plan No. RCL00118 Substantial Conformance No. 1

Project Location: An approximately 59-acre site in the northwestern portion of unincorporated Riverside County, south of Cajalco Road and east of Interstate 15, outside of the City of Corona, within Section 15, Township 4 south, Range 6 west, San Bernardino Base Meridian. (See attached map)

Project Description: Modification to Riverside County Reclamation Plan RP 118 in order to reclaim existing site conditions, including potentially hazardous slopes, concurrent with on-going mining operations. Reclamation will be accomplished by continued mining activities at the existing mine, slope stabilization, recontouring, and revegetation so that the site is compatible for future land use. The modification is also necessary to allow compliance with the Amendment to Stipulated Settlement Agreement and Judgment Thereon, and related court order in County of Riverside v. Paul Hubbs Construction Company, Inc. et al, Riverside Superior Court Case No. RIC 387195.

Name of Public Agency Approving Project: Riverside County Planning Department

Project Sponsor: Cajalco Road Quarry (applicant)

Exempt Status: (Check one)

- Ministerial (Sec. 21080(b)(1); 15268) Categorical Exemption (15301)
 Declared Emergency (Sec. 21080(b)(3); 15269(a)) Statutory Exemption (_____)
 Emergency Project (Sec. 21080(b)(4); 15269(b)(c)) Other _____

Reasons why project is exempt:

The Planning Department concludes the project is exempt from CEQA based on Section 15301 of the CEQA Guidelines. The project is a non-substantial modification to an existing reclamation plan associated with an existing mining operation. The project's purpose is to restore the physical conditions at the existing project site, which contain potentially hazardous slopes, to a condition that renders them compliant with State and local law. Approval of the project will not change operations at the existing site or extend mining operations. It merely allows restorative activities to take place on already disturbed areas within the Project's boundary and, will if anything, result in environmentally-beneficial effects. Therefore, the project is exempt under CEQA Guidelines Section 15301.

David L. Jones
County Contact Person

(951) 955-6863
Phone Number

Signature

Chief Engineering Geologist
Title

11/12/13
Date

Date Received for Filing and Posting at OPR: _____

Please charge deposit fee case # _____ ZCFG No. _____ - FREE POSTING per Ca. Govt. Code 6103 and 27383

FOR COUNTY CLERK'S USE ONLY

RECORDING REQUESTED BY
RIVERSIDE COUNTY

THIS AREA FOR RECORDER'S USE ONLY

When recorded, return to:

Riverside County Planning Department
12th Floor County Administrative Center
Mail Stop # 1070

No fee, 6103 Government Code
Benefit of Riverside County Planning Department

RECLAMATION PLAN NO. RCL00118S1
(Ordinance No. 555)

Mining operations conducted on the hereinafter described real property are subject to a reclamation plan approved by the Planning Director on 11/12/12, a copy of which is on file with the County Planning Department.

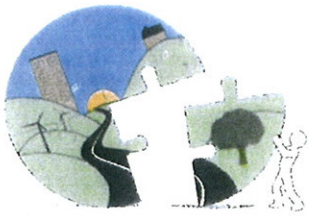
The real property is located in the County of Riverside, State of California described as follows:

APN(s): 281-180-021, 281-190-028, 281-190-029, 281-220-002, 281-230-013, 281-230-014, 281-260-006, 281-260-007, 281-290-007, 281-290-008, 281-270-008, 281-300-003

Owner(s) of Record:
Commercial Resources LLC

Executed on 11/12/2013 at Riverside, California


David Jones, Chief Engineering Geologist
County of Riverside Planning Department



RIVERSIDE COUNTY
PLANNING DEPARTMENT

Carolyn Syms Luna
Director

November 12, 2013

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

RE: Approved Amended Reclamation Plan
Hubbs/Harlow Quarry (CA Mine ID # 91-33-0061)
County Amended Reclamation Plan – RCL00118S1

Riverside County (County) herein submits the Approved Amended Reclamation Plan for the Hubbs/Harlow Quarry for OMR's file. Approval of RCL00118S1 is based on the findings and conclusions of the attached staff report and subject to the attached conditions of approval.

Thank you for your assistance with this project. Please call me at (951) 955-6863 if you have any questions.

Sincerely,

RIVERSIDE COUNTY PLANNING DEPARTMENT
Carolyn Syms-Luna, Planning Director

David L. Jones, Chief Engineering Geologist
TLMA-PLANNING

encl.: Approved Amended Reclamation Plan
Staff Report
Conditions of Approval

cc: Applicant: Cajalco Road Quarry LLC, Christine Goeyvaerts, Fax: (951) 280-1424
1st District Supervisor's Office, Bob Magee, via hand delivery
OMR: Beth Hendrickson
File: RCL00118S1

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P.O. Box 1409, Riverside, California 92502-1409
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Palm Desert, California 92211
(760) 863-8277 · Fax (760) 863-7555



RIVERSIDE COUNTY PLANNING DEPARTMENT

Carolyn Syms Luna
Director

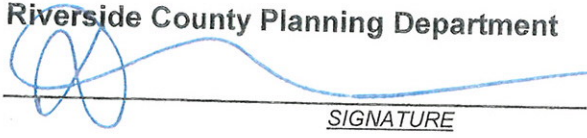
Case Number: RCL00118S1

Date: 11/12/13

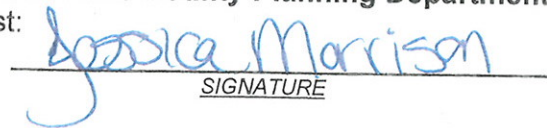
Riverside County Planning Department

Riverside County Planning Department

Attest:



SIGNATURE



SIGNATURE

David L. Jones
PRINTED NAME

Jessica Morrison
PRINTED NAME

Chief Engineering Geologist
TITLE

Code Enforcement Aide
TITLE



RIVERSIDE COUNTY PLANNING DEPARTMENT

Carolyn Syms Luna
Director

NOTICE OF EXEMPTION

TO: County of Riverside County Clerk FROM: Riverside County Planning Department

Project Title/Case No.: Reclamation Plan No. RCL00118 Substantial Conformance No. 1 (RCL00118S1)

Project Location: An approximately 59-acre site in the northwestern portion of unincorporated Riverside County, South of Cajalco Road and East of Interstate 15, outside of the City of Corona, within Section 15, Township 4 South, Range 6 West, San Bernardino Base Meridian. (See attached map).

Project Description: Amendment of Riverside County Reclamation Plan RP 118 in order to reclaim existing site conditions, including potentially hazardous slopes, concurrent with on-going mining operations. Reclamation will be accomplished by continued mining activities, slope stabilization, recontouring, and revegetation so that the site is compatible for future land use. The Amendment is also necessary to allow compliance with the Amendment to Stipulated Settlement Agreement and Judgment Thereon, and related court order in County of Riverside v. Paul Hubbs Construction Company, Inc. et al, Riverside Superior Court Case No. RIC 387195.

Name of Public Agency Approving Project: Riverside County Planning Department

Project Sponsor: Cajalco Road Quarry (applicant)

Exempt Status: (Check one)

- Ministerial (Sec. 21080(b)(1); 15268)
- Declared Emergency (Sec. 21080(b)(3); 15269(a))
- Emergency Project (Sec. 21080(b)(4); 15269(b)(c))
- Categorical Exemption (15301(d) & 15061(b)(3).)
- Statutory Exemption (_____)
- Other _____

Reasons why project is exempt: The project is exempt under Section 15301(d), because its purpose is the restoration of the physical conditions at the project site, which contain potentially hazardous slopes, to a condition that renders them compliant with State and local law. The project is exempt under Section 15061(b)(3), because the only actions subject to County review and discretion are those strictly related to reclamation (i.e., not vested surface mining activities), that will take place on areas that have already been subject to substantial disturbance. The project will not change operations at the site nor extend mining operations, and will if anything, result in environmentally-beneficial effects.

David I. Jones
County Contact Person

(951) 955-6863
Phone Number

Signature

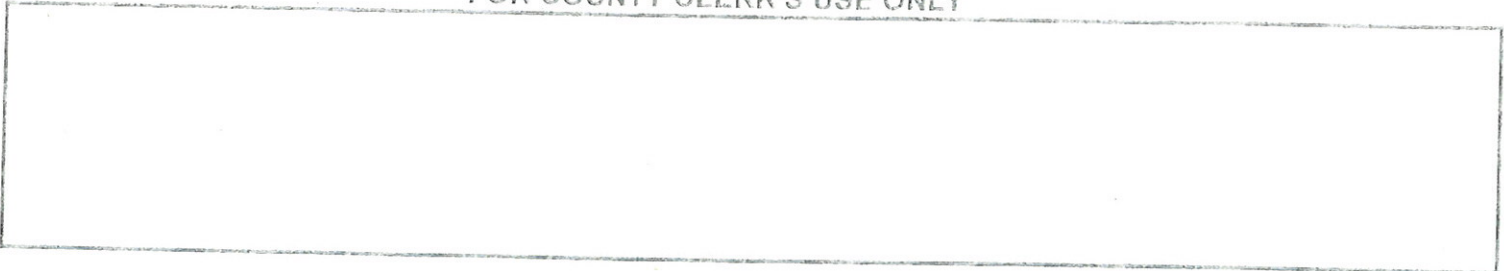
Chief Engineering Geologist
Title

10/25/13 +
Date

Date Received for Filing and Posting at OPR: _____

Please charge deposit fee case # RCL00118S1 ZCFG No. 06014 - FREE POSTING per Ca. Govt. Code 6103 and 27383

FOR COUNTY CLERK'S USE ONLY



KE100118
Hubb /
Harlow

2451 I SE
(CORONA SOUTH)

Temascal
Wells

Wetzel

X Gravel
Pit

3742

Corona
Well

Quarry

CAJALCO
BM X 969

CAJALCO
WATER
TANK

NWDE
Standpipe

Pumpings
Sta

LOMER

Pumpings
Sta
WATER
FEEDER

Standpipe

Standpipe

Olsen

1431

1590 Δ

ROAD

Canyon

Canyon

23

14

BM X 1333

S
A
N

THE MAINS QUADRANGLE
SAN JOSE COUNTY
SANTA FE SERIES (TOPOGRAFICAL)
1907

ELSON
20243
1907

15

Agenda Item No.: N/A - File Only
Area Plan: Temescal Canyon
Zoning District: El Cerrito
Supervisory District: Dist. 1
Project Planner: David L. Jones
Planning Director Approval

RECLAMATION PLAN NO. RCL00118
SUBSTANTIAL CONFORMANCE NO. 1
Applicant: Cajalco Road Quarry
Representative: Christine Goeyvaerts

COUNTY OF RIVERSIDE PLANNING DEPARTMENT STAFF REPORT

PROJECT DESCRIPTION AND LOCATION:

Reclamation Plan No. RCL00118 Substantial Conformance No. 1 (RCL00118S1 proposes to amend the existing approved reclamation plan RCL00118 in order to remedy concerns related to slope stability and prevailing geologic conditions within the existing quarry created by a former operator, and to allow compliance with the Amendment to Stipulated Settlement Agreement and Judgment Thereon, and related court order in *County of Riverside v. Paul Hubbs Construction Company, Inc. et al*, Riverside Superior Court Case No. RIC 387195 ("Amended RCL00118S1").

The project site is located in northwestern Riverside County ("County"), South of Cajalco Road and East of Interstate 15, just outside of the City of Corona, within Section 15, Township 4 South, Range 6 West, San Bernardino Base Meridian.

Amended RCL00118S1 will permit the applicant to rectify existing site conditions by continuing mining within the quarry reserves, stabilizing slopes, cleaning, recontouring, stabilizing surface disturbances, and reclaiming the site so it is compatible for future land use. The total project site gross acreage is 110 with the area encompassed by Amended RCL00118S1 being 59 acres of disturbed land. The applicant will recontour and reclaim the existing quarry slopes to a stable condition. The applicant will continue to utilize or sell material from the mining and reclamation activities. In addition, an area to the North of the quarry pit will be revegetated to accommodate reclamation of this previously disturbed area. The site (59 acres) will be reclaimed consistent with Surface Mining and Reclamation Act (Pub. Resources Code, §§ 2710 et seq., "SMARA") and County regulations.

ISSUES OF POTENTIAL CONCERN: N/A

SUMMARY OF FINDINGS:

1. Existing General Plan Land Use (Ex. # _) Open Space: Mineral Resources (OS-MIN) and Rural (OS-RUR)
2. Surrounding General Plan Land Use (Ex. # _) Open Space: Rural (OS-RUR) to the North and East, areas to the South and West are in the City of Corona
3. Existing Zoning (Ex. # _) Mineral Resources and Related Manufacturing (M-R-A) and Natural Asset (N-A)
4. Surrounding Zoning (Ex. # _) Natural Asset (N-A) to the North and East, and properties within the City of Corona to the South and West.
5. Existing Land Use Aggregate Mining
6. Surrounding Land Use (Ex. # _) The site is bounded by a golf course to the West, open space to the South and East, and sparse residential use to the North.
7. Project Data: Total Gross Acreage: 110 (59 Acres Disturbed)

8. Environmental Concerns: None (CEQA Exempt)

RECOMMENDATIONS/ACTION:

ADOPTION of a **NOTICE OF EXEMPTION** based on the findings contained herein which demonstrate that the approval of Amended RCL00118S1 is exempt from California Environmental Quality Act (Pub. Resources Code, §§ 21000 et seq., "CEQA") review under CEQA categorical exemptions, Cal. Code of Regs., Sections 15301(d) and 15061(b)(3), as described below.

APPROVAL of **RECLAMATION PLAN RCL00118 SUBSTANTIAL CONFORMANCE NO. 1**, based upon the findings and conclusions incorporated in the staff report, which findings and conclusions are based upon the entire administrative record pertaining to Amended RCL00118S1.

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

Findings Related to the Riverside County General Plan and Ordinance No. 348 (Zoning)

General Plan

1. The project site is designated Open Space: Mineral Resources ("OS-MIN") and Open Space: Rural ("OS-RUR") on the Temescal Canyon Area Plan.
2. The proposed use, remediation via surface mining and recontouring, is a permitted use under the OS-MIN and OS-RUR designations.
3. The project site is surrounded by properties which are designated OS-RUR to the north and east, and properties that are within the City of Corona to the south and west.

Zoning (County Ordinance No. 348)

4. The existing reclamation plan boundary is within the Mineral Resources and Related Manufacturing ("M-R-A") zone, and the expanded area to be encompassed by Amended RCL00118S1 will include an area zoned both M-R-A and Natural Assets ("N-A").
5. The proposed use, reclamation, with related surface mining activities, is a allowed use in both M-R-A and N-A zones. Because the site is subject to a vested right to mine within the area of Amended RCL00118S1, the applicant is entitled to conduct surface mining activities within the reclamation area without a surface mining permit. (See Finding No. 10.)
6. The proposed use, reclamation, with related surface mining activities, to achieve slope stability and reclamation benchmarks, is consistent with the development standards set forth in the M-R-A and N-A zones.
7. The project site is surrounded by properties which are zoned N-A to the North and East, and properties that are within the City of Corona to the South and West.
8. This project is within the City of Corona Sphere of Influence.

Finding Related to the Western Riverside County Multiple Species Habitat Conservation Plan ("MSHCP")

9. Amended RCL00118S1 is exempt from the requirements of the MSHCP because vested surface mining activities in the subject area preceded adoption of the MSHCP. (See Finding No. 10.)

Findings Related to Ordinance No. 555 and SMARA

Vested Right (Ordinance No. 555.19 § 12, SMARA § 2776)

10. The applicant maintains a vested right to conduct mining operations in those areas of the quarry and surrounding lands that are the subject of Amended RCL00118S1, as contemplated by Sections 2 and 12 of Ordinance No. 555.19 and Section 2776 of SMARA; therefore, a Surface Mining Permit is not required for purposes of this Substantial Conformance. The applicant's vested right to mine within the Amended RCL00118S1 area, as previously recognized by the County and described in the sub-findings contained herein, is documented by the materials reviewed by, and on file with, the County relating to Amended RCL00118S1, including but not limited to various documents submitted by the applicant detailing the nature and scope of the vested right. These documents demonstrate that:
- a. Mining has occurred in the area that is the subject of Amended RCL00118S1 since at least the 1930s.
 - b. The County's first ordinance requiring a permit to conduct mining operations was enacted in 1948, at which time the existing mining operation within the Amended RCL00118S1 area established a vested right to continue mining activities as a legal, non-conforming use.
 - c. In 1959 and 1970, two pre SMARA permits were issued by the County to the applicant's predecessors establishing a right to mine the lands in and about the area subject to Amended RCL00118S1.
 - d. The permit obtained in 1970 ("CU 1146") was for crushing and asphalt plants, not surface mining, but included a site plan identifying the available mine site (including substantial areas within Amended RCL00118S1), thus demonstrating that this mining area was within the area subject to vested rights.
 - e. In 1982, Reclamation Plan 118 ("RP 118") was approved, and included statements further recognizing and clarifying that the mining operation at the site operated pursuant to vested rights, and also included a large mining area boundary, overlapping with the 1970 CU 1146 mine area boundary.
 - f. As of 1982 the County had approved two mining-related entitlements that recognized areas subject to the vested right: the 1970 plant permit (which identified a mine site boundary) and the 1982 reclamation plan RP 118 (which identified a mining area subject to future reclamation). Surface mining activities within these areas, as contemplated by Amended RCL00118S1, is thus within the scope of the previously-determined vested right.
11. Because surface mining activities within the Amended RCL00118S1 area are consistent with the existing vested right confirmed in multiple, historical documents, the County need not make any

further determination of the scope of such vested right prior to approval of Amended RCL00118S1. (See e.g., *Calvert v. County of Yuba* (2006) 145 Cal.App.4th 613, 617.)

12. The applicant reserves the right to seek future confirmation of the full scope of its vested right to mine outside the boundaries of Amended RCL00118S1. Should the applicant, in the future, seek to mine outside the boundaries of Amended RCL00118S1, it would need to demonstrate the scope of its vested right pursuant to a public hearing consistent with the County's surface mining ordinance (No. 555.19), SMARA, and related cases (e.g., *Hansen Brothers v. Bd. of Supervisors* (1996) 12 Cal.4th 533, and *Calvert v. County of Yuba* (2006) 145 Cal.App.4th 613.)

Reclamation Plan Requirements (Ordinance No. 555.19 § 6)

13. Amended RCL00118S1 satisfies the criteria for reclamation plans listed in Section 6 of Ordinance No. 555.19.
- a. Amended RCL00118S1 indicates the methods that will be used to reclaim the land as well as the schedule for the timing of reclamation.
 - b. Amended RCL00118S1 describes the physical conditions subsequent to the completion of reclamation as well as post-reclamation uses.
 - c. Amended RCL00118S1 includes a number of maps that depict reclaimed site conditions, including cross-sections, elevations, and topographic depictions.
 - d. Amended RCL00118S1 describes the manner in which derelict machinery, mining waste, and scraps will be removed from the site as well as how contaminants will be controlled.
 - e. Amended RCL00118S1 describes the methods that will be used to guarantee stable slopes and waste piles.
 - f. Amended RCL00118S1 describes how reclamation will affect the area for future mining use.
 - g. Amended RCL00118S1 shows that the site, in final form, will be revegetated for soil stabilization, free of drainage and erosion problems, coordinated with present and anticipated future land use, and compatible with the topography and general surrounding environment.

Substantial Conformance (Ordinance No. 555.19 § 13)

14. Amended RCL00118S1 meets the criteria for approval through a Substantial Conformance as specified in Ordinance No. 555.19 Section 13(b).
- a. Amended RCL00118S1 does not change the original approval. RP 118 calls for reclamation of mining activity at the culmination of vested mining operations. Amended RCL00118S1 will similarly allow for reclamation of an area subject to vested mining operations, yielding safe slopes and a usable post-reclamation condition. Amended RCL00118S1 neither changes the site's post-end use (e.g., potential industrial use as one alternative) nor extends the lifetime of mining operations. Accordingly, there is no change in the original approval.

- b. Amended RCL00118S1 does not change the effect of the existing reclamation plan on surrounding property owners. As stated in Finding 14(a), Amended RCL00118S1 neither changes the site's post-end use nor extends mining operations. Rather, Amended RCL00118S1 will improve conditions at the site to ensure conformity with County and State regulations relating to slope stability, which is a benefit for public safety and for neighboring property owners.
 - c. Amended RCL00118S1 is both a modification to upgrade the existing facility by improving prevailing slope stability and geologic concerns, as well as a modification necessary to comply with the Settlement Agreement. Thus, Amended RCL00118S1 is consistent with the type of actions that may be approved through a Substantial Conformance under Ordinance No. 555.19 Section 13(b.)
 - d. As contemplated by Section 13(f) of Ordinance No. 555.19, approval of Amended RCL00118S1 is appropriate through a Substantial Conformance, because the project is exempt from CEQA review. (See Finding Nos. 20-21.)
15. A public hearing is not required to approve Amended RCL00118S1 through a Substantial Conformance. (See Ordinance No. 555.19 § 13(d)(1).)

Procedural Requirements Under Ordinance No. 555.19 and SMARA

16. In satisfaction of Section 9 of Ordinance No. 555.19 and SMARA Section 2773.1(a), the applicant submitted a revised financial assurance cost estimate ("FACE"), which the County reviewed and approved, and has agreed to post a Financial Assurance Mechanism corresponding to the FACE once the plan has been approved.
17. Notice requirements under SMARA Section 2774 have been completed.
 - a. On August 28, 2013, the County transmitted Amended RCL00118S1 to the Department of Conservation, Office of Mine Reclamation ("OMR").
 - b. On September 27, 2013, OMR submitted written comments on Amended RCL00118S1 to the County.
 - c. On October 9, 2013, the County submitted written responses to OMR describing the disposition of all major issues raised in OMR's September 27, 2013, letter to the County.
18. Pursuant to SMARA Section 2774(d)(2), the County provided 30 days notice of its pending approval of Amended RCL00118S1 by delivering such notice to OMR on October 9, 2013, that the County planned to approve Amended RCL00118S1 on November 11, 2013.

Findings Related to Fire Protection

19. Fire protection and suppression services will be available for the subdivision through Riverside County Fire Department. No new buildings or structures are proposed or approved through this plan.

Findings Related to the California Environmental Quality Act

20. Amended RCL00118S1 is exempt from CEQA review under 14 Cal. Code Regs., § 15301(d), as a project that is based on the "restoration or rehabilitation of deteriorated or damaged structures, [or] facilities [...] to meet the current standards of public health and safety." The basis of Amended RCL00118S1 is the restoration of the physical conditions at the project site to a condition that renders them compliant with State and local law, and to a status that does not pose a health and safety concern. Operations at the site prior to the applicant's acquisition of the property created potentially hazardous slopes, as reflected by various documents in the County's file, creating in turn, possible public health and safety concerns at the site. Amended RCL00118S1 will allow the applicant to recontour the slopes to a satisfactory grade so that the property meets current SMARA and safety standards. Therefore, Amended RCL00118S1 is exempt from CEQA review under the referenced exemption.
21. Amended RCL00118S1 is further exempt from CEQA review under 14 Cal. Code Regs., § 15061(b)(3), because it will not have a significant effect on the environment.

Amended RCL00118S1 involves discretionary review only of reclamation activities. Neither the existing surface mining activities at the quarry, nor the surface mining activities that will occur in order to facilitate recontouring of the slopes within the Amended RCL00118S1 area are subject to CEQA review. Those portions of the site that fall within the scope of the Amended RCL00118S1 area have already been subject to substantial disturbance. Amended RCL00118S1 will not change operations at the site, and will also not extend the life of the mining operation within the Amended RCL00118S1 boundary. Thus, as Amended RCL00118S1 consists of only restorative activities that will take place on substantially-disturbed areas within the Amended RCL00118S1 boundary; such reclamation activities will not have any significant effects on the environment, and in fact, will likely only result in beneficial effects.

CONCLUSIONS:

1. The proposed project is in conformance with the Open Space: Mineral Resources (OS-MIN) and Open Space: Rural Land Use Designations (OS-RUR), and with all other elements of the Riverside County General Plan.
2. The proposed project is consistent with the Mineral Resources and Related Manufacturing (M-R-A) and Natural Asset (N-A) zoning classifications of Ordinance No. 348, and with all other applicable provisions of Ordinance No. 348.
3. The public's health, safety, and general welfare are protected through project design.
4. The proposed project is clearly compatible with the present and future logical development of the area.
5. The proposed project will not have a significant effect on the environment.
6. The proposed project will not preclude reserve design for the MSHCP.

INFORMATIONAL ITEMS:

1. As of this writing, no letters, in support or opposition have been received.
2. The project site is located within:

- a. The city of Corona sphere of influence;
 - b. A fault area
3. The subject site is currently designated as within portions of Assessor's Parcel Numbers 281-180-021, 281-190-028, 281-190-029, 281-220-002, 281-230-013, 281-230-014, 281-260-006, 281-260-007, 281-290-007, 281-290-008, 281-270-008, and 281-300-003



Steve Weiss
Planning Director

RIVERSIDE COUNTY PLANNING DEPARTMENT

February 9, 2017

TO: **Christine Goeyvaerts**
Cajalco Road Quarry
P.O. Box 3600
92878


RE: **RCL00118S2**
CEQA Exempt
Regional Team: Riverside

On 02/09/17, the **Riverside County Planning Department** approved the above referenced case based on the findings and conclusions of the attached staff report and subject to the attached conditions of approval.

Action taken on the above referenced case is considered final.

Sincerely,

RIVERSIDE COUNTY PLANNING DEPARTMENT
Steve Weiss, Planning Director


David L. Jones, CEG No. 2283
Chief Engineering Geologist, TLMA-Planning

Attachments: Staff Report
Notice of Exemption
County Clerk Recorders Form
Conditions of Approval

cc: Building and Safety Department: Chris Trinidad (hard copy via hand delivery)
File: RCL00118S2

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Riverside Office · 4080 Lemon Street, 12th Floor
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RIVERSIDE COUNTY PLANNING DEPARTMENT

Steve Weiss
Planning Director

February 09, 2017

Mr. Pat Perez
California Department of Conservation
Division of Mine Reclamation
801 K St. MS 09-06
Sacramento, CA 95814


RE: Approved Amended Reclamation Plan
Cajalco Road Quarry (CA Mine ID # 91-33-0061)
County Amended Reclamation Plan – RCL00118S2

Riverside County (County) herein submits the Approved Amended Reclamation Plan for the Cajalco Road Quarry (Formerly named "Hubbs/Harlow Quarry") for OMR's file. Approval of RCL00118S2 is based on the findings and conclusions of the attached staff report and subject to the attached conditions of approval.

Thank you for your assistance with this project. Please call me at (951) 955-6863 if you have any questions.

Sincerely,

RIVERSIDE COUNTY PLANNING DEPARTMENT
Steve Weiss, Planning Director



David L. Jones, Chief Engineering Geologist
TLMA-PLANNING

encl.: Approved Amended Reclamation Plan
Staff Report
Conditions of Approval

cc: Applicant: Cajalco Road Quarry LLC, Christine Goeyvaerts, via e-mail
1st District Supervisor's Office, Bob Magee, via hand delivery
OMR: Beth Hendrickson
File: RCL00118S2

Y:\Planning Case Files-Riverside office\RCL00118S2\OMR\Submittal of Approved Plans to OMR.docx

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Agenda Item No.: N/A - File Only
Area Plan: Temescal Canyon
Zoning District: El Cerrito
Supervisory District: Dist. 1
Project Planner: David L. Jones
Planning Director Approval

RECLAMATION PLAN NO. RCL00118
SUBSTANTIAL CONFORMANCE NO. 2
Applicant: Cajalco Road Quarry
Representative: Christine Goeysvaerts

COUNTY OF RIVERSIDE PLANNING DEPARTMENT
STAFF REPORT

PROJECT DESCRIPTION AND LOCATION:

Reclamation Plan No. RCL00118 Substantial Conformance No. 2 proposes to amend the existing approved reclamation plan RCL No. 118S1 in order to allow for completion of the process initiated by approval in 2013 of RCL No. 118S1 to remedy concerns related to slope stability and prevailing geologic conditions within the existing quarry created by a former operator, and to allow compliance with the 2016 Second Amendment to Stipulated Settlement Agreement and Judgment Thereon, and related court order in *County of Riverside v. Paul Hubbs Construction Company, Inc. et al*, Riverside Superior Court Case No. RIC 387195 ("RCL No. 118S2").

The project site is located in northwestern Riverside County ("County"), South of Cajalco Road and East of Interstate 15, just outside of the City of Corona, within Section 15, Township 4 South, Range 6 West, San Bernardino Base Meridian.

RCL No. 118S2 will allow the applicant to continue to operate the quarry in its intended and lawful manner, by among other things, permitting the applicant sufficient area within the Reclamation Plan to better accommodate needed facility upgrades and compliance with requirements of various public agencies that will allow for completion of the process to rectify existing site conditions, including by continuing mining within the quarry reserves, stabilizing slopes, cleaning, recontouring, stabilizing surface disturbances, and reclaiming the site so it is compatible for future land use. The total reclaimed area of the project site encompassed by RCL No. 118S2 is 135 acres, with 62 acres of disturbed land. The applicant will recontour and reclaim the existing quarry slopes to a stable condition. The applicant will continue to utilize or sell material from the mining and reclamation activities. In addition, an area to the Northeast of the quarry pit will be revegetated to accommodate reclamation of this previously disturbed area. The currently disturbed area (62 acres) will be reclaimed consistent with Surface Mining and Reclamation Act (Pub. Resources Code, §§ 2710 et seq., "SMARA") and County regulations.

ISSUES OF POTENTIAL CONCERN: N/A

SUMMARY OF FINDINGS:

- | | |
|--|---|
| 1. Existing General Plan Land Use (Ex. #_) | Open Space: Mineral Resources (OS:MIN) and Rural (OS:RUR) |
| 2. Surrounding General Plan Land Use (Ex. #__) | Open Space: Rural (OS:RUR) to the North and East, areas to the South and West are in the City of Corona |
| 3. Existing Zoning (Ex. #_) | Mineral Resources and Related Manufacturing (M-R-A) and Natural Asset (N-A) |



- | | |
|-----------------------------------|--|
| 4. Surrounding Zoning (Ex. #_) | Natural Asset (N-A) to the North and East, and properties within the City of Corona to the South and West. |
| 5. Existing Land Use | Aggregate Mining |
| 6. Surrounding Land Use (Ex. #_) | The site is bounded by a golf course to the West, open space to the South and East, and sparse residential use to the North. |
| 7. Project Data: | Total Gross Acreage: 135
(62 Acres Disturbed) |
| 8. Environmental Concerns: | CEQA Exempt |

RECOMMENDATIONS/ACTION:

FIND RCL No. 118S2 exempt from the California Environmental Quality Act (CEQA) based on the findings contained herein pursuant to State CEQA Guidelines Sections 15301(d) and 15061(b)(3), as further described below; and,

APPROVE SUBSTANTIAL CONFORMANCE NO. 2 to RECLAMATION PLAN No. 118, based upon the findings and conclusions incorporated in the staff report, which findings and conclusions are based upon the entire administrative record pertaining to RCL No. 118S2.

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

Findings Related to the Riverside County General Plan and Ordinance No. 348

General Plan

1. The project site is designated Open Space: Mineral Resources ("OS-MIN") and Open Space: Rural ("OS-RUR") on the Temescal Canyon Area Plan.
2. The proposed use, remediation via surface mining and recontouring, is a permitted use under the OS-MIN and OS:RUR designations.
3. The project site is surrounded by properties which are designated OS-RUR to the north and east, and properties that are within the City of Corona to the south and west.

Zoning (County Ordinance No. 348)

4. The existing reclamation plan boundary is within the Mineral Resources and Related Manufacturing ("M-R-A") zone, and the expanded area to be encompassed by Amended RCL00118S1 will include an area zoned both M-R-A and Natural Assets ("N-A").
5. The proposed use, reclamation, with related surface mining activities, is an allowed use in both M-R-A and N-A zones. Because the site is subject to a vested right to mine within the area of RCL No. 118S2, the applicant is entitled to conduct surface mining activities within the reclamation area without a surface mining permit. (See Finding No. 10.)

PINKS

6. The proposed use, reclamation, with related surface mining activities, to achieve slope stability and reclamation benchmarks, is consistent with the development standards set forth in the M-R-A and N-A zones.
7. The project site is surrounded by properties which are zoned N-A to the North and East, and properties that are within the City of Corona to the South and West.
8. This project is within the City of Corona Sphere of Influence.

Findings Related to the Western Riverside County Multiple Species Habitat Conservation Plan ("MSHCP")

9. RCL No. 118S2 is exempt from the requirements of the MSHCP because vested surface mining activities in the subject area preceded adoption of the MSHCP. (See Findings Nos. 10-11.)

Findings Related to Ordinance No. 555 and SMARA

Vested Right (Ordinance No. 555 §12, SMARA §2776)

10. With the approval of Reclamation Plan No. RCL00118 Substantial Conformance No. 1 (RCL No. 118S1) on November 11, 2013, the County made the following findings:
 - a. The applicant maintains a vested right to conduct mining operations in those areas of the quarry and surrounding lands that are the subject of RCL No. 118S1, as contemplated by Sections 2 and 12 of Ordinance No. 555 and Section 2776 of SMARA; therefore, a Surface Mining Permit is not required for purposes of this Substantial Conformance. The applicant's vested right to mine within the RCL No. 118S1 area, as previously recognized by the County and described in the sub-findings contained herein, is documented by the materials reviewed by, and on file with, the County relating to RCL No. 118S1, including but not limited to various documents submitted by the applicant detailing the nature and scope of the vested right. These documents demonstrate that:
 - (i) Mining has occurred in the area that is the subject of RCL No. 118S1 since at least the 1930s.
 - (ii) The County's first ordinance requiring a permit to conduct mining operations was enacted in 1948, at which time the existing mining operation within the RCL No. 118S1 area established a vested right to continue mining activities as a legal, non-conforming use.
 - (iii) In 1959 and 1970, two-pre SMARA permits were issued by the County to the applicant's predecessors establishing a right to mine the lands in and about the area subject to RCL No. 118S1.
 - (iv) The permit obtained in 1970 ("CUP No. 1146") was for crushing and asphalt plants, not surface mining, but included a site plan identifying the available mine site (including substantial areas within RCL No. 118S1),



thus demonstrating that this mining area was within the area subject to vested rights.

- (v) In 1982, Reclamation Plan 118 ("RP No. 118") was approved, and included statements further recognizing and clarifying that the mining operation at the site operated pursuant to vested rights, and also included a large mining area boundary, overlapping with the 1970 CUP No. 1146 mine area boundary.
 - (vi) As of 1982 the County had approved two mining-related entitlements that recognized areas subject to the vested right: the 1970 plant permit (which identified a mine site boundary) and the 1982 reclamation plan RP No. 118 (which identified a mining area subject to future reclamation). Surface mining activities within these areas, as contemplated by RCL No. 118S1, is thus within the scope of the previously-determined vested right.
11. With the approval of RCL No. 118S1 on November 13, 2013, the County approved a third mining-related entitlement that confirmed the areas previously recognized as subject to the vested right include at a minimum the areas located within the CUP No. 1146 and RP No. 118 boundaries. Any future surface mining activities and/or reclamation activities within the areas described in the CUP No. 1146 and RP No. 118 boundaries (including as reflected in the RCL No. 118S2 boundary), are thus within the scope of the previously-established vested right; and, would not constitute an expansion of the permitted or allowed mining area or extension of the operation.
 12. Because the areas subject to surface mining disturbance and/or reclamation activities within the new reclamation plan boundary in RCL No. 118S2 are consistent with the scope of the existing vested right confirmed in multiple, historical documents, the County need not make any further determination of the scope of such vested right prior to approval of Amended RCL No. 118S2 or of any future amendment that does not alter the reclamation plan boundary as set forth in RCL No. 118S2. (See *e.g.*, *Calvert v. County of Yuba* (2006) 145 Cal.App.4th 613, 617.)
 13. In approving RCL No. 118S1, the County specifically referenced or identified various surface mining activities to be undertaken during mining and reclamation, including crushing, screening, processing, trucking, mining, and related activities historically on-going at the site which further the existing quarry operations, including a processing plant, screens and conveyors. As determined in the 2013 findings supporting RCL No. 118S1, and as concluded by the Superior Court in the 2016 Second Amendment to Stipulated Settlement Agreement and Judgment Thereon, and confirmed herein, such surface mining activities are within the scope of the previously-determined vested right. Furthermore, an owner of vested surface mining operations is allowed to "modernize his operations; and change, add to, or increase the size of his equipment (though determined to be structures), even though this increases his input and intensifies the use; provided that by such action he does not change the original protected nonconforming use." (*Moore v. Bridgewater Township* (1961), 173 A.2nd 430, 442 (cited in *Hansen Brothers Enterprises, Inc. v. Board of Supervisors of Nevada County* (1996) 12 Cal4th 533.) As one California court, and the 2016 Second Amendment to Stipulated Settlement Agreement and Judgment thereon, have summarized this issue recently: if a vested right was obtained "in the heyday of the



gold rush, it would not be limited to a shovel, gold pan, rocker, and a long tom." Accordingly, none of the recently upgraded or modernized equipment or facilities change the original vested mining use, and in fact many of the modernizations and upgrades increase efficiency and environmental conservation of the applicant's surface mining operation.

14. The applicant reserves the right to seek future confirmation of the full scope of its vested right to mine outside the boundaries of RCL No. 118S2. Should the applicant, in the future, seek to mine outside the boundaries of RCL No. 118S2, it would need to demonstrate the scope of its vested right pursuant to the vested right determination process required by and consistent with the appropriate lead agency surface mining ordinance, such as the County's surface mining ordinance (No. 555.19), SMARA, and related cases (e.g., *Hansen Brothers v. Bd. of Supervisors* (1996) 12 Cal.4th 533, and *Calvert v. County of Yuba* (2006) 145 Cal.App.4th 613.)

Reclamation Plan Requirements (Ordinance No. 555 § 6)

15. RCL No. 118S2 satisfies the criteria for reclamation plans listed in Section 6 of Ordinance No. 555.
 - a. RCL No. 118S2 indicates the methods that will be used to reclaim the land as well as the schedule for the timing of reclamation.
 - b. RCL No. 118S2 describes the physical conditions subsequent to the completion of reclamation as well as post-reclamation uses.
 - c. RCL No. 118S2 includes a number of maps that depict reclaimed site conditions, including cross-sections, elevations, and topographic depictions.
 - d. RCL No. 118S2 describes the manner in which derelict machinery, mining waste, and scraps will be removed from the site as well as how contaminants will be controlled.
 - e. RCL No. 118S2 describes the methods that will be used to guarantee stable slopes and waste piles.
 - f. RCL No. 118S2 describes how reclamation will affect the area for future mining use.
 - g. RCL No. 118S2 shows that the site, in final form, will be revegetated for soil stabilization, free of drainage and erosion problems, coordinated with present and anticipated future land use, and compatible with the topography and general surrounding environment.

Substantial Conformance (Ordinance No. 555 § 13)

16. RCL No. 118S2 meets the criteria for approval through a Substantial Conformance as specified in Ordinance No. 555 Section 13(b).



- a. RCL No. 118S2 does not change the original or most recent approvals. RP No. 118 called for reclamation of mining activity at the culmination of vested mining operations. RCL No. 118S1 similarly allowed for reclamation of an area subject to vested mining operations, yielding safe slopes and a usable post-reclamation condition.
- b. Following County approval of RCL No. 118S1, Applicant undertook extensive efforts to implement the terms and conditions of the new Reclamation Plan, including to remediate existing site conditions and potentially hazardous slopes, as well as to modify facilities in order to implement necessary upgrades and to comply with requirements of various agencies, all concurrent with on-going mining operations. During the course of this implementation process from 2013 to 2015, it became apparent that the manner in which the 2013 Settlement Agreement and RCL No. 118S1 had modified the prior 1982 RP No. 18, including by reducing the size of the Reclamation Plan boundary area relative to the previously-approved 1982 boundary area, could not fully accommodate the necessary facility upgrades and modifications, and that further efforts to refine the reclamation plan, including its boundary area, were necessary in order to fulfill the intent and objectives of the 2013 Settlement Agreement. Specifically, refinement of the Reclamation Plan boundary is necessary to properly accommodate establishment of a re-aligned and upgraded access road, re-seeding of areas previously covered by rock material in areas outside of the 2013 reclamation plan boundary, re-location of explosive magazine bunkers, and minor adjustment to the mine plan boundary that would still be located within the previously confirmed vested right area. Accordingly, RCL No. 118S2 refines the 2013 Reclamation Plan boundary area to better accommodate the efforts to fulfill the intent and objectives of the 2013 Settlement Agreement, and as now further confirmed in the 2016 Second Amended Settlement Agreement.
- c. RCL No. 118S2 is designed to allow the applicant to fully achieve the objectives of RCL No. 118S1 and satisfy all applicable legal requirements.
- d. RCL No. 118S2 neither changes the site's post-end use (e.g., potential industrial use as one alternative) nor extends the lifetime of mining operations relative to RCL No. 118S1 or the Applicant's vested right as described in Finding 10(a). Accordingly, there is no change in the original approval.
- e. RCL No. 118S2 does not change the effect of the existing reclamation plan on surrounding property owners. As stated in Finding 15(a), RCL No. 118S2 neither changes the site's post-end use nor extends mining operations. Rather, RCL No. 118S2 will improve conditions at the site to ensure conformity with County and State regulations relating to slope stability, which is a benefit for public safety and for neighboring property owners.
- f. RCL No. 118S2 is both a modification to upgrade the existing facilities by improving prevailing slope stability and geologic concerns, site drainage and access, and a modification necessary to satisfy requirements for various public agencies, as well as to comply with the 2016 Second Amended Settlement Agreement. Further, the terms of the Superior Court's order, as reflected in the 2016 Second Amendment,



determined that none of the upgraded or modernized equipment or facilities change the original vested mining use, and in fact many of the modernizations and upgrades increase efficiency and environmental conservation of the surface mining operation. Thus the scope of activities contemplated under RCL No. 118S2 is consistent with historic vested mining activities at the Quarry, and therefore, approving RCL No. 118S2 would be consistent with the type of actions that may be approved through a Substantial Conformance under Ordinance No. 555 Section 13(b).

- g. As contemplated by Section 13(f) of Ordinance No. 555, approval of RCL No. 118S2 is appropriate through a Substantial Conformance, because the project is exempt from CEQA review. (See Finding Nos. 21-22.)
17. A public hearing is not required to approve RCL No. 118S2 through a Substantial Conformance. (See Ordinance No. 555 § 13(d)(1).)

Procedural Requirements Under Ordinance No. 555 and SMARA

18. In satisfaction of Section 9 of Ordinance No. 555 and SMARA Section 2773.1(a), the applicant submitted a revised financial assurance cost estimate ("FACE"), which the County reviewed and approved, and has agreed to post a Financial Assurance Mechanism corresponding to the FACE once the plan has been approved.
19. Notice requirements under SMARA Section 2774 have been completed.
- a. On October 18, 2016, the County transmitted RCL No. 118S2 to the Department of Conservation, Office of Mine Reclamation ("OMR").
 - b. On November 16, 2016, OMR submitted written comments on RCL No. 118S2 to the County.
 - c. On December 2, 2016, the County and applicant submitted written responses to OMR describing the disposition of all major issues raised in OMR's November 16, 2016, letter to the County.
20. Pursuant to SMARA Section 2774(d)(2), the County provided 30 days notice of its pending approval of RCL No. 118S2 by delivering such notice to OMR on December 5, 2016, that the County planned to consider RCL No. 118S2 on or after January 5, 2017.

Findings Related to Fire Protection

21. Fire protection and suppression services will be available for the project through Riverside County Fire Department. No new buildings or structures are proposed or approved through this plan.

Findings Related the California Environmental Quality Act

22. RCL No. 118S2 is exempt from CEQA review under 14 Cal. Code Regs. § 15301(d), as a project that is based on the "restoration or rehabilitation of deteriorated or damaged

PINKS

structures, [or] facilities [...] to meet the current standards of public health and safety." The basis of RCL No. 118S2 is the refinement of reclamation boundaries and features to better accommodate completion of the previously-approved process for restoration of the physical conditions at the project site to a condition that renders them compliant with State and local law, and to a status that does not pose a health and safety concern. Operations at the site prior to the applicant's acquisition of the property created potentially hazardous slopes, as reflected by various documents in the County's file, creating in turn, possible public health and safety concerns at the site. RCL No. 118S2 will allow the applicant to better accommodate on the ground the previously-approved process to recontour the slopes to a satisfactory grade so that the property meets current SMARA and safety standards. Therefore, RCL No. 118S2 is exempt from CEQA review under the referenced exemption.

23. RCL No. 118S2 is further exempt from CEQA review under 14 Cal. Code Regs. § 15061(b)(3), because it will not have a significant effect on the environment.

RCL No. 118S2 involves discretionary review only of a non-substantial modification of previously-approved reclamation activities. Neither the existing surface mining activities at the quarry, nor the surface mining activities that will occur in order to facilitate the previously-approved recontouring of the slopes within the RCL NO. 118S2 area are subject to CEQA review. Those portions of the site that fall within the scope of the RCL No. 118S2 area have already been subject to substantial disturbance. RCL No. 118S2 will not change operations at the site, and will also not extend the life of the mining operation within the Amended RCL00118S2 boundary. Thus, as RCL No. 118S2 consists of only non-substantial modifications to previously-approved restorative activities that **will** take place on substantially-disturbed areas within the RCL No. 118S2 boundary; such reclamation activities will not have any significant effects on the environment, and in fact, will likely only result in beneficial effects.

CONCLUSIONS:

1. The proposed project is in conformance with the Open Space: Mineral Resources (OS-MIN) and Open Space: Rural Land Use Designations (OS-RUR), and with all other elements of the Riverside County General Plan.
2. The proposed project is consistent with the Mineral Resources and Related Manufacturing (M-RA) and Natural Asset (N-A) zoning classifications of Ordinance No. 348, and with all other applicable provisions of Ordinance No. 348.
3. The public's health, safety, and general welfare are protected through project design.
4. The proposed project is clearly compatible with the present and future logical development of the area.
5. The proposed project will not have a significant effect on the environment.
6. The proposed project will not preclude reserve design for the MSHCP.

INFORMATIONAL ITEMS:



-
1. As of this writing, no letters, in support or opposition have been received.
 2. The project site is located within:
 - a. The city of Corona sphere of influence;
 - b. A fault area
 3. The subject site is currently designated as within portions of Assessor's Parcel Numbers 279-231-006, 281-231-011, 279-231-017, 279-231-018, 281-140-021, 281-150-027, 281-180-021, 281-190-028, 281-190-029, 281-200-004, 281-220-002, 281-220-003, 281-220-007, 281-230-013, 281-230-014, 281-240-005, 281-260-006, 281-260-007, 281-270-008, 281-290-007, 281-290-008, 281-300-003

EXHIBIT C

HUBBS/HARLOW QUARRY

**PROJECT DESCRIPTION
AND
AMENDED RECLAMATION PLAN
FOR CA. MINE I.D. 91-33-0061
Christine Goeyvaerts
Cajalco Road Quarry
Revised 10/03/2013 RCL118S1
Revised 11/29/2016 RCL118S2**

**CASE: RCL00118S2
EXHIBIT: C
APPROVED: 2/9/2017
PLANNER: D. Jones**



**HUBBS/HARLOW
CAJALCO QUARRY
AMENDED MINE AND RECLAMATION PLAN**

INTRODUCTION

Project Overview

This Amended Mine and Reclamation Plan (“Amended Reclamation Plan”) is for the Hubbs/Harlow Quarry site (the “Quarry”). The active Quarry is in northwestern Riverside County, south of Cajalco Road and east of Interstate 15, just outside of the boundaries of the City of Corona. The site is accessed via Cajalco Road (see **Reference #2-A and #2-B**, attached hereto, Vicinity Map on the Amended Reclamation Plan).

The previous version of this Amended Reclamation Plan, approved in October 2013 and called RCL118S1, responded to County questions and remedied unstable slopes and geologic hazards at the Quarry in an environmentally and economically viable manner. The County had agreed to expeditiously consider Cajalco’s substantial conformance application by recognizing public health, safety and welfare concerns that were created by the previous owner/operator and that had existed for over a decade.

Since October 2013, the County and Cajalco have, among other things, fully remediated the unstable slopes and geologic hazards at the Quarry. In order to continue to operate the Quarry in its intended and lawful manner, the County and Cajalco have agreed to further revise the Amended Reclamation Plan. This new Plan is called RCL118S2.

Project Objectives

The objectives of RCL118S1 were as follows:

1. To comply with the Stipulated Settlement Agreement and Judgment dated September 27, 2004;
2. To meet slope stability and safety requirements;
3. To reclaim the site to meet Riverside County Ordinance No. 555, which implements the requirements of SMARA;
4. To achieve consistency with health and safety requirements;
5. To reclaim the site for post-mining uses;
6. To contour mining features to minimize aesthetic and erosion impacts;
7. To contain storm water runoff within the reclamation footprint in order to conform to changing storm water requirements;

8. To reclaim and maintain the site as necessary to eliminate hazards to public health and safety; and
9. To render the site suitable for conversion for development consistent with surrounding land uses.

The objectives of RCL118S2 are to provide for and acknowledge:

1. Compliance with the court order in County of Riverside v. Paul Hubbs Construction Co., Inc., et al., Riverside County Superior Court Case No. RIC 387195, entered and filed on July 29, 2016, which order incorporated the terms of the Second Amendment to Stipulated Settlement Agreement Judgment Thereon, dated July 14, 2016;
2. Cajalco's access road improvements to comply with modern air quality requirements and prevent track out;
3. Cajalco's use of adaptive management techniques, including the deposition of material and vegetation clearing, to address trespass and related access concerns in areas outside the Reclamation Plan boundary approved under RCL118S1;
4. Cajalco's ability to relocate explosive magazine bunkers;
5. An adjustment in the Mine Plan boundary to allow light vehicle parking areas in previously disturbed areas; and
6. Cajalco's establishment of various berms, a lay-down area, and plate press and trailers within the Reclamation Plan boundary that required description in this Mine and Reclamation Plan, as well as a water quality basin east of the mine area but within the overall vested right area to (a) prevent the comingling of run-on waters into the mine site and (b) dissipate water velocity during potential El Nino storm events.

History

The Quarry has been subject to extensive historical surface mining. The area near Temescal Creek has been mined for mineral commodities including sand, gravel, clay and rock since the early 1900's. Mining at the Hubbs/Harlow Quarry site has taken place since the 1930's as documented in California Department of Conservation 1991 Special Report 165, "Mineral Land Classification of The Temescal Valley Area." Between 1935 and 1939 Pantages Construction Co. mined the Quarry for Track Ballast for the Atchison, Topeka, and Santa Fe Railroad (DMG Special Report 165, page 46). On April 2, 1940 a record of survey was filed showing the current processing area as "Blarney Stone Quarry". Later, in 1953 Stringfellow company and the Livingston Rock and Gravel Company began large-scale operations including supplying the Long Beach drainage

canal in 1955, the San Gabriel Canyon in 1957, the Santa Ana River Levee in Orange County in 1958 and the Long Beach area flood control channels in 1958-1962.

A vested right to conduct legal, non-conforming surface mining operations including on portions of the Quarry was established in 1948 when the County enacted its first surface mining ordinance. The Quarry's original Reclamation Plan 118 ("RCL118") was required by the Surface Mining and Reclamation Act ("SMARA"), and County Ordinance No. 555 governed surface mining operations on a portion of the Quarry from 1982 until amended in 2013 by RCL118S1.

Summary

This Amended Reclamation Plan is consistent with historic mining activities on the Quarry site that included:

1. A sand, gravel and rock operation (including operation of a rock crushing plant) in the southern portion of the W ½ of Section 15;
2. A clay mining operation in the northern portion of the W ½ Section 15; and
3. SMARA and lead agency requirements

This Amended Reclamation Plan is also consistent with and implements the terms of the 2004 stipulated settlement agreement ("2004 Settlement Agreement") between the County and Paul Hubbs Construction, and related judgment, as ordered by the Superior Court and as amended pursuant to Amendment to Stipulated Settlement Agreement And Judgment Thereon as ordered by the County of Riverside Superior Court on August 28, 2013. On January 6, 2003 the County filed an action against Hubbs Construction for injunctive relief and civil penalties for alleged violations of the California Public Resources Code and County land use ordinances relative to alleged illegal surface mine operations on the Real Property. The County and Hubbs Construction reached a settlement agreement in 2004. The settlement required certain actions to remediate the site, but also expressly reflected Hubbs' intent to expand the vested surface mining operations at the site. The Superior Court subsequently ordered that the terms of the settlement agreement would be the order of the court (9-27-2004 case no. RIC 387195). The revised Amendment to Stipulated Settlement Agreement And Judgment Thereon as ordered by the County of Riverside Superior Court on August 28, 2013 ("2013 First Amendment") is included as **Reference #3-A** in Exhibit C (this document).

In January 2006 Temescal Cliffs purchased the Hubbs/Harlow Quarry from Paul Hubbs Construction Company, Inc., Lucille M. Hubbs (Hubbs Construction) in January 2006. Under RCL118S1, and consistent with the 2004 Settlement Agreement, the current owner desired to rectify the existing site conditions by continued mining within the reserves, stabilizing slopes, cleaning, contouring and stabilizing all surface disturbances and reclaiming the site compatible for future land use. It was the current owner's intent to mine the existing quarry slopes to a state of stability, utilize or sell the rip-rap material, and reclaim the site consistent with SMARA and county regulations.

In brief, RCL118S1 provided a reclamation plan that balanced the need for proper reclamation, and that addressed existing Health and Safety issues as conservatively and expeditiously as possible.

In approving RCL118S1 in 2013, the County adopted findings regarding the scope of vested rights to conduct surface mining activities at the Hubbs Quarry site, including that “surface mining activities within the Amended RCL00118S1 are consistent with the existing vested right confirmed in multiple, historical documents.”

RCL118S2

Following the County’s approval of RCL118S1 in 2013, Cajalco and the County made great strides towards satisfying the terms of the 2013 First Amendment. In particular, Cajalco and the County fully remediated the unsafe conditions that had for over a decade presented an immediate and significant threat to public safety, and made significant progress towards meeting the other provisions of the amended settlement agreement.

However, in the course of undertaking these actions, it became apparent that the 2013 First Amendment was a well-considered but rapid response to the urgent health and safety threats and violations (committed by the Quarry’s prior owners/operators) that existed at the time the 2013 First Amendment was signed and entered as a court order, and that further revisions would be required. In particular, it became apparent that it was not feasible for the Quarry to continue in a manner that fully complied with RCL118S1, and that further efforts to refine the Amended Reclamation Plan, including its boundary area, were necessary in order to fulfill the intent and objectives of the 2013 First Amendment.

Accordingly, on July 14, 2016, Cajalco and County entered into a Second Amendment to the 2004 Settlement Agreement (“2016 Second Amendment”). Pursuant to this further amendment, Cajalco agreed to undertake certain further actions, and the County agreed to process this further Amended Mine and Reclamation Plan, RCL118S2. All of the activities described in the Amended Mine and Reclamation Plan in RCL118S2 were attached to and incorporated into the 2016 Second Amendment. In turn, all such terms of the 2016 Second Amendment were entered by the Riverside County Superior Court as an Order of the Superior Court on July 29, 2016 in Case No. RIC 387195. The 2016 Second Amendment is included as **Reference #3-B** in Exhibit C (this document). Further, the terms of the Court's order, as reflected in the 2016 Second Amendment, determined that (1) there will only be minor adjustments to the actual mine plan area that will all be within the scope of the historic vested mining operations at the Quarry site; (2) none of the upgraded or modernized equipment or facilities change the original vested mining use, and in fact many of the modernizations and upgrades increase efficiency and environmental conservation of the surface mining operation; and (3) all other non-mining activities will either be on areas within the footprint of historic vested operations, or are necessary to satisfy various public agency requirements or facility upgrades.

RCL118S2 is designed to specifically address the following issues:

1. The establishment of a realigned and upgraded access road with grading permit, including grading in previously disturbed areas.
2. The use of adaptive management techniques outside the boundary of RCL118S1, including (a) the deposition of material to prevent trespass on property known as “the old Racetrack” and related access concerns, and (b) clearing of vegetation immediately west of those areas. As of late 2015, Cajalco had removed the deposited material and reseeded the area.
3. The relocation of explosive magazine bunkers required by Bureau of Alcohol, Tobacco, Firearms and Explosives (“ATF”). ATF regulates the bunkers independently of SMARA.
4. The use of areas outside the RCL118S1 boundary for light vehicle parking and the capture of stormwater from traveled areas.
5. The creation of various berms, a plate press and trailers, and a water quality basin east of the mine area but within the overall vested right area to prevent the comingling of run-on waters into the mine site, and for dissipation of water velocity during potential El Nino storm events.

Like RCL118S1, the scope of activities contemplated under RCL118S2 is consistent with historic vested mining activities at the Quarry, which activities are described above.

EXISTING SITE AND AREA CHARACTERISTICS

SITE DESCRIPTION

This Amended Reclamation Plan pertains to the Hubbs/Harlow Quarry site in northwestern Riverside County. The site is located adjacent to the City of Corona and east of I-15 within Sections 15, and 16, Township 4 south, Range 6 west, Riverside Base Meridian, north of Riverside and San Bernardino county borders. The Quarry is accessed via Cajalco Road east of Temescal Canyon Road. Elevations of the site range from near 820 feet msl to a height of around 1,240 feet msl in the southeast portion of the site (see **Reference #2-A**, RCL118S1, Exhibit B2).

ACCESS

The site is accessed off of Cajalco Road via a private road approximately 2000 feet east of the intersection of Cajalco Road and Temescal Canyon Road. The majority of quarry vehicle traffic enters the site via I-15 (both northbound and southbound vehicles) to Cajalco Road east. Most quarry vehicle traffic exits the site toward the west on Cajalco Road to I-15 northbound and southbound. Very little quarry vehicle traffic enters or exits

from Cajalco Road east of the quarry's private access road road. Access via the private road is controlled by chain link fencing and a gate.

UTILITIES

Water Supply

A well on the property (adjacent to Temescal Creek) provides all water required for operations. Well data indicates high total dissolved solids (TDS) in the groundwater (945 PPM). Calcium is the major cation and carbonates and sulfates are the major anions. Current water consumption is estimated at 5,000 gallons per day. This is used for dust control of quarry operations and transport of material. Well and existing buildings will remain until subsequent entitlements or approvals are obtained for future development. RCL118S2 includes the installation of water conservation efficiency improvements, including a plate press.

Drinking Water

Bottled water is provided for employees.

Sewage Disposal

The sewage generated on site is and will continue to be disposed in portable toilets stationed throughout the quarry. These portable facilities will be properly maintained and cleaned. Additionally, the office has an existing septic system. The office will remain until reclamation is complete and subsequent use is approved. Demolition will take place prior to preparing the area for future development.

Electrical

The electrical power service is provided by either Southern California Edison (SCE), or from natural gas fired generators onsite. Electric service within the reclamation area will be removed prior to final closure of the Reclamation activities. Electric service to well and existing buildings will remain until subsequent entitlements or approvals are obtained for future development.

Diesel

The normal diesel required for project equipment and trucks is approximately 20,000 gallons per year. Diesel is stored in an above-ground, portable fuel tank holding approximately 2,500 gallons. The tank is currently located in the processing area however; the unit is portable and is subject to move. The tank is provided by outside contract and has portable permits. A second fuel tank has been added (Permit BXX140294) and is subject to Reclamation.

LAND USE

Existing Onsite Land Use

The Quarry is used exclusively for mining and mineral commodity production. Most of the area has been altered by quarry and related uses. Existing facilities and uses include: graded access roads; abandoned railroad line; storage and working quarry areas; office, repair and scale area; and conveyer belt systems.

The existing, approved mine site is zoned M-R-A, Mineral Resources & Related Manufacturing. The area requested for expansion is zoned M-R-A and N-A Natural Assets.

Adjacent Land Uses

The Quarry is bordered on the west by the Dos Lagos Golf Course in the City of Corona. The Golf Course was designed as a buffer for the Mine and residential uses located approximately 700-1000' west of the processing area of the mine. The property south of the mine is conservation, east of the property is vacant and there are some individual rural homes on Cajalco just north of the site.

Visibility

The surrounding hilly terrain blocks visibility of the mining area from Cajalco and residents to the north. The closest home in the Dos Lagos housing development is located around 1000' west of the existing processing area. The EIR for the Dos Lagos development recognized that the existing mining uses could go on indefinitely and the developer added several mitigation measures to avoid potential land use conflicts. The Dos Lagos specific plan provided a buffering land use between the existing mine and residents in the form of the Dos Lagos Golf Course which separates the conflicting land uses, providing noise and aesthetic mitigation. Additionally, home buyers in the Dos Lagos community connecting to the golf course are provided disclosure notices advising future property owners of the existing mines prior to purchasing a home. The strategy of pre-impact notification was intended to preclude land use incompatibility issues prior to occupancy in the residential area by divulging the information to prospective home buyers prior to purchase.

GEOLOGY & GEOTECHNICAL FRAMEWORK

A detailed description of geologic units and related geotechnical analyses for the quarry area is given in "Slope Stability Investigation Proposed Reclamation of Hubbs Quarry Job # 13173-8", attached as **Reference #1** as part of this Amended Reclamation Plan. In brief, the Hubbs Quarry is located in unincorporated Riverside County, southeast of the intersection of Cajalco and Temescal Canyon Roads. The mine is sited in uplifted and dissected bedrock of the northern Peninsular Ranges geomorphic province. The Peninsular Ranges include plutonic and metamorphic crystalline rock of Cretaceous and

older age. The crystalline basement rocks are locally mantled by residual soils and capped by isolated alluvial/sedimentary remnants. Rocks in the quarry area include volcanic rocks likely coeval with plutonic rocks of the Peninsular Ranges batholith, and Paleocene sedimentary rocks of the Silverado Formation. The Silverado Formation is exposed in excavations around North Hill (hilltops located adjacent to the southern and northern quarry limits are designated 'South Hill' and 'North Hill' for purposes of this investigation).

The appended slope stability report specifically addressed health, safety and welfare measures that were needed to bring the Quarry's slopes into compliance with applicable requirements, as RCL118S1 required. The slope stability report explained that, at the time it was prepared:

- Reclamation slopes will be formed in very hard, jointed igneous bedrock overlain by cemented sedimentary bedrock of the Silverado Formation and a thin mantle of older alluvium and residual soil
- The bedrock has a well-developed orthogonal joint system common to quarry environments in the region
- The joint system produces stable slope configurations in north- and west-facing slopes at the proposed 1:1 finished slope gradient
- A south-dipping component of the joint system may potentially form sliding blocks in south-facing exposures; however, this potential is mitigated by approximately 2:1 gradient for south-facing slopes
- The Silverado Formation sediments form stable slopes at the proposed 2:1 finished slope gradient
- The mantle of residual soil and older alluvium will be sloped at a 3:1 gradient to produce a stable configuration
- In accordance with current standards of practice, kinematic and global slope stability analyses, using site-specific data, were utilized to evaluate the proposed reclamation slopes
- Similarly the slope design and analysis is consistent with the standard of practice for the region including consideration of seismic potential
- Landslides potentially affecting proposed reclamation slopes do not presently occur, or are anticipated to occur, within or near the quarry boundary based on detailed geological mapping
- Based on the elevation of the proposed pit bottom, groundwater is not expected to occur within the maximum mined depth
- The proposed quarry slope configurations are suitably stable under static and seismic conditions as reclaimed slopes
- We recommend inclusion of horizontal safety benches in final slope design as an effective protection from rock fall, and to reduce tensional forces in surface rock and potential surface erosion.

- As appropriate, berms will be placed across slopes potentially subject to overland flow.

From a seismic standpoint:

- The site is not located within a State-designated Alquist-Priolo Earthquake Fault Zone or a fault hazard zone designated by the County of Riverside;
- Faults are not mapped within the proposed quarry limits;
- The nearest major fault, the Elsinore Fault, is approximately two miles southwest of the site and capable of producing peak ground acceleration of 0.43g at the site based on a potential magnitude 7.3 earthquake
- The seismic potential of the Elsinore Fault was therefore considered for calculation of site specific slope stability

Recommendations made in “Slope Stability Investigation Proposed Reclamation of Hubbs Quarry” were incorporated into RCL118S1 and provided compliance with local and state regulations.

Soils

Data on soils are obtained from sheet No. 82 of the “Western Riverside Area, California; Soil Survey”, November 1971. The majority of the natural soil on undisturbed parts of the site are capability VII soils, i.e., incapable of agriculture and generally shallow and poor quality soils. The soils found on the property include: Rough broken land; Cortina cobbly Lomay sand; Lodo rocky loam (25 50% slopes); and Temescal rocky loam. See Appendix B for detailed soil descriptions. Although generally poor quality soils from an agricultural standpoint, these soils support a typical vegetation community and some chapparral in higher locations. These soils are subject to severe erosion due to shallow soil profiles and steep slopes. Soils on the property do not have sufficient depth to warrant stockpiling the top soil. The areas already quarried and disturbed have had all soil removed and the remaining material is either rock out crops or weathered parent material.

VEGETATION

The quarry is devoid of vegetation owing to removal of original thin residual soils resulting from long term benching and quarrying operations. Undisturbed areas consist of plant communities of typical natural and non-native grasses, brushland composed of inland sage scrub, and mixed chaparral. Portions of the brushland are disturbed due to horseback riding and off road vehicle trespass throughout the local area. Typical plant species in the local area include: California buckwheat (*Eriogonum fasciculatum*), goldfields (*Lasthenia glabrata*), small fescue (*Vulpia microstachys*), and deerweed (*Lotus scoparius*). Anticipated post-reclamation land use will complement the nearby Dos Lagos development immediately upon depletion of existing reserves. From a practical

standpoint, the site will be revegetated only to the extent necessary for dust and surface water control.

Weed Control: Inspections for noxious weeds will be conducted twice yearly, on or about mid-March and mid-September. Non-native, invasive weeds will be removed either manually or mechanically, if feasible. In circumstances where hand weeding or mechanical control is not effective, it is appropriate to utilize systemic herbicides. Particular attention will be given to noxious invasive species such as Castor bean (*Ricinus communis*), Russian thistle (*Salsola tragus*), Tree tobacco (*Nicotiana glauca*), Tamarisk (*Tamarix* sp.) and summer mustard.

WILDLIFE

Wildlife associated with the site includes:

Reptiles – Great Basin collared lizard, zebra-tailed lizard, common side-blotched lizard, and western whiptail.

Birds – Northern harrier, mourning dove, lesser nighthawk, western kingbird, common raven, horned lark, cliff swallow, European starling, black-throated sparrow, and western meadowlark.

Mammals – Coyote, ground squirrels, round-tailed ground squirrel, and black-tailed jackrabbit.

Increasing urbanization, existing roads/expressways and long-term mining have long since affected wildlife patterns and numbers. Accordingly, post-reclamation plans utilize this developable property for urbanization consistent with nearby land use. There are no known threatened or endangered species on or near the site.

MINING

MINERAL COMMODITY

The recoverable mineral commodity is nonmetallic construction materials. These include rip rap, base material, gravel and rock. The Hubbs/Harlow Quarry will be mined and reclaimed in a manner that maximizes potential for future development.

Quarry Operations

The Hubbs/Harlow Quarry is a multi-bench hillside rock quarry typically operating on a six day work week from 6:00 a.m. to 8:00 p.m. Monday through Saturday although this schedule can occasionally vary. All extraction and production activities occur onsite.

Work Force

The mine typically employs 6-8 people directly at the site to perform the necessary work relating to mining, safety, environmental, management, and administration tasks. This does not include delivery truck drivers. Employees are primarily skilled workers in the construction material industry; namely, mobile equipment operators, maintenance personnel, and support staff consisting of a quarry manager, weigh master and quality control technicians.

Quarry

The quarry is to be excavated and reclaimed according to this Amended Reclamation Plan. Maximum mine depth is 817 feet. The following activities are and will be undertaken during mining and reclamation:

- Crushing, screening, processing, trucking and mining, including related activities historically ongoing at the site.
- Mining to the contours as outlined in the Amended Reclamation Plan.
- Material stockpiling.
- Reclamation, including recontouring of slopes, implementation of appropriate erosion control measures, and monitoring.

Consistent with the 2013 First Amendment and RCL118S1, Cajalco undertook slope stability mitigations at the Quarry based on field reconnaissance, detailed mapping, sample collections and laboratory analyses, various County inspections, and, ultimately, the recommendations in the Slope Stability Investigation Proposed Reclamation of Hubbs Quarry Job # 13173-8, discussed above and attached hereto as **Reference #1**. Cajalco immediately worked to correct hazards and bring the site into compliance with all agency requirements, including MSHA, OSHA, SMARA, RWQCB, air quality, and County standards. Cajalco and the County regularly met throughout this process. The quarry will continue operating depending on market demands and subsequent development approvals for the property. The final reclamation plan ultimately provides for a developable property that is flat, usable and in a highly desirable area.

In addition, as discussed above, Cajalco has completed the following activities, as strictly indicated on this S2 Amendment to the Reclamation Plan: realign and upgrade the Quarry's access road; use adaptive management techniques, including depositing material and clearing vegetation, to address trespass and access issues outside the approved Reclamation Plan boundary; relocate explosive magazine bunkers (ongoing-per ATF requirements); adjust the Mine Plan boundary to satisfy grading requirements and allow light vehicle parking areas; establish berms and a lay-down area within the Reclamation Plan boundary; establish a water quality basin east of the mine area, but within the vested

right area, both to prevent commingling of run-on waters into the mine site and reduce water velocity during large storm events.

Quarry Equipment

Existing Quarry operations include a Processing Plant, screens and conveyors. Mobile equipment consistent with those found in Table 1 is currently used and replaced as necessary.

**Table 1
Typical Mobile Equipment**

Equipment	Typical Number	Purpose
Motor Grade	1	Maintenance of access roads.
Haul or Dump Trucks	2	Transportation of material onsite.
Drill Rig	1	Drilling holes for placement of explosive
Water Truck	1	Water haul roads, stockpiles, and general dust suppression at site.
Front-End Loaders	4	Loading of material onto conveyors and haul trucks.

** Equipment subject to change as equipment wears out or efficiency advances become available. Air quality compliance, economic efficiency and technological advances often initiate ongoing upgrades.*

PROJECT LIFE

Approximate Project Life is expected to be 25 years with an anticipated termination date of December 31, 2038, depending on market demand. Reclamation will not permanently affect future mining assuming a sufficient economic mineable resource remains. The Amended Reclamation plan grades the site to a relatively flat, usable pad. The reclamation will take years to complete and development is expected to follow final reclamation, upon submittal and approval of a development plan. The final slopes are rock and will be resistant to vegetation and erosion. Storm water plans will be implemented and monitored as the lead agency deems appropriate. Reclamation will be performed consistent with RWQCB requirements.

PROJECT SIZE

As a vested operation, there is no acreage required to be permitted. The total acreage covered under RCL118S1 was 59 acres, as were both the total disturbed acreage and the total acreage to be reclaimed.

Under RCL118S2, the disturbed area is 62 acres and includes an area for light vehicle parking north of the Amended Reclamation Plan boundary and a Stormwater Retention Basin immediately east of the boundary. The reclaimed area includes vested activity in areas previously disturbed by mining but excluded from previous versions of the Reclamation Plan (even though they were part of the active mining area). These areas include a shop west of the mining area, a scales, an office and a detention basin. These areas also include a road that has historically been discussed in the Reclamation Plan but excluded from acreage calculations because it was outside the active mining area. RCL118S2 includes these vested areas for clarity, without increasing the quantity of material to be mined or the area to be disturbed. The shop, office and access roads will remain post reclamation as all have independent, valuable and productive uses regardless of reclamation. These items will be included in the financial assurance cost estimate as existing facilities though no cost will be assigned to reclaim those improvements.

PROJECT COMMODITY

Approximate Project Commodity is 11.1 mcy. Reclamation will not permanently affect future mining assuming a sufficient economic mineable resource remains.

TRUCKING/TRAFFIC

The site is accessed off of Cajalco Road via a private road approximately 2000 feet east of the intersection of Cajalco Road and Temescal Canyon Road. The majority of quarry vehicle traffic enters the site via I-15 (both northbound and southbound vehicles) to Cajalco Road east. Most quarry vehicle traffic exits the site toward the west on Cajalco Road to I-15 northbound and southbound. Very little quarry vehicle traffic enters or exits from Cajalco Road east of the quarry's private access road. Access via the private road is controlled by chain link fencing and a gate. The number of vehicles varies depending on the time of year and construction demand. As a vested operation, there is no restriction on the amount of Quarry traffic entering or leaving the site.

WATER

Production Water Usage

Current water is used for dust control of quarry operations and transport of materials. Daily consumption is approximately 5,000 gallons per day, however, depending on Santa Ana/ wind conditions this number can fluctuate as high as 6000 gallons per day. The well produces around 250 GPM and the water is pumped to the water tank for filling the water trucks. The annual usage of the well typically falls between 4-6acre feet per year.

Wastewater

Wastewater is not generated on-site; and water loss is typically for dust control. Domestic wastewater is controlled with portable sanitation units contracted out to a 3rd party, licensed provider. The existing office has a septic system that was installed many

years ago although the exact date is unknown). RCL118S1 adopted the plans of RCL118, which was approved on April 7, 1982, and specified that buildings remaining after the cessation of mining activities would be left intact and utilized in a manner consistent with their current use until a decision is made on what to do with the structures.

Storm Water

All operations on-site comply with WDID#8331022068 issued for the site; the National Pollutant Discharge Elimination System (NPDES) General Permit for Storm Water Discharges associated with industrial activities and employ appropriate storm water BMP's. NPDES requirements are to eliminate unauthorized non-storm water discharges, prepare Storm water Pollution Prevention Plan (SWPPP), and monitor storm water discharges visually and/or by sampling. Annual inspections are performed by the lead agency and RWQCB. The quarry bottom design was revised to contain water as a temporary basin not as a deficiency of the system currently in place. This measure serves as a decrease in existing runoff patterns therefore continues to comply with the General Industrial Storm water permit/SWPPP issued for the site. Calculations demonstrating compliance with CCR Section 3706(d) have been included as **Reference #5** of the Amended Reclamation Plan.

Groundwater

Based on the presence of non-liquefiable bedrock, the potential for shallow groundwater-related hazards at the site is considered to be very low. The quarry bottom may be exposed to periodic ponding of surface water after locally heavy precipitation. However, such ponding is shallow and short-lived – lasting only as long as evaporation/absorbtion occurs. There is no known impact to the Groundwater. And as the Quarry bottom is bedrock, none are anticipated. Finished floor elevation is above the regional groundwater table and consumption of well water for dust suppression has been used in a consistent manner for over 50 years at this facility.

EXCAVATIONS

The Amended Reclamation Plan provides plan-views and cross sections illustrating the proposed finish slopes. The mining operation will include extraction of the raw material from the working face and conveying the excavated and initially crushed material to the existing processing area. Aggregate material is then fed to the crushing and screening plant for sorting, sizing, crushing of over-sized rock, and stockpiling of the finished materials. Scaling of loose material during excavation of benches will be performed to mitigate potential instability. The County will be updated in the annual monitoring report and the annual SMARA mine inspection reports on the status of operations.

A 50-foot minimum set back shall be maintained along the Amended Reclamation Plan boundary and 10' from easements. The setback is planned for security and safety of the site, during both mining and reclamation.

QUARRY WASTE

It is not anticipated that any tailing or waste material dumps will exist at the end of mine operations. The only material not used at the rate generated is the fine material. Accumulated fines will be used to backfill quarry benches and thus will all be consumed.. Stockpiled material will be transported for offsite sale.

IMPORTED WASTE

The quarry will not accept imported waste materials.

EROSION AND SEDIMENTATION CONTROL

A site specific SWPPP and WDID No. 8331022634 have been assigned to the operator for regulating storm water compliance. Erosion is minor owing to the quarry exposed hard rock. Additionally, site conditions are closely monitored during daily and continuous operations. Repairs are made promptly on an as-needed basis. Erosion control measures from the Site Specific SWPPP have been included as **Reference #4** of the Amended Reclamation Plan.

BLASTING

The on-site hard rock requires blasting to extract material of appropriate size for processing. Through an extractive mining process, the rock materials are systematically removed through cuts and benches and conveyed to the primary crusher. Mining procedures will include drilling and blasting to develop the necessary slopes and benches as presented in the Revised Slope Stability Investigation.

Blasting operations will involve drilling along the mining face, placement of charges, and detonation of the charges by a blaster licensed through the Bureau of Alcohol, Tobacco, and Firearms. In compliance with County regulations, blasting shall only be conducted by a licensed blaster upon issuance of a blasting permit. The County Sheriff's Department must issue a site-specific blasting permit. The licensed blaster shall also submit a certificate of insurance evidencing that he or she has obtained the appropriate general liability insurance policy.

Blasting activities shall take place between the hours of 10:00 a.m. and 4:00 p.m. on weekdays (Monday through Friday). Blasting shall only be allowed on weekends if there is an emergency. No blasting occurs after dark.

A number of issues must be considered in the preparation of a blasting plan including vibration, air blast, and fly rock. It is also important that basic safety requirements are practiced during blasting. Proper blasting design by qualified experts is the best method for eliminating the potential impacts of blasting operations. A proper blasting design involves efficient use of explosive delays and enough stemming or overburden material

to confine fly rock. In addition, a number of safety measures specific to the project site will be required including removal of unstable boulders, stabilizing boulders, limiting the amount of explosive used in blasting, inspecting the site prior to blasting, posting lookouts and use of warning signals. Only experienced, licensed and insured blasting companies are hired to perform blasting activity.

RECLAMATION

The intent of the California Surface Mining and Reclamation Act (SMARA) is to “maintain an effective and comprehensive surface mining and reclamation policy with regulation of surface mining operations so as to assure that a) adverse environmental effects are prevented or minimized and that mined lands are reclaimed to a usable condition which is readily adaptable for alternative uses; b) 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 c) residual hazards to the public health and safety are eliminated” (Section 2712).

Article 9, Section 3700 of SMARA states the following “Reclamation of mined lands shall be implemented in conformance with standards in this Article (Reclamation Standards). The standards shall apply to each surface mining operation to the extent that:

1. They are consistent with required mitigation identified in conformance with CEQA; and
2. They are consistent with the planned or actual subsequent use or uses of the mining site”

The Quarry proposes to reclaim the quarry site to meet Riverside County standards and requirements as well as State SMARA requirements that will minimize impacts to the surrounding community and environment.

As discussed above, the major objectives of RCL118S1 were:

1. To comply with the Stipulated Settlement Agreement and Judgment dated September 27, 2004.
2. To meet slope stability and safety requirements;
3. To reclaim the site to meet Riverside County Ordinance No. 555, which implements the requirements of SMARA;
4. To achieve consistency with health and safety requirements;
5. To reclaim the site for post-mining uses;
6. To contour mining features to minimize aesthetic and erosion impacts;

7. To contain storm water runoff within the reclamation footprint in order to conform to changing storm water requirements;
8. To reclaim and maintain the site as necessary to eliminate hazards to public health and safety; and
9. To render the site suitable for conversion for development consistent with surrounding land uses.

To these objectives, RCL118S2 adds the following objectives:

1. To comply with the court order in County of Riverside v. Paul Hubbs Construction Co., Inc., et al., Riverside County Superior Court Case No. RIC 387195, entered and filed on July 29, 2016, which order incorporated the terms of the Second Amendment to Stipulated Settlement Agreement Judgment Thereon, dated July 14, 2016;
2. To authorize Cajalco to realign and upgrade the Quarry's access road;
3. To authorize Cajalco to use adaptive management techniques, including the deposition of material and vegetation clearing, to address trespass and related access concerns in areas outside the Reclamation Plan boundary approved under RCL118S1 as defined in this S2 Amendment;
4. To authorize Cajalco to relocate explosive magazine bunkers;
5. To adjust the Mine Plan boundary to satisfy specified grading requirements and allow light vehicle parking areas as defined in this S2 Amendment; and
6. To authorize Cajalco to establish various berms, a lay-down area, and plate press and trailers within the Reclamation Plan boundary that required description in this Mine and Reclamation Plan, as well as create a water quality basin east of the mine area but within the overall vested right area to (a) prevent the comingling of run-on waters into the mine site and (b) dissipate water velocity during potential El Nino storm events as defined in this S2 Amendment.

Under RCL118S1, the Quarry's active mining area was excavated to form stable slopes. The total reclamation area was approximately 59 acres.

Under RCL118S2, the disturbed area is 62 acres and includes an area for light vehicle parking north of the Amended Reclamation Plan boundary and a Stormwater Retention Basin immediately east of the boundary. The reclaimed area includes vested activity in areas previously disturbed by mining but excluded from previous versions of the Reclamation Plan (even though they were part of the active mining area). These areas include a shop west of the mining area, a scales, an office and a detention basin. These areas also include a road that has historically been discussed in the Reclamation Plan but

excluded from acreage calculations because it was outside the active mining area. RCL118S2 includes these vested areas for clarity, without increasing the quantity of material to be mined or the area to be disturbed.

SUBSEQUENT USES

The Amended Reclamation Plan shows the actual reclamation layout. The subsequent use potential is high for the site will be graded to a relatively flat, usable condition. Ultimate development will require analyses and land use entitlements deemed appropriate by the lead agency, however, probable end use is expected to be urbanized infill development including a combination of Industrial, commercial, residential and recreation uses.

FINAL RECLAMATION SCHEDULE

Mining activity is anticipated to continue until available material is depleted when market demand and development potential are deemed appropriate. Reclamation will occur concurrent with mining. Approximate Final Reclamation date is anticipated to be December 31, 2038.

PUBLIC SAFETY

The Amended Reclamation Plan addresses all hazards to public safety. Specifically, above the quarry rim a safety berm of approximately 5 feet in height will be constructed. Additionally, a set back of approximately 20 feet will be established and a 3-strand barbed wire fence will be constructed. Signs will be posted at 100-foot intervals on the fence to warn persons of the hazards. At the base of the slopes, signs will be posted noting the dangers of possible falling rock. The property owner intends to operate or at least occupy the quarry until development to avoid vandalism and trespassing.

POST-RECLAMATION DRAINAGE AND EROSION CONTROL

Drainage and erosion control measures will be implemented in a manner consistent with the Storm Water Pollution Prevention Plan (SWPPP) approved for the site. Bedrock is not susceptible to wind, rain or overland flow erosion. No distinct channels are directed to the pit. Areas that are amenable to seeding will be revegetated with the seed mix identified in the Amended Reclamation Plan (**Reference #2-A**, RCL118S1 Exhibit B2, and **Reference #2-B**, RCL 118S2, Exhibit B2) using plants/seeding methods listed. The site will result in graded, usable property in a desirable location for urban infill development although final development will depend on subsequent entitlements. Any addition of impervious surface area over 5000 square feet, or as required by governing agency at the time, will require a Project-Specific Water Quality Management Plan. Erosion Control measures from the SWPPP have been incorporated in this Amended Reclamation Plan as reference in this document as **Reference #4**.

SLOPES AND SLOPE TREATMENT

Erosion of the slope faces is not expected to occur as the quarry is hard-rock (see details in Slope Stability Investigation report) and not particularly susceptible to wind and rain erosion. Any large boulders on mine slopes will be removed or stabilized prior to the final reclamation and areas amenable to vegetation will be planted according to the methods described on the Amended Reclamation Plan. Native vegetation will be used negating the need for fertilizers and irrigation.

Slope Protection

Slopes will be protected in a manner consistent with the engineered Amended Reclamation Plan and the Slope Stability Report as approved by the lead agency.

Surface water from the shallow stream channel east of the site has been prevented from ponding above the slope and from flowing over the slope faces. A review of aerial records indicate truncation of the drainage appears to have occurred sometime in the 1960's, no change to existing slope drainage condition is proposed.

CLEAN UP

All clean-up operations will be conducted within one year of the termination of mining. Scrap material, refuse, and surplus materials will be removed and disposed of as appropriate. The perimeter of the quarry will be fenced with barbed wire, and posted with warning signs to restrict access to the complete quarry.

CONTAMINANTS

Cajalco Road Quarry will comply with the requirements of the California Industrial Storm Water Permit by utilizing methods described in the Storm Water Pollution Prevention Program (SWPPP) approved for the site that incorporates Best Management Practices (BMPs) and an Spill Prevention Control and Countermeasure Plan (SPCC) throughout the operation of the mining and processing activities. During removal of tanks, and other facilities, any fuel or oil spills, or other contaminants will be cleaned up immediately per the SPCC plan. After reclamation there will be no contamination sources remaining on-site.

REVEGETATION

Revegetation will implement activities to revegetate only those site surfaces amenable to planting (non-rock). Owing to the rock exposure inherent in quarries only a limited amount of topsoil is available. Topsoil is to be used as safety berms throughout the site. During reclamation, Topsoil and sand by-product or tailings shall be combined and

spread over disturbed areas subject to erosion for use as a seed bank and seedbed during reclamation. A test plot will be located in a safety berm along the northwest safety berm, labeled "test plot" on Amended Reclamation Plan map, construction note "F". (See **Reference #2-A**, RCL118S1 Exhibit B2, and **Reference #2-B**, RCL 118S2, Exhibit B2.) Cacti will be salvaged and relocated in the test plot area. Target survival rate is 60%.

SEEDING

Broadcast seeding will be conducted between October and December to take advantage of winter precipitation and eliminate the need for irrigation. Seed collection from nearby undisturbed areas will be supplemented by commercially available seeds as needed. Seed will only be collected within one year of planned reseeding. The disturbed areas will be seeded with the species and rates shown in the table below. Note that the species seeded will be augmented with native annuals. Only native seeds tolerant to existing soil and rainfall conditions will be used. The average precipitation in the area should be sufficient for seed germination and root establishment of native species. Irrigation of the site will not be used to avoid encouraging non-native invasive plants.

PROPOSED SEEDING RATES FOR PERENNIAL SPECIES

Species	Seeding Rate (LB/ACRE)
California Sagebrush	2
Four-Wing Saltbrush	2
Broom Baccharis	2
Acton Bush Encelia	3
Hairy Yerba Santa	1
California Buckwheat	8
Golden Yarrow	2
California Poppy	2
Bladderpod	4
Goldfields	1
Deerweed	4
Arroyo Lupine	6
White Sage	2
Black Sage	1
Small Fescue	6

Seed: 46 lbs/Acre
 Height: 12-54 Inches
 Emergence: 10-25 Days
 Establishment: 50-70 Days to 50% cover after emergence

Physical reclamation procedures will include achieving planned slopes and contours, roughening the compacted surface to hold moisture, adding any stockpiled surface material containing banked seeds, seeding with native seeds, and staking or flagging reclaimed areas to eliminate additional disturbance. Use of native seeds will eliminate the

need for fertilizers and long term irrigation. Water trucks will be used to water seeds until vegetation is established. Invasive species must not contribute more than 20 percent of all vegetative cover.

SUCCESS CRITERIA

Areas must attain at least 65% coverage two successive years to be considered fully reclaimed. Alternatively, in the event the lead agency approves subsequent development of the property with a site specific erosion control/water quality management plan, the success criteria could be replaced with methods consistent with grading/development plan for the property.

Cover..... 65% cover must be native perennials
Density..... 18 native perennials per 50-meter by 1-meter transect
Species richness.....5 species of native perennials per 50-meter by 1-meter transect

MONITORING AND MAINTENANCE

Reclamation efforts will be monitored pursuant to SMARA requirements and according to the County of Riverside approved Reclamation Plan. Cajalco Road Quarry, as required under SMARA (Public Resources Code Section 2207), will submit an annual report. SMARA (Section 2774(b)) requires the lead agency (the County) to conduct an inspection of the mining operation within six months of receipt of the required Annual Report. Property owner is responsible for on-going maintenance & monitoring of reclamation operations. Monitoring of revegetated areas will occur annually during the spring until success criteria have been achieved. Sampling will consist of 14 randomly placed 50-meter by 1-meter transects within the revegetated area. Cover will be determined via the line-intercept method along one transect edge. Density and species richness will be determined through direct counts of plants rooted within the transect. Results will be averaged over the 14 transects

RECLAMATION ASSURANCE

Upon approval of this Reclamation Plan, Cajalco Road Quarry assures reclamation of the site in compliance with Section 2773.1 of SMARA in the form of a bond payable to the County of Riverside and the California Department of Conservation, Division of Mines and Geology. The financial assurance will be approved for the implementation of this proposed Reclamation Plan and will be reviewed and adjusted annually to account for new lands disturbed, inflation, and reclamation of lands accomplished in accordance with the approved Reclamation Plan (SMARA, Section 2773.1 (a)(3)).

STATEMENT OF RESPONSIBILITY

The statement of responsibility for the reclamation of the site (below) will be signed by Cajalco Road Quarry representative and will be included as a separate form.

I the undersigned, hereby agree to accept full responsibility for reclamation of all mined lands as described and submitted herein and in conformance with the applicable requirements of Articles 1 and 9 (commencing with Sections 3500 et. seq., and 3700 et. seq, respectively) of Chapter 8 of Division 2 of Title 14 of the California Code of Regulations, the Surface Mining and Reclamation Act commencing with Section 2710 et. seq., and with any modifications requested by the administering agency.

Signed this _____ day of _____, 20__ by

Signature _____ Title _____

REFERENCES

1. Slope Stability Investigation Proposed Reclamation of Hubbs Quarry Job No. 13173-8 by CHJ Consultants and supplemental analyses
- 2-A. Amended Reclamation Plan RCL118S1 (Exhibits B1 and B2) by Mike Orozco
- 2-B. Amended Reclamation Plan RCL118S2 (Exhibits B1, B2 and B3) by Mike Orozco
- 3-A. 2013 First Amendment and Court Order, August 28, 2013
- 3-B. 2016 Second Amendment and Court Order, July 29, 2016
4. SWPPP drainage and erosion control measures
5. Calculations demonstrating compliance with CCR Section 3706(d)



SUBSTANTIAL CONFORMANCE Case #: RCL00118S3

Parcel: 281-220-003

10. GENERAL CONDITIONS

EVERY DEPARTMENT

10. EVERY. 1 SMP - PROJECT DESCRIPTION INEFFECT

The use hereby permitted is for mine site reclamation and associated site restoration as indicated on Exhibits B and C and as described in the Superior Court Order, as reflected in the 2016 Second Amendment.

10. EVERY. 2 SMP - HOLD HARMLESS INEFFECT

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 RECLAMATION PLAN; 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 RECLAMATION PLAN, 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.

02/21/17
14:38

Riverside County LMS
CONDITIONS OF APPROVAL



Page: 2

SUBSTANTIAL CONFORMANCE Case #: RCL00118S3

Parcel: 281-220-003

10. GENERAL CONDITIONS

10. EVERY. 3 SMP - DEFINITIONS INEFFECT

The words identified in the following list that appear in all capitals in the attached conditions of Reclamation Plan No. 118S2, shall be henceforth defined as follows:

APPROVED EXHIBIT NO. "B" = Reclamation Plan Approved Exhibit No. "B", RCL Case No. 118S2, dated 02/09/17.

APPROVED EXHIBIT NO. "C" = Project Description Approved Exhibit No. "C", RCL Case No. 118S2, Dated 02/09/17.

PLANNING DEPARTMENT

10.PLANNING. 1 SMP - S2 VERSUS S3 INEFFECT

February 6, 2017

ALL WORK FOR THIS AMENDMENT WAS PERFORMED UNDER RCL00118S2.

"S3" WAS CREATED AS A FUNDING MECHANISM ONLY. THE S2 ACCOUNT IN LMS WAS COMPROMISED AS IT WAS CREATED IN THE "PROJECTS" LEVEL (IN ERROR) AS WELL AS THE "ACTIVITIES" LEVEL. THE "S2" AMENDMENT NUMBER WAS PRESERVED FOR THIS AMENDMENT IN ORDER TO RESPECT AND PRESERVE THE CASE NUMBERING CREATED THROUGH THE COURT ORDERED SETTLEMENT AGREEMENT.

DLJ

10.PLANNING. 2 SMP - PREVIOUS CONDITIONS INEFFECT

ALL PREVIOUS CONDITIONS APPROVED FOR THIS RECLAMATION PLAN SHALL REMAIN IN EFFECT FOR THIS AMENDED RECLAMATION PLAN RCL00118S2 UNLESS EXPRESSLY MODIFIED BY THIS AMENDMENT.

RECORDING REQUESTED BY
RIVERSIDE COUNTY

THIS AREA FOR RECORDER'S USE ONLY

When recorded, return to:

Riverside County Planning Department
12th Floor County Administrative Center
Mail Stop # 1070

2017-0071809

02/17/2017 03:49 PM Fee: \$ 0.00

Page 1 of 4

Recorded in Official Records
County of Riverside
Peter Aldana
Assessor-County Clerk-Recorder



No fee, 6103 Government Code
Benefit of Riverside County Planning Department

RECLAMATION PLAN NO. RCL00118S2
(Ordinance No. 555)

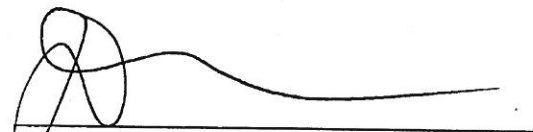
Mining operations conducted on the hereinafter described real property are subject to a reclamation plan approved by the Planning Director on 02/09/2017, a copy of which is on file with the County Planning Department.

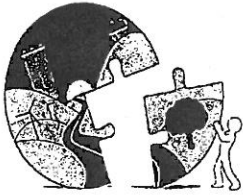
The real property is located in the County of Riverside, State of California described as follows:

APN(s): 281-180-021, 281-190-028, 281-190-029, 281-220-002, 281-230-013, 281-230-014, 281-260-006, 281-260-007, 281-290-007, 281-290-008, 281-270-008, and 281-300-003.

Owner(s) of Record: Cajalco Road Quarry, LLC.

Executed on 02/15/2017 at Riverside, California


David Jones, Chief Engineering Geologist
County of Riverside Planning Department



RIVERSIDE COUNTY PLANNING DEPARTMENT


*Steve Weiss, AICP
Director*

Case Number: RCL00118S2 _____

Date: 2/15/17 _____

Riverside County Planning Department

Riverside County Planning Department
Attest:



SIGNATURE

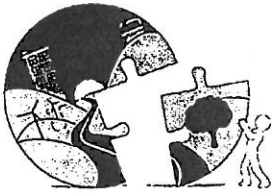
SIGNATURE

David L. Jones
PRINTED NAME

Desiree Bowie
PRINTED NAME

Chief Engineering Geologist
TITLE

Urban Regional Planner I
TITLE



RIVERSIDE COUNTY PLANNING DEPARTMENT

Steve Weiss
Planning Director

NOTICE OF EXEMPTION

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, CA 92201

Project Title/Case No.: Reclamation Plan No. RCL00118 Substantial Conformance No. 2

Project Location: An approximately 135-acre site in the northwestern portion of unincorporated Riverside County, south of Cajalco Road and east of Interstate 15, outside the City of Corona, within Section 15, Township 4 South, Range 6 West, San Bernardino Base Meridian. (See attached map)

Project Description: Modification to Riverside County Reclamation Plan RP 118 in order to complete the changes required by Substantial Conformance No. 1, which was approved in 2013 and was designed to remedy unsafe conditions created by the prior owner/operator. Modification is also necessary to comply with the 2016 Second Amendment to Stipulated Settlement Agreement and Judgment Thereon and related court order in County of Riverside v. Paul Hubbs Construction Company, Inc. et al, Riverside Superior Court Case No. RIC 387195. Reclamation will be accomplished by completing the process to rectify existing site conditions, including, among other things, continued mining of existing quarry reserves, slope stabilization, cleaning, recontouring, stabilizing surface disturbances, and ensuring that there is sufficient area within the Reclamation Plan boundary to make facility upgrades, all of which are needed to comply with the requirements of various public agencies and make the site suitable for future land use.

Name of Public Agency Approving Project: Riverside County Planning Department

Project Sponsor: Cajalco Road Quarry (Applicant)

Exempt Status: (Check one)

Ministerial (Sec. 21080(b)(1); 15268) Categorical Exemption (15301 & 15061)

Declared Emergency (Sec. 21080(b)(3); 15269(a)) Statutory Exemption (_____)

Emergency Project (Sec. 21080(b)(4); 15269(b)(c)) Other _____

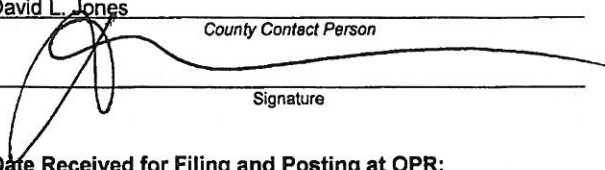
Reasons why project is exempt: The Planning Department concludes the project is exempt from CEQA based on Sections 15301 and 15061 of the CEQA Guidelines.

The project is a non-substantial modification to an existing reclamation plan associated with an existing mining operation. The project's purpose is to ensure the "restoration or rehabilitation of deteriorated or damaged structures, [or] facilities [...] to meet the current standards of public health and safety." CEQA Guidelines Section 15301(d). Specifically, the project will complete the process, required by Substantial Conformance No. 1, to restore existing unsafe and undesirable site conditions, including potentially hazardous slopes, to a status that complies with State and local law. Approval of the project will not change operations at the existing site or extend mining operations. It simply will allow restorative processes and activities to take place, including in already-disturbed areas within the reclamation plan boundary, that will, if anything, result in environmentally beneficial effects.

The Planning Department also concludes that the project is exempt from CEQA because it will not have a significant effect on the environment. CEQA Guidelines Section 15061(b)(3). The only actions subject to County review and discretionary approval are those strictly related to reclamation (i.e., not vested surface mining activities), and those activities will take place only in areas that already have been subject to substantial disturbance. The project will neither change operations at the site nor extend mining operations, but will instead involve only non-substantial modifications to previously approved restoration activities. Again, these modifications will, if anything, result only in environmentally beneficial effects. For these reasons, the project is exempt under CEQA.

Riverside County Planning Department

David L. Jones *County Contact Person* (951) 955-6863 *Phone Number*

 Chief Engineering Geologist *Title* 2/15/2017 *Date*

Date Received for Filing and Posting at OPR: _____

Please charge deposit fee case # _____

ZCFG No. 06363__ - FREE POSTING per Ca. Govt. Code 6103 and 27383

FOR COUNTY CLERK'S USE ONLY

COUNTY OF RIVERSIDE
SPECIALIZED DEPARTMENT RECEIPT
Permit Assistance Center

F* REPRINTED * R1701710

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

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

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

Received from: CAJALCO ROAD QUARRY \$50.00
paid by: CK 3580
FOR RCL00118S3
paid towards: CFG06363 CALIF FISH & GAME: DOC FEE
at parcel:
appl type: CFG3

By _____ Feb 10, 2017 10:28
ASARMIEN posting date Feb 10, 2017

Account Code	Description	Amount
658353120100208100	CF&G TRUST: RECORD FEES	\$50.00

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



RIVERSIDE COUNTY PLANNING DEPARTMENT

Steve Weiss
Planning Director

NOTICE OF EXEMPTION

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, CA 92201

Project Title/Case No.: Reclamation Plan No. RCL00118 Substantial Conformance No. 2

Project Location: An approximately 135-acre site in the northwestern portion of unincorporated Riverside County, south of Cajalco Road and east of Interstate 15, outside the City of Corona, within Section 15, Township 4 South, Range 6 West, San Bernardino Base Meridian. (See attached map)

Project Description: Modification to Riverside County Reclamation Plan RP 118 in order to complete the changes required by Substantial Conformance No. 1, which was approved in 2013 and was designed to remedy unsafe conditions created by the prior owner/operator. Modification is also necessary to comply with the 2016 Second Amendment to Stipulated Settlement Agreement and Judgment Thereon and related court order in *County of Riverside v. Paul Hubbs Construction Company, Inc. et al*, Riverside Superior Court Case No. RIC 387195. Reclamation will be accomplished by completing the process to rectify existing site conditions, including, among other things, continued mining of existing quarry reserves, slope stabilization, cleaning, recontouring, stabilizing surface disturbances, and ensuring that there is sufficient area within the Reclamation Plan boundary to make facility upgrades, all of which are needed to comply with the requirements of various public agencies and make the site suitable for future land use.

Name of Public Agency Approving Project: Riverside County Planning Department

Project Sponsor: Cajalco Road Quarry (Applicant)

Exempt Status: (Check one)

- Ministerial (Sec. 21080(b)(1); 15268)
- Declared Emergency (Sec. 21080(b)(3); 15269(a))
- Emergency Project (Sec. 21080(b)(4); 15269(b)(c))
- Categorical Exemption (15301 & 15061)
- Statutory Exemption (_____)
- Other _____

Reasons why project is exempt: The Planning Department concludes the project is exempt from CEQA based on Sections 15301 and 15061 of the CEQA Guidelines.

The project is a non-substantial modification to an existing reclamation plan associated with an existing mining operation. The project's purpose is to ensure the "restoration or rehabilitation of deteriorated or damaged structures, [or] facilities [...] to meet the current standards of public health and safety." CEQA Guidelines Section 15301(d). Specifically, the project will complete the process, required by Substantial Conformance No. 1, to restore existing unsafe and undesirable site conditions, including potentially hazardous slopes, to a status that complies with State and local law. Approval of the project will not change operations at the existing site or extend mining operations. It simply will allow restorative processes and activities to take place, including in already-disturbed areas within the reclamation plan boundary, that will, if anything, result in environmentally beneficial effects.

The Planning Department also concludes that the project is exempt from CEQA because it will not have a significant effect on the environment. CEQA Guidelines Section 15061(b)(3). The only actions subject to County review and discretionary approval are those strictly related to reclamation (i.e., not vested surface mining activities), and those activities will take place only in areas that already have been subject to substantial disturbance. The project will neither change operations at the site nor extend mining operations, but will instead involve only non-substantial modifications to previously approved restoration activities. Again, these modifications will, if anything, result only in environmentally beneficial effects. For these reasons, the project is exempt under CEQA.

David L. Jones _____ (951) 955-6863 _____
County Contact Person Phone Number
Signature _____ Chief Engineering Geologist _____ 2/15/2017 _____
Title Date

Date Received for Filing and Posting at OPR: _____

Please charge deposit fee case # _____ ZCFG No. 06363__ - FREE POSTING per Ca. Govt. Code 6103 and 27383

FOR COUNTY CLERK'S USE ONLY

STATE OF CALIFORNIA - THE RESOURCES AGENCY
DEPARTMENT OF FISH AND GAME
ENVIRONMENTAL FILING FEE CASH RECEIPT

Receipt #: 17-53257

State Clearinghouse # (if applicable): _____

Lead Agency: COUNTY PLANNING Date: 02/17/2017

County Agency of Filing: RIVERSIDE Document No: E-201700177

Project Title: RECLAMATION PLAN NO RCL00118 SUBSTANTIAL CONFORMANCE NO. 2

Project Applicant Name: RIVERSIDE COUNTY PLANNING Phone Number: (951) 955-6863

Project Applicant Address: 4080 LEMON STREET, RIVERSIDE, CA 92502

Project Applicant: LOCAL PUBLIC AGENCY

CHECK APPLICABLE FEES:

- Environmental Impact Report
- Negative Declaration
- Application Fee Water Diversion (State Water Resources Control Board Only)
- Project Subject to Certified Regulatory Programs
- County Administration Fee
- Project that is exempt from fees (DFG No Effect Determination (Form Attached))
- Project that is exempt from fees (Notice of Exemption)

_____	_____
_____	_____
_____	_____
_____	\$50.00

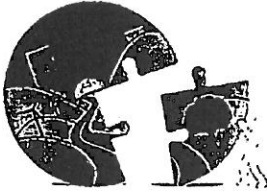
Total Received \$50.00

Signature and title of person receiving payment: _____



Deputy

Notes:



RIVERSIDE COUNTY PLANNING DEPARTMENT

Steve Weiss

FILED / POSTED

County of Riverside
Peter Aldana
Assessor-County Clerk-Recorder

E-201700177
02/17/2017 03:27 PM Fee: \$ 50.00
Page 1 of 2

NOTICE OF EXEMPTION

FROM: Riverside County Planning Department 38686 El Cerrito Road
4080 Lemon Street, 12th Floor Palm Desert, CA
P.O. Box 1409 92201
Riverside, CA 92502-1409

Removed: _____ By: _____ Deputy _____

Project Title/Case No.: Reclamation Plan No. RCL00118 Substantial Conformance No. 2

Project Location: An approximately 135-acre site in the northwestern portion of unincorporated Riverside County, south of Cajalco Road and east of Interstate 15, outside the City of Corona, within Section 15, Township 4 South, Range 6 West, San Bernardino Base Meridian. (See attached map)

Project Description: Modification to Riverside County Reclamation Plan RP 118 in order to complete the changes required by Substantial Conformance No. 1, which was approved in 2013 and was designed to remedy unsafe conditions created by the prior owner/operator. Modification is also necessary to comply with the 2016 Second Amendment to Stipulated Settlement Agreement and Judgment Thereon and related court order in County of Riverside v. Paul Hubbs Construction Company, Inc. et al, Riverside Superior Court Case No. RIC 387195. Reclamation will be accomplished by completing the process to rectify existing site conditions, including, among other things, continued mining of existing quarry reserves, slope stabilization, cleaning, recontouring, stabilizing surface disturbances, and ensuring that there is sufficient area within the Reclamation Plan boundary to make facility upgrades, all of which are needed to comply with the requirements of various public agencies and make the site suitable for future land use.

Name of Public Agency Approving Project: Riverside County Planning Department

Project Sponsor: Cajalco Road Quarry (Applicant)

Exempt Status: (Check one)

- Ministerial (Sec. 21080(b)(1); 15268)
- Declared Emergency (Sec. 21080(b)(3); 15269(a))
- Emergency Project (Sec. 21080(b)(4); 15269(b)(c))
- Categorical Exemption (15301 & 15061)
- Statutory Exemption (_____)
- Other _____

Reasons why project is exempt: The Planning Department concludes the project is exempt from CEQA based on Sections 15301 and 15061 of the CEQA Guidelines.

The project is a non-substantial modification to an existing reclamation plan associated with an existing mining operation. The project's purpose is to ensure the "restoration or rehabilitation of deteriorated or damaged structures, [or] facilities [...] to meet the current standards of public health and safety." CEQA Guidelines Section 15301(d). Specifically, the project will complete the process, required by Substantial Conformance No. 1, to restore existing unsafe and undesirable site conditions, including potentially hazardous slopes, to a status that complies with State and local law. Approval of the project will not change operations at the existing site or extend mining operations. It simply will allow restorative processes and activities to take place, including in already-disturbed areas within the reclamation plan boundary, that will, if anything, result in environmentally beneficial effects.

The Planning Department also concludes that the project is exempt from CEQA because it will not have a significant effect on the environment. CEQA Guidelines Section 15061(b)(3). The only actions subject to County review and discretionary approval are those strictly related to reclamation (i.e., not vested surface mining activities), and those activities will take place only in areas that already have been subject to substantial disturbance. The project will neither change operations at the site nor extend mining operations, but will instead involve only non-substantial modifications to previously approved restoration activities. Again, these modifications will, if anything, result only in environmentally beneficial effects. For these reasons, the project is exempt under CEQA.



RIVERSIDE COUNTY
PLANNING DEPARTMENT

John Hildebrand
Interim Planning Director

November 16, 2020

TO: Cajalco Road Quarry
P.O. Box 3600
92878

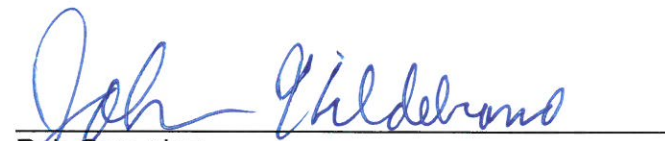
RE: **Reclamation Plan No. RCL00118, Substantial Conformance No. 4 (RCL00118S4)**
CEQA Exempt Sections 15301(d); 15061(b)(3)
Regional Team: Riverside

On **November 16, 2020**, the **Riverside County Planning Department** approved the above referenced case based on the findings and conclusions of the attached staff report and subject to the attached Advisory Notification Document.

Action taken on the above referenced case is considered final.

Sincerely,

RIVERSIDE COUNTY PLANNING DEPARTMENT
John Hildebrand, Interim Planning Director



Rob Gonzalez
Project Planner, TLMA-Planning

Attachments: Staff Report
Notice of Exemption
Advisory Notification Document



**COUNTY OF RIVERSIDE
PLANNING DEPARTMENT
STAFF REPORT**

Agenda Item No.

PROPOSED PROJECT

Case Number: RCL118S4
CEQA Exempt Sections 15301(d);
 15061(b)(3)
Area Plan: Temescal Canyon
Zoning Area/District: El Cerrito District
Supervisory District First District
Project Planner: Rob Gonzalez
Project APN(s): 279231018, 281150027, 281180021,
 281220007, 281230014, 281230013,
 281190028, 281190029, 281240005,
 281260007, 281270008, 281290008,
 281290007, 279231017, 281220003,
 279231006, 279231011

Applicant(s):
 Cajalco Road Quarry
Representative(s):
 Robertson's Ready Mix


 John Hildebrand
 Interim Planning Director

PROJECT DESCRIPTION AND LOCATION

RECLAMATION PLAN NO. 118, SUBSTANTIAL CONFORMANCE NO. 4 (RCL118S4) proposes the further implementation of the goals and objectives of the prior court orders, and to resolve outstanding compliance issues at the site. Specific objectives for this Amendment include:

- (1) Adjust final reclamation contours and apply existing reclamation standards to remaining vested mining areas, and areas of historical (and pre-SMARA) disturbance within the existing, already approved 135-acre RCL118S2 reclamation boundary; and,
- (2) Incorporate beneficial reclamation of disturbed areas of the site not presently required to be reclaimed or authorized for disturbance, including the old pre-SMARA pit near the northern portion of the site, and areas currently occupied with old equipment from the now terminated BNI aggregate operation; and,
- (3) Achieve compliance with two prior settlement agreements and Court Orders, pursuant to which the Applicant continues to remediate unsafe slopes left by a prior operator, among other things (this Amendment extends the current reclamation standards to the full perimeter borders of the approved 135-acre RCL118S2 reclamation boundary); and,
- (4) Provide for improved operational efficiency and environmentally beneficial operations through establishment of reclaimed water as the site's primary water source, and installation with appropriate reclamation standards for a load leveler to be located south of the entrance gate.

The existing mine is located northwestern Riverside County ("County"), South of Cajalco Road and East of Interstate 15, just outside of the City of Corona, within Section 15, Township 4 South, Range 6 West, San Bernardino Base Meridian.

The above is hereinafter referred to as "The Project" or "Project."

PROJECT RECOMMENDATION

STAFF RECOMMENDATIONS/ACTION:

FIND that the project is **EXEMPT** from the California Environmental Quality Act (CEQA), pursuant to State CEQA Guidelines Section 15301(d) (Existing Facilities), and 15061(b)(3) (common sense exemption) based on the findings and conclusions in the staff report; and,

APPROVE RECLAMATION PLAN NO. 118, SUBSTANTIAL CONFORMANCE NO. 4 (RCL NO. 118S4), subject to the attached Advisory Notification Document, Conditions of Approval, and based upon the findings and conclusions provided in this staff report.

PROJECT DATA

Land Use and Zoning:

Specific Plan:	N/A
Specific Plan Land Use:	N/A
Existing General Plan Foundation Component:	Open Space (OS)
Proposed General Plan Foundation Component:	N/A
Existing General Plan Land Use Designation:	Open Space – Minerals Resources (OS-MIN) Open Space – Rural (OS-RUR) Open Space – Water (OS-W)
Proposed General Plan Land Use Designation:	N/A
Policy / Overlay Area:	N/A
Surrounding General Plan Land Uses	
North:	Open Space – Rural (OS-RUR)
East:	Open Space – Rural (OS-RUR)
South:	Open Space – Conservation Habitat (OS-CH) City of Corona
West:	City of Corona
Existing Zoning Classification:	Mineral Resources & Related Manufacturing (M-R-A) Natural Assets (N-A)
Proposed Zoning Classification:	N/A
Surrounding Zoning Classifications	
North:	Natural Assets (N-A)
East:	Natural Assets (N-A)
South:	Natural Assets (N-A) City of Corona
West:	City of Corona
Existing Use:	Aggregate Mining – Hubbs/Harlow Quarry – C.A. Mine I.D. 91-33-0061
Surrounding Uses	

North:	Sparse Residential Uses
South:	Open Space
East:	Open Space
West:	Golf Course

Project Details:

<i>Item</i>	<i>Value</i>	<i>Min./Max. Development Standard</i>
Project Site (Acres):	135 Acres (62 Acres Disturbed)	N/A

Located Within:

City's Sphere of Influence:	Yes – City of Corona
Community Service Area (“CSA”):	Yes – CSA 152
Special Flood Hazard Zone:	Yes – Partially In A Flood Hazard Zone
Agricultural Preserve:	No
Liquefaction Area:	Yes – Low
Subsidence Area:	Yes – Susceptible
Fault Zone:	No
Fire Zone:	No
Mount Palomar Observatory Lighting Zone:	No
WRCMSHCP Criteria Cell:	Yes – WRCMSHCP Cell No. 2610, 2507,2509, 2612, 2402, and 2403
CVMSHCP Conservation Boundary:	No
Stephens Kangaroo Rat (“SKR”) Fee Area:	Yes
Airport Influence Area (“AIA”):	No

PROJECT LOCATION MAP



Figure 1: Project Location Map

PROJECT BACKGROUND AND ANALYSIS

Background:

Reclamation Plan No. 00118, Substantial Conformance No. 4 (RCL118S4), was submitted to the County of Riverside on August 3, 2017. The proposed substantial conformance is a proposed amendment to provide support for ongoing surface mining and reclamation activities at the Hubbs/Harlow Quarry ("Quarry").

The Quarry is owned by Cajalco Road Quarry and operated by Robertson's Ready Mix (RRM). The surface mining operation operated by RRM, and its predecessors-in-interest, has been ongoing since at least the 1930s, and a vested right to conduct legal surface mining operations based upon historic use of the site was established in 1948.

Surface mining reclamation activities at the site are currently conducted pursuant to Reclamation Plan No. RCL00118 (RCL118), as amended by Substantial Conformance No. 2 (RCL118S2), approved in February 2017. (The identifier RCL118S3 was never used or approved.) RCL118S2 was approved to facilitate RRM's ongoing efforts to remedy concerns related to slope stability and prevailing geologic conditions within the Quarry created by a former operator and to allow compliance with two prior court orders, that required improvements to remediate the site to eliminate significant threats to public health and safety, and in the process conform the Quarry to the County's current safety standards and state Surface Mining and Reclamation Act (SMARA) requirements.

Although RCL118S2 encompasses approximately 135-acres of the vested mining area, only 62-acres identified as the "Active Mining Area" are presently authorized for reclamation treatment (*various documents have described the property as 135 or 136 acres, it has been determined that the correct figure is 135.17 acres, typically rounded to 135 acres*). Accordingly, RCL118S4 will now, among other things, provide for the extension of current RCL118S2 reclamation standards across the *entire* 135-acre RCL118S2 "Existing Approved Reclamation Boundary." The reclamation standards will now apply to the remaining area of the previously-approved existing RCL118S2 reclamation boundary, including reclamation of pre-SMARA mining areas, and areas occupied with old equipment from a former aggregate operation. It will also apply to the existing haul road that runs generally through the center of the site and provide for reclamation treatment of that haul road (along with necessary bonding), as well as for the area of disturbance between the haul road and the perimeter access road located along the western boundary of the RCL118S2 reclamation boundary adjacent to Temescal Creek.

No fundamental element of the existing operation (e.g., mining methods, processing operations, production levels, truck traffic, or hours of operations) will be intensified or substantially changed. Further, RCL118S4 (i) will not expand the already-vested mining area, (ii) will extend the reclamation standards to the entire area already within the limits of the RCL118S2 reclamation boundary, thereby resulting in additional reclamation, (iii) does not change the end use, and (iv) will not extend the estimated reclamation date or overall life of the mining operation.

ENVIRONMENTAL REVIEW / ENVIRONMENTAL FINDINGS

RCL No. 118S4 is exempt from CEQA review based on Sections 15301, and 15061 of the CEQA Guidelines.

The project is a non-substantial deviation to previously approved restoration activities associated with an existing mining operation. The project qualifies for an exemption per CEQA Guidelines Section 15301, including subsection (d), since the project's purposes is based on the "restoration or rehabilitation of deteriorated or damaged structures, [or] facilities [...] to meet the current standards of public health and safety." Additionally, Section 15301 also applies to the project as the scope of work incorporates the repair and maintenance of topographical features. The Project proposes to restore existing unsafe and undesirable site conditions, including the extension of the current reclamation standards across the entire reclamation boundary, incorporate reclamation of disturbed areas of the site not presently required to be reclaimed, extend the current reclamation standards to the full perimeter border of the previously approved RCL118S2, provide operational and environmental measures through the establishment of reclaimed water as the site's primary water source, and installation of appropriate reclamation standards for load leveler at the south of the entrance gate. Approval of the project will not change operations at the existing site or extend mining operations. It simply will allow restorative processes and activities to take place, including in already-disturbed areas within the reclamation plan boundary that will result in environmentally beneficial and restorative effects.

The Planning Department also concludes that the project is exempt from CEQA because it will not have a significant effect on the environment, CEQA Guidelines Section 15061 (b) (3). The only action subject to County review and discretionary approval are those strictly related to reclamation (i.e., not vested surface mining activities), and those activities will take place only in areas that already have been subject to substantial disturbance. The project will neither change operations at the site nor extend mining operations, but will instead involve only changes that do not constitute a substantial deviation from the existing reclamation plan. The modifications will result in environmentally beneficial effects. Therefore, the project is exempt under CEQA Guidelines.

FINDINGS AND CONCLUSIONS

In order for the County to approve a proposed project, the following findings are required to be made:

Land Use Findings:

1. The project site has a General Plan Land Use Designation of Open Space-Minerals (OS-MIN), Open Space – Rural (OS-RUR), and Open Space-Water (OS-W) within the Temescal Canyon Area Plan boundary.
2. The project site has a Zoning Classifications of Mineral Resources & Related Manufacturing (M-R-A) and Natural Assets (N-A). Ordinance No. 348 Section 12.60.B allows for mining, quarrying, excavating, beneficiating, concentrating, processing, and stockpiling of rock provided the operator thereof holds a permit to conduct surface mining operations, issued pursuant to County Ordinance No. 555, which has not been revoked or suspended within the M-R-A Zone. Ordinance No. 348, Section 15.200 D allows mining provided the operator holds a permit to conduct surface mining operations issued pursuant to the County Ordinance No. 555 within the N-A Zone. The proposed use, reclamation with related surface mining activities, is an allowed use since the site is subject to a vested right to mine within the area of the Amended RCL00118S4, the vested mining operations are consistent with the zoning requirements. (See Finding No. 4)
3. The subject site is not located within a Specific Plan or Community Plan. The proposed project is compatible with surrounding land uses, as the surrounding land uses consist of scattered residential development and vacant land.

Vested Right (Ordinance No. 555.20 § 17, SMARA § 2776)

4. The applicant maintains a vested right to conduct mining operations in those areas of the quarry and surrounding lands that are the subject of Amended RCL00118S4, as contemplated by Section 17 of Ordinance No. 555 (as amended through 555.20) and Section 2776 of SMARA; therefore, a Surface Mining Permit is not required for purposes of this Substantial Conformance. The applicant's vested right to mine within the Amended RCL00118S4 area, as previously recognized by the County and described in the sub-findings contained herein, is documented by the materials reviewed by, and on file with, the County relating to Amended RCL00118S4, including but not limited to various documents submitted by the applicant detailing the nature and scope of the vested right. These documents demonstrate that:
 - a. Mining has occurred in the area that is the subject of RCL00118S4 since at least the 1930s.
 - b. The County's first ordinance requiring a permit to conduct mining operations was enacted in 1948, at which time the existing mining operation within the RCL00118S4 area established a vested right to continue mining activities as a legal, non-conforming use.
 - c. In 1959 and 1970, two pre-SMARA permits were issued by the County to the applicant's predecessors establishing a right to mine the lands in and about the area subject to RCL00118S4.
 - d. The permit obtained in 1970 ("CU 1146") was for crushing and asphalt plants, not surface mining, but included a site plan identifying the available mine site (including substantial areas within RCL00118S4), thus demonstrating that this mining area was within the area subject to vested rights.
 - e. In 1982, Reclamation Plan 118 ("RP 118") was approved, and included statements further recognizing and clarifying that the mining operation at the site operated pursuant to vested rights, and also included a large mining area boundary, overlapping with the 1970 CU 1146 mine area boundary.
 - f. As of 1982 the County had approved two mining-related entitlements that recognized areas subject to the vested right: the 1970 plant permit (which identified a mine site boundary) and the 1982 reclamation plan RP 118 (which identified a mining area subject to future reclamation). Surface mining activities within these areas, as contemplated by RCL00118S4, is thus within the scope of the previously-determined vested right.
5. With the approval of RCL No. 118S2 in February 2017, the County approved a fourth mining-related entitlement that confirmed the areas previously recognized as subject to the vested right include at a minimum the areas located within the CUP No. 1146 and RP No. 118 boundaries. Any future surface mining activities and/or reclamation activities within the areas described in the CUP No. 1146 and RP No. 118 boundaries (including as reflected in the RCL No. 118S2 boundary), are thus within the scope of the previously-established vested right; and, would not constitute an expansion of the permitted or allowed mining area or extension of the operation. Moreover, equipment upgrades or facility changes do not constitute such an expansion or extension, because an owner of vested surface mining operations is allowed to "modernize his operations," as discussed in the RCL No. 118S2 findings.

6. Because surface mining activities within the RCL00118S4 area are consistent with the existing vested right confirmed in multiple, historical documents, the County need not make any further determination of the scope of such vested right prior to approval of Amended RCL00118S4. (See *e.g.*, *Calvert v. County of Yuba* (2006) 145 Cal.App.4th 613, 617.)
7. The applicant has stated that it reserves the right to seek future confirmation of its vested right to mine outside the boundaries of RCL No. 118S4. Should the applicant, in the future, seek to mine outside the boundaries of RCL No. 118S4, it would need to demonstrate the scope of its vested right pursuant to the vested right determination process required by and consistent with the appropriate lead agency surface mining ordinance, such as the County's surface mining ordinance (Ordinance No. 555), SMARA, and related cases (*e.g.*, *Hansen Brothers v. Bd. of Supervisors* (1996) 12 Cal.4th 533, and *Calvert v. County of Yuba* (2006) 145 Cal.App.4th 613) or obtain the appropriate permit.

Entitlement Findings for Substantial Conformance:

8. Reclamation Plan No. 118, Substantial Conformance No. 4 (RCL No. 118S4) meets the criteria for approval through a Substantial Conformance as specified in Ordinance No. 555.20, Section 18.B.
 - a. Reclamation Plan No. 118, Substantial Conformance No. 4 does not change the original approval and is not a substantial deviation from the original approval RCL118. Amended RCL00118S4 will similarly allow for reclamation of an area subject to vested mining operations, yielding safe slopes and a usable post-reclamation condition. RCL00118S4 neither changes the site's post-end use (*e.g.*, potential industrial use as one alternative) nor extends the lifetime of mining operations. Accordingly, there is no change in the original approval.
 - b. Reclamation Plan No. 118, Substantial Conformance No. 4 does not change the effects on surrounding property. The applicant proposes to reclaim the quarry site to meet Riverside County standards and requirements as well as State SMARA requirements that will minimize impacts to the surrounding community and environment.
 - c. Reclamation Plan No. 118, Substantial Conformance No. 4 does not substantially impact the ability to perform the reclamation activities contemplated in the approved Reclamation Plan, and will in fact allow for and support the Applicant's completion of the same. The proposed substantial conformance is a proposed amendment to provide support of ongoing surface mining and reclamation activities at the Hubbs/Harlow Quarry.
 - d. The proposed substantial conformance includes an amendment necessary to comply with the final conditions of approval. The amendment as determined by the Assistant TLMA Director will have no adverse effect upon public health, safety or welfare and will not have a significant effect on the environment. The Assistant TLMA Director has determined that the proposed RCL00118S4, will not have an adverse effect upon public health, safety or welfare and will not have a significant effect on the environment. As contemplated by Section 1.(F). of Ordinance No. 555.20, approval of Amended RCL00118S4 is appropriate through a Substantial Conformance, because the project is exempt from CEQA review.
 - e. Pursuant to Ordinance No. 555.20 Section 18.D. (1), a public hearing is not required to approve RCL00118S4.

Other Findings:

9. The project site is located within the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP). The project's vested mining rights exempts the entire mine site from compliance with the MSHCP including the HANS process. Previously undisturbed areas within the same overall site are included within this exemption, as long as portions of the overall mining site were actively being mined prior to adoption of the MSCHP.
10. The project site is located within the Corona City Sphere of Influence.
11. The project site is not located within an Airport Influence Area ("AIA") boundary and is therefore not subject to the Airport Land Use Commission ("ALUC") review.
12. The project site is not located within the Mount Palomar Observatory Lighting Zone boundary.
13. The project site is located within the Fee Assessment Area of the Stephen's Kangaroo Rat Habitat Conservation Plan ("SKRHCP"). The project's vested mining rights exempts the entire mine site from compliance with the SKRHCP.

California Department of Mine Reclamation 30-day Review Process:

RCL00118S4 and the supporting information and exhibits were submitted to the California Department of Mine Reclamation (DMR) for a 30-day review on July 9, 2020, in accordance with SMARA. As discussed in the materials submitted to DMR by the Planning Staff, the goals and objectives of RCL00118S4 include the following: (1) Adjust final reclamation contours and apply existing reclamation standards to entire existing 135-acre reclamation boundary; (2) incorporation of beneficial reclamation of disturbed areas of the site not presently required to be reclaimed or authorized for disturbance; (3) Achieve compliance with two prior settlement agreements and Court Orders; (4) Provide for improved operational efficiency and environmentally beneficial operations.

On September 4, 2020, DMR responded to the County's transmittal of RCL00118S4, but did not provide any substantive comments that required either a response by the County, or revisions to RCL00118S4.

The 30-day prior notice of approval (SMARA Section 2772.1(b) (6) (B)) for amended reclamation plan letter was sent to DMR on October 1, 2020 via email.

Fire Findings:

The project site is located within a Cal Fire State Responsibility Area ("SRA") and is within a very high fire hazard severity zone. Fire protection and suppression services will be available for the site through Riverside County Fire Department. No new buildings or structures are proposed or approved through this plan.

Appeal Process

The decision of the Planning Director is considered final and no further action is required unless, within 10 days after the decision has been mailed to the applicant and any other individual who has requested notice of the decision, an appeal is filed in compliance with Public Resources Code section 21151(c), accompanied by the required fee.

Conclusion:

For the reasons discussed above, the proposed project conforms to all the requirements of the General Plan and with all applicable requirements of State law and the ordinances of Riverside County. The public's health, safety, and general welfare are protected through project design. The proposed project is clearly compatible with the present future and logical development of the area. The project will not have a significant effect on the environment.

ADVISORY NOTIFICATION DOCUMENT



COUNTY OF RIVERSIDE TRANSPORTATION AND LAND MANAGEMENT AGENCY

Juan C. Perez
Agency Director

The following notifications are included as part of the recommendation of approval for RCL00118S4. They are intended to advise the applicant of various Federal, State and County regulations that may be applicable to this entitlement and the subsequent development of the subject property.

Advisory Notification

Advisory Notification. 1 AND - Preamble

This Advisory Notification Document is included as part of the justification for the recommendation of approval of this Plan RCL00118S4 and is intended to advise the applicant of various Federal, State and County regulations that may be applicable to this entitlement and the subsequent development of the subject property in accordance with approval of that entitlement and are in addition to the applied conditions of approval.

Advisory Notification. 2 AND - Project Description & Operational Limits

RCL00118S4 approves an amendment for the full implementation of the goals and objectives of the prior court orders, and to resolve outstanding compliance issues at the site as indicated in Exhibit B and C. Specific objectives for this Amendment include:

- (1) Adjust final reclamation contours and apply existing reclamation standards to remaining vested mining areas, and areas of historical (and pre SMARA) disturbance within the existing, already approved 135 acre RCL118S2 reclamation boundary; and,
- (2) Incorporate beneficial reclamation of disturbed areas of the site not presently required to be reclaimed or authorized for disturbance, including the old pre SMARA pit near the northern portion of the site, and areas currently occupied with old equipment from the now terminated BNI aggregate operation; and,
- (3) Achieve compliance with two prior settlement agreements and Court Orders, pursuant to which the Applicant continues to remediate unsafe slopes left by a prior operator, among other things (this Amendment extends the current reclamation standards to the full perimeter borders of the approved 135-acre RCL118S2 reclamation boundary); and,
- (4) Provide for improved operational efficiency and environmentally beneficial operations through establishment of reclaimed water as the site's primary water source, and installation with appropriate reclamation standards for a load leveler to be located south of the entrance gate.

Advisory Notification. 3 AND - Federal, State & Local Regulation Compliance



RIVERSIDE COUNTY PLANNING DEPARTMENT

John Hildebrand
Interim Planning Director

NOTICE OF EXEMPTION

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, CA 92201

Project Title/Case No.: Reclamation Plan No. RCL00118, Substantial Conformance No. 4 (RCL00118S4)

Project Location: An approximately 135-acre site in the northwestern portion of unincorporated Riverside County, south of Cajalco Road and east of Interstate 15, outside the City of Corona, within Section 15, Township 4 South, Range 6 West, and San Bernardino Base Meridian.

Project Description: RECLAMATION PLAN NO. 118, SUBSTANTIAL CONFORMANCE NO. 4 (RCL118S4) approves the further implementation of the goals and objectives of the prior court orders, and to resolve outstanding compliance issues at the site. Specific objectives for this Amendment include:

- (1) Adjust final reclamation contours and apply existing reclamation standards to remaining vested mining areas, and areas of historical (and pre-SMARA) disturbance within the existing, already approved 135-acre RCL118S2 reclamation boundary; and,
- (2) Incorporate beneficial reclamation of disturbed areas of the site not presently required to be reclaimed or authorized for disturbance, including the old pre-SMARA pit near the northern portion of the site, and areas currently occupied with old equipment from the now terminated BNI aggregate operation; and,
- (3) Achieve compliance with two prior settlement agreements and Court Orders, pursuant to which the Applicant continues to remediate unsafe slopes left by a prior operator, among other things (this Amendment extends the current reclamation standards to the full perimeter borders of the approved 135-acre RCL118S2 reclamation boundary); and,
- (4) Provide for improved operational efficiency and environmentally beneficial operations through establishment of reclaimed water as the site's primary water source, and installation with appropriate reclamation standards for a load leveler to be located south of the entrance gate.

Name of Public Agency Approving Project: Riverside County Planning Department

Project Applicant & Address: Cajalco Road Quarry (Applicant)

Exempt Status: (Check one)

- | | |
|---|--|
| <input type="checkbox"/> Ministerial (Sec. 21080(b)(1); 15268) | <input checked="" type="checkbox"/> Categorical Exemption (Sec. 15301 & 15061) |
| <input type="checkbox"/> Declared Emergency (Sec. 21080(b)(3); 15269(a)) | <input type="checkbox"/> Statutory Exemption (_____) |
| <input type="checkbox"/> Emergency Project (Sec. 21080(b)(4); 15269 (b)(c)) | <input type="checkbox"/> Other: _____ |

Reasons why project is exempt: RCL No. 118S4 is exempt from CEQA review based on Sections 15301, and 15061 of the CEQA Guidelines. The project is a non-substantial deviation to previously approved restoration activities associated with an existing mining operation. The project qualifies for an exemption per CEQA Guidelines Section 15301, including subsection (d), since the project's purposes is based on the "restoration or rehabilitation of deteriorated or damaged structures, [or] facilities [...] to meet the current standards of public health and safety." Additionally, Section 15301 also applies to the project as the scope of work incorporates the repair and maintenance of topographical features. The Project proposes to restore existing unsafe and undesirable site conditions, including the extension of the current reclamation standards across the entire reclamation boundary, incorporate reclamation of disturbed areas of the site not presently required to be reclaimed, extend the current reclamation standards to the full perimeter border of the previously approved RCL118S2, provide operational and environmental measures through the establishment of reclaimed water as the site's primary water source, and installation of appropriate reclamation standards for load leveler at the south of the entrance gate. Approval of the project will not change operations at the existing site or extend mining operations. It simply will allow restorative processes and activities to take place, including in already-disturbed areas within the reclamation plan boundary that will result in environmentally beneficial and restorative effects.

NOTICE OF EXEMPTION

Page 2

The Planning Department also concludes that the project is exempt from CEQA because it will not have a significant effect on the environment, CEQA Guidelines Section 15061 (b) (3). The only action subject to County review and discretionary approval are those strictly related to reclamation (i.e., not vested surface mining activities), and those activities will take place only in areas that already have been subject to substantial disturbance. The project will neither change operations at the site nor extend mining operations, but will instead involve only changes that do not constitute a substantial deviation from the existing reclamation plan. The modifications will result in environmentally beneficial effects. Therefore, the project is exempt under CEQA Guidelines.

Rob Gonzalez _____ (951) 955-9549 _____
County Contact Person Phone Number

Joh W. Alderson _____ Interim Planning Director _____ Nov. 16, 2020 _____
Signature Title Date

Date Received for Filing and Posting at OPR: _____

Please charge deposit fee case#: ZEA No. XXXXX ZCFG No. XXXX - County Clerk Posting Fee
FOR COUNTY CLERK'S USE ONLY



EXHIBIT C

HUBBS/HARLOW QUARRY

CA MINE I.D. NO. 91-33-0061

**PROJECT DESCRIPTION
AND
AMENDED RECLAMATION PLAN**

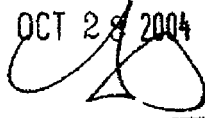
Owner: Cajalco Road Quarry

Operator: Robertson's Ready Mix

**Revised 10/03/2013 (RCL118S1)
Revised 11/29/2016 (RCL118S2)
[Withdrawn] (RCL118S3)
Revised 04/29/20(RCL118S4)**

1 THOMPSON & COLEGATE LLP
2 ATTORNEYS AT LAW
3 3610 FOURTEENTH STREET
4 P. O. BOX 1299
5 RIVERSIDE, CA 92502
6 (909) 682-5550
7 (909) 781-4012 FAX

FILED
SUPERIOR COURT OF CALIFORNIA
COUNTY OF RIVERSIDE

OCT 28 2004


5 John A. Boyd - SBN 089394

6 Attorneys for Defendants, PAUL HUBBS
7 CONSTRUCTION CO., and LUCILLE M. HUBBS

8 SUPERIOR COURT OF THE STATE OF CALIFORNIA
9 FOR THE COUNTY OF RIVERSIDE

10
11 COUNTY OF RIVERSIDE, a political
12 subdivision of the State of California,
13 Plaintiff,
14 vs.
15 PAUL HUBBS CONSTRUCTION
16 COMPANY, INC., LUCILLE M. HUBBS,
17 and DOES 1 through 100, Inclusive,
18 Defendants.

CASE NO. RIC 387195
Action Filed: January 6, 2003
Hon. Robert G. Spitzer, Dept. 8

STIPULATED SETTLEMENT
AGREEMENT AND JUDGMENT
THEREON

Trial Date: September 27, 2004
Time: 9:30 a.m.
Dept.: 8

19 THIS STIPULATED SETTLEMENT AGREEMENT ("AGREEMENT") is entered into
20 as of February 10, 2004, by and between Defendants Paul Hubbs Construction, Inc., and
21 Lucile M. Hubbs, Trustee, of the Paul J. Hubbs and Lucile M. Hubbs Survivors Trust, under
22 Trust dated 5/26/92 (hereinafter "Defendants") and the County of Riverside (hereinafter
23 referred to as "County") with reference to the following facts:

24
25 **RECITALS**

26 A. Defendant LUCILE M. HUBBS, Trustee, of the Paul J. Hubbs and Lucile M.
27 Hubbs Survivor's Trust, under Trust dated 5/26/92 is the owner of that certain real property
28 located at 8843 Cajalco Road, Corona, within the unincorporated area of Riverside County,

1 California (APN: 281-230-013; 281-200-003; 281-220-002; 281-220-003; 281-190-028;
2 281-180-021; 281-140-021; 281-140-027; 281-123-013; and 281-230-038) within the
3 unincorporated area of Riverside County, California (APN: 537-130-013) (the "Real
4 Property").

5 B. Defendant PAUL HUBBS CONSTRUCTION COMPANY, INC., is a California
6 corporation and the operator of the mining operations on the Real Property.

7 C. The County filed this action ("Action") against Defendants for injunctive relief
8 and civil penalties for alleged violations of the California Public Resources Code and
9 county land use ordinances relative to alleged illegal surface mine operations on the Real
10 Property.

11 The matter was set for trial on March 29, 2004.

12 D. Defendant Lucile Hubbs has entered into a contract with Realty Advisory
13 Group ("Proposed Buyers") to purchase and operate the quarrying operation. Further,
14 Defendant Paul Hubbs Construction has entered into interim mining agreements with
15 Interstate Building Materials and a quarry rental agreement with Goetjen, Inc.

16 E. The parties have reached a settlement agreement to resolve the allegations
17 of mining contrary to the approved mining plan and deviating from the approved
18 reclamation plan for the mining operation located on the Real Property.

19 F. Pursuant to the terms and conditions of this Agreement, the parties desire
20 to provide the resolution of the Action.

21 NOW, THEREFORE, in consideration of the mutual covenants herein contained,
22 and for other good and valuable consideration, the receipt and sufficiency of which is
23 hereby acknowledged, the parties hereby agree and stipulate as follows:

24 1. With respect to the County's First Cause of Action for Illegal Surface Mining
25 Operations:

26 a) Defendants agree to expeditiously apply for and obtain a revised
27 reclamation plan for the Real Property. The parties stipulate and Defendants agree to
28 submit a complete application for the approval of a revised reclamation plan for the mining

1 operations on the Real Property no later than November 30, 2004. Said application shall
2 include plans to reclaim all aspects of the mining operation subject to reclamation under
3 the California Public Resources Code and shall include a professional opinion regarding
4 the safety of the mine walls and the need for benching. Defendants further agree to
5 expeditiously make any corrections or changes required by the County or the California
6 Department of Conservation in order to obtain final approval for the reclamation plan.

7 b) County acknowledges that the Proposed Buyers have submitted a
8 "HANS" application (No. R-0412730/PAR 00535) dated June 15, 2004.

9 c) The Proposed Buyers have filed or intend to file an application to
10 extend the mining operation to the applicable property boundary lines of the property. The
11 Proposed Buyers' application includes or will include a revised reclamation plan. Any such
12 application is subject to the normal and customary requirements, reviews, and approvals
13 of the County of Riverside and the California Department of Conservation. To the extent
14 that said application is approved by the County of Riverside and the California Department
15 of Conservation, the revised reclamation plan contained with said application would fulfill
16 the requirements of paragraph 1, subparagraph a.

17 d) The parties stipulate and Defendants agree that Defendants will
18 diligently pursue and expeditiously obtain an approved "HANS" application for the mining
19 operations on the Real Property.

20 e) Defendants shall submit a list of milestone dates relative to the
21 Reclamation Plan application process no later than thirty days from the Court's adoption
22 of this Agreement as the Order of the Court. Defendants shall include a milestone
23 reflecting the expeditious hiring of a consultant to provide a professional opinion regarding
24 the safety of the mine walls and the need for benching. Defendants agree to share this
25 report with the County.

26 f) Defendants will submit a revised estimate of financial assurances in
27 support of the Reclamation Plan at the time of application as required by Riverside County
28 Ordinance No. 555.

- 1 2. With respect to the civil penalties, County will waive all civil penalties.
- 2 3. The parties agree that the current mining operation will be limited to that area
- 3 described in the permitted mining area", attached hereto as Exhibit "A". For purposes of
- 4 further description, the "permitted mining area" is that permitted mining area reflected in
- 5 approved Reclamation Plan 118 and further described as the area within the M3 mining
- 6 permit plus the area directly to the north of the north boundary of the M3 mining permit
- 7 which has previously been approved by the County and the State Department of
- 8 Conservation for mining operations. Nevertheless, the "permitted mining area" does not
- 9 include the area designated as the clay mining area on Reclamation Plan 118.
- 10 a) Further, County acknowledges, but takes no position herein, the
- 11 Proposed Buyers have submitted or will submit an application to expand the Surface
- 12 Mining Permit to the applicable borders of said property,
- 13 4. The parties stipulate and agree that the Superior Court of the County of
- 14 Riverside, State of California shall continue to retain jurisdiction of this Action and over the
- 15 parties personally to enforce the terms and provisions of this Agreement until performance
- 16 in full of the terms of the Agreement have been completed.
- 17 5. The parties stipulate and agree that each party will pay its own costs and
- 18 attorney's fees related to or arising out of this Action.
- 19 6. Upon complete performance of all the terms of this Agreement by
- 20 Defendants, the County of Riverside shall file a Request to Dismiss this Action (RIC
- 21 387195) against Defendants with prejudice.
- 22 7. The parties agree that this Agreement is intended to provide a
- 23 comprehensive resolution of this Action. So long as the provisions of this Agreement are
- 24 complied with, the County agrees not to pursue any other civil, administrative, or criminal
- 25 remedies for the violations of the Surface Mining and Reclamation Act or County
- 26 Ordinances described in the Complaint filed in this Action.
- 27 8. The parties agree to waive their right to trial and appeal in the above-entitled
- 28 Action (Case No. RIC 387195).

1 9. This Agreement shall be binding upon and shall inure to the benefit of the
2 parties hereto and their respective heirs, personal representatives, successors and
3 assigns.

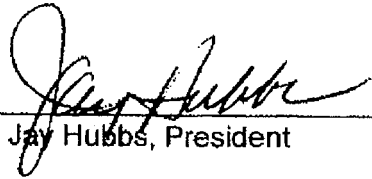
4 10. Any alteration, change or modification of or to this Agreement, in order to
5 become effective, shall be made by written instrument and in each such instance executed
6 by or on behalf of the party to be bound thereto.

7 11. Time is hereby expressly made of the essence of this Agreement and all
8 performances and obligations due hereunder.

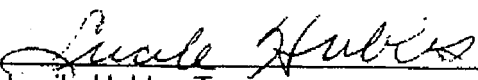
9 **IN WITNESS WHEREOF**, the parties hereto have executed this Agreement as of
10 February 10, 2004.
11

12
13 Dated: 9/28, 2004.

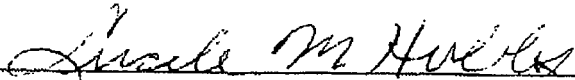
PAUL HUBBS CONSTRUCTION COMPANY, INC.

14
15 By: 
16 Jay Hubbs, President

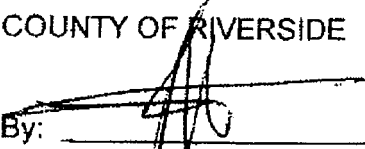
17
18 Dated: 9/22, 2004.

19 By: 
20 Lucile Hubbs, Treasurer

21
22 Dated: 9/22, 2004.

23 
24 Lucile M. Hubbs, Trustee, Paul J. Hubbs
and Lucile M. Hubbs Survivors Trust, under Trust
dated 5/26/92

25
26 Dated: 9/23, 2004.


27 COUNTY OF RIVERSIDE
28 By: 
-Tom Ingram Ed Nicholls
Director, Department of Building and Safety
Deputy Director of Code Enforcement

1
2 **[PROPOSED] ORDER**

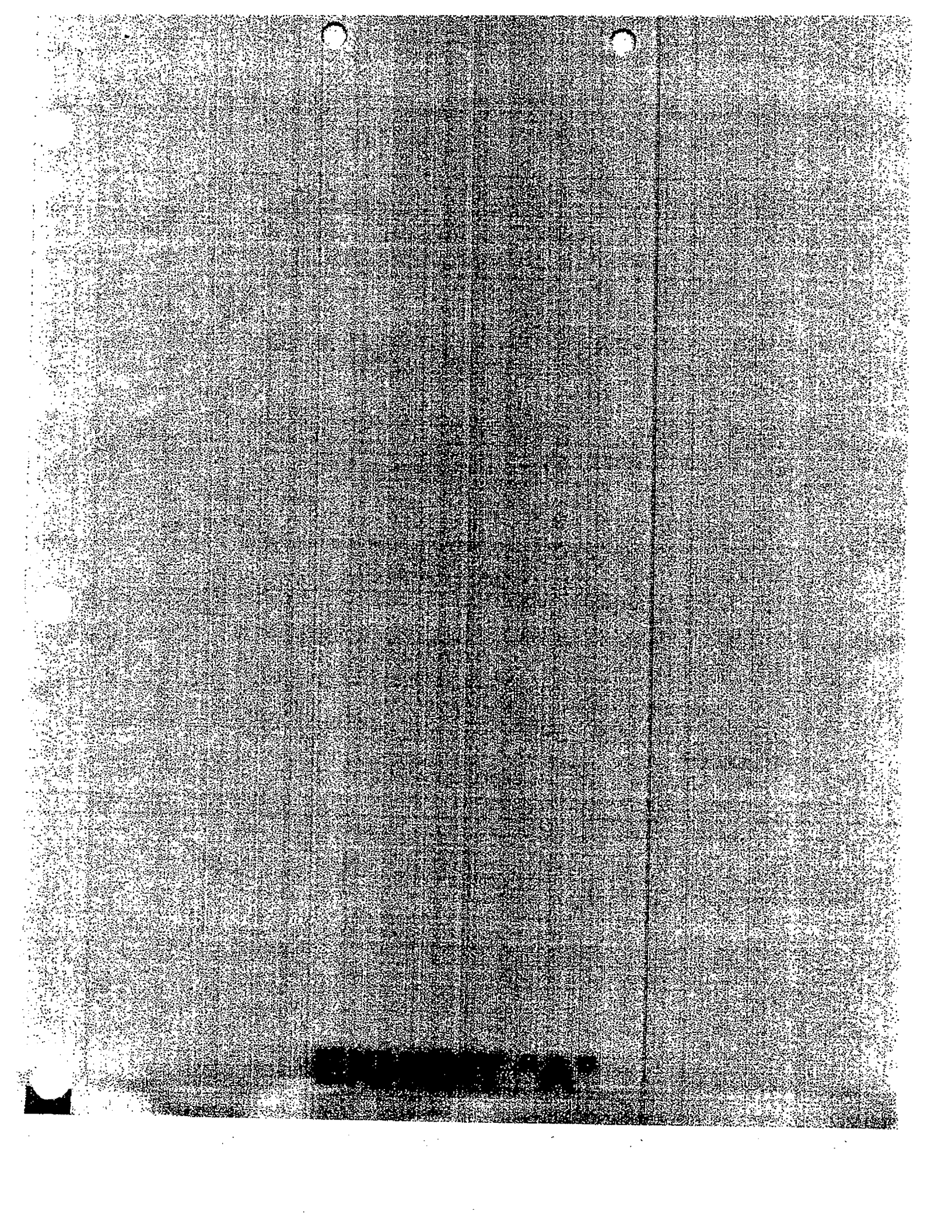
3 Upon consideration of the foregoing Stipulated Settlement Agreement and good
4 cause appearing therefor,

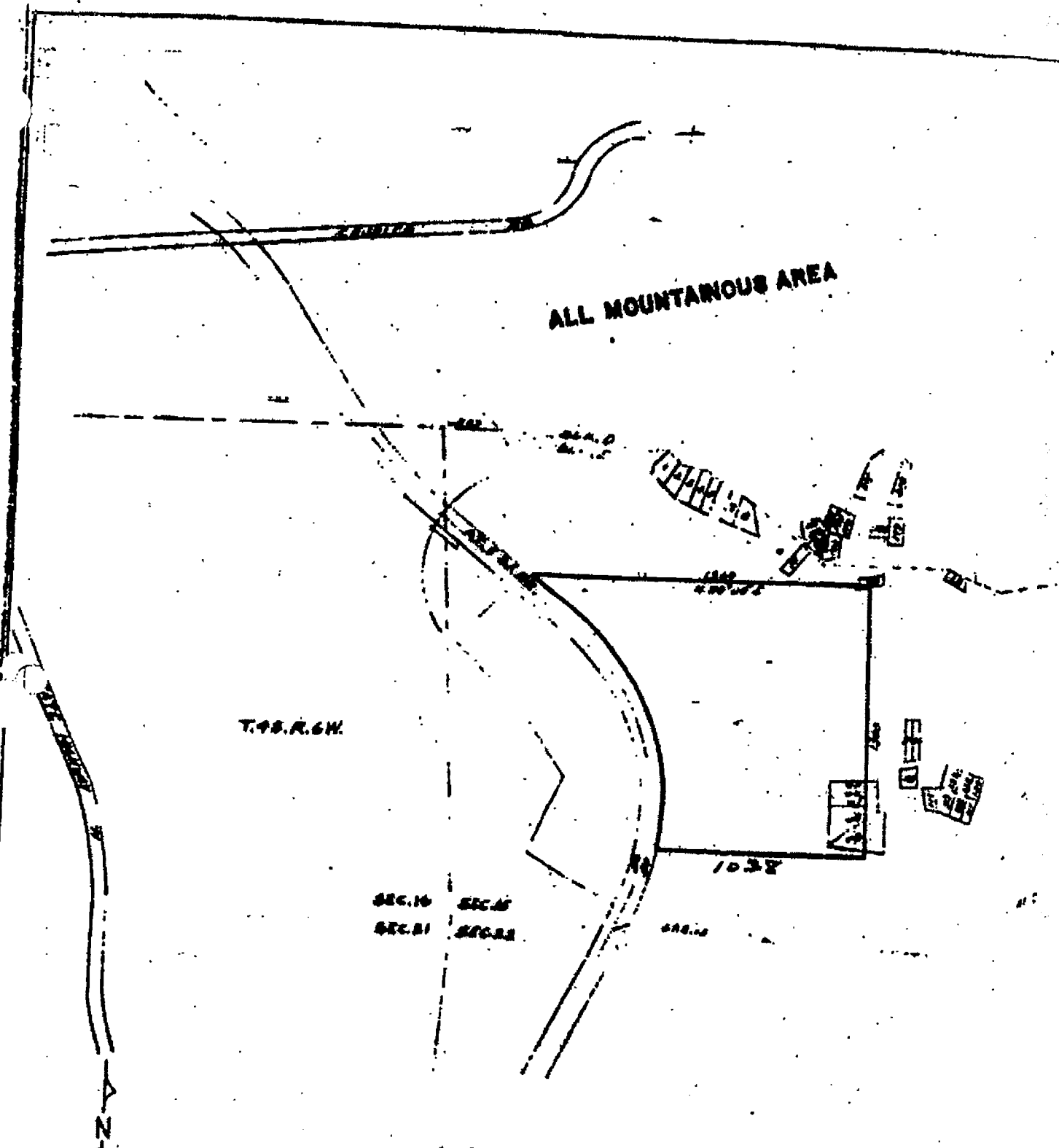
5 IT IS HEREBY ORDERED that the terms and provisions of the Stipulated
6 Settlement Agreement shall be the Order of the Court in this case. The Court retains
7 jurisdiction, pursuant to the terms of the Settlement and Code of Civil Procedure section
8 664.6, to enforce the Settlement until performance in full of the terms of the Settlement has
9 been completed.

10
11 DATED: 09.27, 2004.

12 
13 _____
14 Honorable Robert G. Spitzer
15 Judge of the Superior Court

16 G:\Data\035032\JAB PLD013-CB-Stipulation re Settlement.wpd
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ALL MOUNTAINOUS AREA

T. 48. R. 6 W.

SEC. 10 SEC. 11
SEC. 21 SEC. 22

SCALE: 1" = 400'

LAND USE

M-3 CASE NO. 404 EXHIBIT A

JYNGSTON ROCK & GRAVEL
APPLICANT

ROCK DRUMS & SHARBY

TENNESSEE CANYON
AREA OR DISTRICT

THE RIVERSIDE COUNTY PLANNING COMMISSION

1 **PROOF OF SERVICE**

2 STATE OF CALIFORNIA, COUNTY OF RIVERSIDE

3 I am employed in the County of Riverside, State of California. I am over the age of
4 18 years and not a party to the within action; my business address is 3610 14th Street,
Riverside, CA 92501.

5 On October 22, 2004, I served a true copy of the within document described as
6 **STIPULATED SETTLEMENT AGREEMENT AND JUDGMENT THEREON** on the
interested parties in this action addressed as follows:

7 Dale A. Gardner, Deputy County Counsel
8 OFFICE OF COUNTY COUNSEL
9 COUNTY OF RIVERSIDE
3535 Tenth Street, Suite 300
Riverside, CA 92501-3674
10 (909) 955-6300; FAX (909) 955-6322 and (909) 955-6363

11 (X) **VIA MAIL** - In accordance with the regular mail collection and processing practices
12 of this business office, with which I am familiar, by means of which mail is deposited
13 with the United States Postal Service at Riverside, CA, that same day in the
ordinary course of business, I deposited such sealed envelope for collection and
mailing on this same date following ordinary business practices.

14 () **PERSONAL** - I caused such envelope to be delivered by hand to the offices of the
addressee pursuant to C.C.P. §1011.

15 () **VIA OVERNIGHT DELIVERY** - I caused such envelope to be delivered by hand to
16 the office of the addressee via overnight delivery pursuant to C.C.P. §1013(c). Said
document was deposited at the box regularly maintained by said express service
17 carrier located at 14th and Orange Streets, Riverside, CA, on the date set forth
above.

18 () **VIA FACSIMILE** - I caused such document to be delivered to the office of the
19 addressee via facsimile machine pursuant to C.C.P. §1013(e). Said document was
transmitted from the office of Thompson & Colegate in Riverside, California, on the
20 date set forth above.

21 I declare under penalty of perjury under the laws of the State of California that the
22 foregoing is true and correct, and that I am employed in the office of a member of the bar
of this Court at whose direction the service was made.

23 Executed on October 22, 2004 at Riverside, California.

24
25 
26 Carmen Ventura Brunner
27
28

COPY

1 COUNTY OF RIVERSIDE
OFFICE OF COUNTY COUNSEL
2 PAMELA J. WALLS, COUNTY COUNSEL (Bar No. 123446)
MICHELLE P. CLACK, DEPUTY COUNTY COUNSEL (Bar No. 190718)
3 3960 Orange Street, Suite 500
Riverside, California 92501
4 Telephone: 951.955.6300
Facsimile: 951.955-6322

5 Attorneys for Plaintiff
6 COUNTY OF RIVERSIDE

7 JEFFER MANGELS BUTLER & MITCHELL LLP
KERRY SHAPIRO (Bar No. 133912)
8 SCOTT N. CASTRO (Bar No. 191499)
Two Embarcadero Center, Fifth Floor
9 San Francisco, California 94111-3813
Telephone: 415.398.8080
10 Facsimile: 415.398.5584

11 Attorneys for Defendant,
CAJALCO ROAD QUARRY successor-in-interest to Paul Hubbs
12 Construction Company, Inc. and Lucille M. Hubbs

RECEIVED
SUPERIOR COURT OF CALIFORNIA
COUNTY OF RIVERSIDE

AUG 21 2013

FILED
SUPERIOR COURT OF CALIFORNIA
COUNTY OF RIVERSIDE

AUG 28 2013

JMBM
Jeffer Mangels
Butler & Mitchell LLP

14
15 SUPERIOR COURT FOR THE STATE OF CALIFORNIA
16 COUNTY OF RIVERSIDE

17 COUNTY OF RIVERSIDE, a political
subdivision of the State of California,

18 Plaintiff,

19 v.

20 PAUL HUBBS CONSTRUCTION
COMPANY, INC., LUCILLE M. HUBBS, and
21 DOES 1 through 100, Inclusive,

22 Defendants..

CASE NO. RIC 387195

**AMENDMENT TO STIPULATED
SETTLEMENT AGREEMENT AND
JUDGMENT THEREON; [PROPOSED]
ORDER**

Date:

Time:

Dept:

Judge:

8/28/13
930
12

23
24 This Amendment to the Stipulated Settlement Agreement and Judgment Thereon
25 ("Amended Agreement") amends the Stipulated Settlement Agreement and Judgment Thereon,
26 entered by the Court on October 24, 2004 ("2004 Agreement"), and is entered into as of August 28
27 2013 by and between Plaintiff County of Riverside ("County") and Cajalco Road Quarry
28

1 ("Cajalco"), successor-in-interest to Paul Hubbs Construction Company, Inc. and Lucille M. Hubbs,
2 collectively. County and Cajalco (collectively, the "Parties") enter into the Amended Agreement
3 with reference to the following facts:

4 **RECITALS**

5 A. Cajalco is the owner of that certain real property located at 8843 Cajalco Road,
6 Corona within the unincorporated area of Riverside County (APNs 281-180-021, 281-190-028,
7 281-190-029, 281-220-002, 281-230-013, 281-230-014, 281-260-006, 281-260-007, 281-290-007,
8 281-290-008, 281-270-008 and 281-300-003) (the "Real Property"), attached hereto as **Exhibit A**.

9 B. Cajalco is successor-in-interest to Defendants Paul Hubbs Construction, Inc., and
10 Lucille M. Hubbs, Trustee, of the Paul J. Hubbs and Lucile M. Hubbs Survivors Trust (hereinafter,
11 the "prior Defendants"), having acquired all rights, title and interests from the prior Defendants to
12 the Real Property in October 2011.

13 C. Surface mining operations have been conducted on portions of the Real Property
14 continuously since the 1930s, and a vested right to conduct legal, non-conforming surface mining
15 operations on portions of the Real Property based upon historic use of the site was established in
16 1948 when the County enacted its first surface mining ordinance. Reclamation Plan 118
17 ("RCL118") required by the Surface Mining and Reclamation Act ("SMARA") and County
18 Ordinance No. 555 has governed surface mining operations on a portion of the Real Property since
19 1982.

20 D. On or about January 6, 2003, the County filed the underlying action ("Action")
21 against prior Defendants for injunctive relief and civil penalties for alleged violations of SMARA
22 and County land use ordinances concerning alleged illegal surface mining operations on the Real
23 Property.

24 E. The County and prior Defendants reached a settlement in 2004, submitting the 2004
25 Agreement with the Court in late September 2004. On October 24, 2004, the Court ordered that the
26 terms of the settlement agreement would be the order of the Court ("2004 Order").

27 F. The terms of the 2004 Agreement were intended to resolve allegations by the County
28 of on-going surface mining activities contrary to the terms of the approved RCL118 for the conduct

1 of surface mining operations on the Real Property.

2 G. In January 2006, Temescal Cliffs, LLC purchased the Real Property from the prior
3 Defendants. Temescal Cliffs, LLC subsequently entered into bankruptcy, and failed to satisfy the
4 terms of the 2004 Agreement.

5 H. On October 17, 2011 Cajalco acquired the Real Property at a public auction in which
6 First American Title Insurance Company, as the duly appointed Trustee in compliance with Notice
7 of Trustee's sale, sold the Real Property to Cajalco (Trustee Sale No. 432077). (Document recorded
8 on October 18, 2011, County of Riverside DOC#2011-0457028.)

9 I. Since entry of the 2004 Order, the conditions on areas within the Real Property have
10 remained in a hazardous condition due to prior surface mining operations, with unstable slopes
11 onsite, including sheer vertical faces of over 300 feet in height, presenting immediate and
12 significant threats to public health and safety. Conditions on the Real Property present additional,
13 on-going aesthetic and erosion impacts.

14 J. Since Cajalco's acquisition of the Real Property in October 2011, Cajalco and the
15 County have discussed ways to remediate the Real Property to eliminate the significant threats to
16 public health and safety presented by the current onsite conditions. The County and Cajalco met on
17 several occasions in 2012 and 2013 to identify the appropriate manner in which to correct the public
18 health, safety and welfare concerns and to bring the conditions on the Real Property into
19 compliance with current County and SMARA requirements.

20 K. The Riverside County Board of Supervisors directed County Counsel to resolve
21 outstanding issues of the 2004 Agreement during its October 16th, 2012 hearing (Agenda Item
22 #3.6).

23 L. In the interests of remedying such conditions, the County and Cajalco have agreed to
24 amend the terms of the 2004 Agreement.

25 NOW, THEREFORE, in consideration of the mutual covenants herein contained, and for
26 other good and valuable consideration, the receipt and sufficiency of which is hereby
27 acknowledged, the parties hereby agree and stipulate as follows:

28 1. With respect to the County's First Cause of Action for Illegal Surface Mining

1 Operations:

2 a) The County and Cajalco agree that in order to conform the Real Property to
3 the County's current safety standards, to reclaim the site, and in furtherance of public health, safety
4 and welfare at the Real Property, modifications to RCL118 are required. Cajalco agrees to submit
5 for consideration an application to modify RCL118 consistent with the proposed Reclamation Plan
6 118S1 ("RCL118S1"), which is described below and depicted in the map exhibit attached as
7 **Exhibit B**. Cajalco further agrees that RCL118S1 will include a slope stability analysis and
8 appropriate mitigations, prepared by a licensed engineer. The Parties stipulate and Cajalco agrees
9 that the application for RCL118S1 will be submitted pursuant to Section 13.b. of Riverside County
10 Ordinance No. 555 as a non-substantial modification of approved RCL118. The application
11 submitted by Cajalco will be subject to the normal and customary requirements, decisions or review
12 by the County and/or Department of Conservation. The Parties stipulate and Cajalco agrees to
13 submit the above-referenced application no later than thirty (30) days from the Court's Order.

14 b) The Parties stipulate and the County agrees that the vested surface mining
15 operations conducted on portions of the Real Property are exempt from the requirements of the
16 Multiple Species Habitat Conservation Plan ("MSHCP") because such mining operations at the
17 Real Property preceded adoption of the MSHCP (MSHCP EIR/EIS, §§ 4.2.2; 5.1.2; County
18 Resolution 2003-299, p. 44).

19 c) The Parties stipulate and Cajalco agrees that it will submit a revised financial
20 assurances cost estimate in support of RCL118S1 at the time its application is filed, as required by
21 Public Resources Code sections 2770 and 2773.1 and Riverside County Ordinance No. 555, Section
22 9.

23 2. With respect to the civil penalties, County will waive all civil penalties

24 3. The parties agree that all activities set forth in RCL118S1 will be conducted in
25 accordance with RCL118S1, and that no use permit or other approval is required to conduct such
26 activities within the RCL118S1 boundary (as described in **Exhibit B**) because they are substantially
27 within the scope of historic vested mining operations on the Real Property. The Parties further
28 stipulate, and Cajalco agrees, that any mining and/or reclamation activities proposed outside of the

1 scope of RCL118S1 (as described in Exhibit B) will be subject to future applicable County review.
2 The County and Cajalco stipulate that the modification of RCL118 by RCL118S1 under Section 13
3 of Ordinance No. 555 may be exempt from the provisions of the California Environmental Quality
4 Act ("CEQA") pursuant to the exemptions applicable to activities that lack significant
5 environmental effect (14 Cal.Code Regs. § 15061(b)(3)) and exemptions applicable to existing
6 facilities (14 Cal.Code Regs § 15301). The County agrees to consider whether such exemptions
7 under CEQA apply for RCL118S1 primarily because the activities proposed therein seek to remedy
8 existing hazardous conditions on site. The County and Cajalco agree that any exemption under
9 CEQA determined by the County for RCL118S1 shall have no effect on the applicability of CEQA
10 to any discretionary project that may be proposed for the Real Property following completion of the
11 activities authorized by the RCL118S1, or from activities unrelated to the those authorized by
12 RCL118S1.

13 4. The Parties stipulate and agree that the Superior Court of the County of Riverside,
14 State of California shall continue to retain jurisdiction of this action and over the parties personally
15 to enforce the terms and provisions of this Amended Agreement, until performance in full of its
16 terms has been completed.

17 5. The Parties stipulate and agree that each party will pay its own costs and attorney's
18 fees related to or arising out of this action.

19 6. Upon complete performance of all of the terms of this Amended Settlement by
20 Cajalco and the County, the County shall file a Request to Dismiss this Action (RIC 387195)
21 against Cajalco with prejudice.

22 7. The Parties agree that this Amended Settlement and attached Exhibits are intended to
23 provide a comprehensive resolution of this action. So long as the provisions of this Amended
24 Agreement are diligently pursued and complied with, the County agrees not to pursue any other
25 civil, administrative, or criminal remedies for violations of SMARA or County Ordinances
26 described in the Complaint filed in this action.

27 8. The Parties agree to waive their right to trial and appeal in the above-entitled action
28 (Case No. RIC-387195).

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9. This Amended Agreement shall be binding upon and shall inure to the benefit of the parties hereto and their respective heirs, personal representatives, successors and assigns.

10. Any alteration, change or modification of or to this Amended Agreement, in order to become effective, shall be made by written instrument and in each such instance executed by or on behalf of the party to be bound thereto.

11. This Amended Agreement may be executed in two or more counterparts, each of which shall be deemed to be an original, and such counterparts when taken together shall constitute one and the same instrument and Agreement.

12. Time is hereby expressly made of the essence of this Amended Agreement and all performances and obligations due hereunder.

13. Except as expressly stipulated and agreed to above, this Amended Agreement supersedes all prior provision, rights, performances and obligations arising out of the 2004 Agreement and 2004 Order.

IN WITNESS WHEREOF, the County and Cajalco have executed this Amended Agreement as of August 20, 2013.

DATED:


COUNTY OF RIVERSIDE

By: 

JUAN C. PEREZ
DIRECTOR, TRANSPORTATION AND LAND
MANAGEMENT AGENCY, RIVERSIDE
COUNTY

DATED: 8/20/13

PAMELA J. WALLS
COUNTY COUNSEL

By: 
MICHELLE P. CLACK
DEPUTY COUNTY COUNSEL
Attorneys for Plaintiff

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DATED: 8/20/13

CAJALCO ROAD QUARRY

By: Christine Goeysvaerts
CHRISTINE GOEYVAERTS

DATED: 8/20/13

JEFFER MANGELS BUTLER & MITCHELL LLP
KERRY SHAPIRO
SCOTT N. CASTRO

By: Kerry Shapiro
KERRY SHAPIRO
Attorneys for Defendant

[PROPOSED] ORDER

Upon consideration of the foregoing Amendment to Stipulated Settlement Agreement, the Joint Ex Parte Application, memorandum of points and authorities, and declarations filed in support thereof, and good cause appearing therefore:

IT IS HEREBY ORDERED that the Joint Ex Parte Application shall be granted and the terms and provisions of the Amendment to Stipulated Settlement Agreement shall be the Order of the Court in this case. The Court retains jurisdiction, pursuant to the terms of the Settlement and Code of Civil Procedure section 664.6, to enforce the Settlement until performance in full of the terms of the Settlement has been completed.

DATED: 8.28., 2013

Lawrence W Fry (Ret)

Judge of the Superior Court

EXHIBIT A

Real Property (APNs)

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JMBM | Jeffer Mangels
Butler & Mitchell LLP

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RECYCLED PAPER
SF 1501613v1

EXHIBIT 'B1'
HUBBS QUARRY
 Amended Reclamation Plan
 RCL 00118 S1
 CA. MINE I.D. 91-33-0061

LEGAL DESCRIPTION
 ALL THAT PORTION OF THE SOUTHWEST QUARTER OF SECTION 15, TOWNSHIP 7 NORTH, RANGE 6 WEST, SAN JOAQUIN BASIN AND MOUNTAIN PLATEAU, COUNTY OF CALIFORNIA, BEING THE PART OF SAID QUARTER AS SHOWN ON FILE AS BOOK 1, PAGE 18 OF MAPS, RECORDS OF SAID RECORDING COUNTY, CALIFORNIA, BEING ALSO THE PART OF SECTION 15 OF THE ASSASSIN MOUNTAIN QUARTER OF INTERLOCK MOUNTAIN.

PROJECT SCOPE

- STABILIZE EXISTING BLOWERS, CLEANING AND CONTAINMENT SUBJECT TO APPROVAL.
- RECTIFY EXISTING NON-COMPLIANCE ISSUES BY REVISIONS TO RECLAMATION PLAN.
- RECLAIM SITE.

AREAS

EXISTING AREA
 RECLAIMED AREA
 SEE JOBS
 SEE JOBS

GENERAL NOTES

1. PROJECT 1 BARR, ROSS, AND MARVEL
2. EXISTING UTILITIES
3. EXISTING UTILITIES
4. EXISTING UTILITIES
5. EXISTING UTILITIES
6. EXISTING UTILITIES
7. EXISTING UTILITIES
8. EXISTING UTILITIES
9. EXISTING UTILITIES
10. EXISTING UTILITIES

FUTURE USE

COMMERCIAL / INDUSTRIAL / RESIDENTIAL

PROJECT LIFE

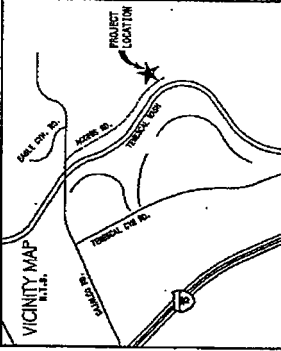
APPROXIMATE PROJECT LIFE IN 25 YEAR PERIODS ON MARKET. RECLAMATION WILL BE COMPLETED PRIOR TO THE END OF THE PROJECT LIFE PERIOD. RECLAMATION WILL BE COMPLETED PRIOR TO THE END OF THE PROJECT LIFE PERIOD.

MINING QUANTITIES

DATE	FILE NO.	FILE NO.
11.1	11.1	6
11.1	11.1	6
TOTAL (SQ)	11.1	6

SHEET INDEX

NO.	TITLE / AMENDED RECLAMATION PLAN
1	1. B.1 TITLE / AMENDED RECLAMATION PLAN
2	2. B.2 TYPICAL ROAD SECTIONS



MINE OPERATOR AND APPLICANT

DAVID R. BROWN
 410 SOUTH MAIN STREET
 OAKLAND, CALIFORNIA 94612

OWNER OF LAND AND MINERAL RIGHTS

110 NORTH MAIN STREET
 OAKLAND, CALIFORNIA 94612

CIVIL ENGINEER

110 NORTH MAIN STREET
 OAKLAND, CALIFORNIA 94612

GEOLOGIST

110 NORTH MAIN STREET
 OAKLAND, CALIFORNIA 94612

LANDSCAPE ARCHITECT

110 NORTH MAIN STREET
 OAKLAND, CALIFORNIA 94612

ASSESSOR PARCEL NO.

281-10-015, 281-10-016, 281-10-017, 281-10-018, 281-10-019, 281-10-020, 281-10-021, 281-10-022, 281-10-023, 281-10-024, 281-10-025, 281-10-026, 281-10-027, 281-10-028, 281-10-029, 281-10-030, 281-10-031, 281-10-032, 281-10-033, 281-10-034, 281-10-035, 281-10-036, 281-10-037, 281-10-038, 281-10-039, 281-10-040, 281-10-041, 281-10-042, 281-10-043, 281-10-044, 281-10-045, 281-10-046, 281-10-047, 281-10-048, 281-10-049, 281-10-050, 281-10-051, 281-10-052, 281-10-053, 281-10-054, 281-10-055, 281-10-056, 281-10-057, 281-10-058, 281-10-059, 281-10-060, 281-10-061, 281-10-062, 281-10-063, 281-10-064, 281-10-065, 281-10-066, 281-10-067, 281-10-068, 281-10-069, 281-10-070, 281-10-071, 281-10-072, 281-10-073, 281-10-074, 281-10-075, 281-10-076, 281-10-077, 281-10-078, 281-10-079, 281-10-080, 281-10-081, 281-10-082, 281-10-083, 281-10-084, 281-10-085, 281-10-086, 281-10-087, 281-10-088, 281-10-089, 281-10-090, 281-10-091, 281-10-092, 281-10-093, 281-10-094, 281-10-095, 281-10-096, 281-10-097, 281-10-098, 281-10-099, 281-10-100, 281-10-101, 281-10-102, 281-10-103, 281-10-104, 281-10-105, 281-10-106, 281-10-107, 281-10-108, 281-10-109, 281-10-110, 281-10-111, 281-10-112, 281-10-113, 281-10-114, 281-10-115, 281-10-116, 281-10-117, 281-10-118, 281-10-119, 281-10-120, 281-10-121, 281-10-122, 281-10-123, 281-10-124, 281-10-125, 281-10-126, 281-10-127, 281-10-128, 281-10-129, 281-10-130, 281-10-131, 281-10-132, 281-10-133, 281-10-134, 281-10-135, 281-10-136, 281-10-137, 281-10-138, 281-10-139, 281-10-140, 281-10-141, 281-10-142, 281-10-143, 281-10-144, 281-10-145, 281-10-146, 281-10-147, 281-10-148, 281-10-149, 281-10-150, 281-10-151, 281-10-152, 281-10-153, 281-10-154, 281-10-155, 281-10-156, 281-10-157, 281-10-158, 281-10-159, 281-10-160, 281-10-161, 281-10-162, 281-10-163, 281-10-164, 281-10-165, 281-10-166, 281-10-167, 281-10-168, 281-10-169, 281-10-170, 281-10-171, 281-10-172, 281-10-173, 281-10-174, 281-10-175, 281-10-176, 281-10-177, 281-10-178, 281-10-179, 281-10-180, 281-10-181, 281-10-182, 281-10-183, 281-10-184, 281-10-185, 281-10-186, 281-10-187, 281-10-188, 281-10-189, 281-10-190, 281-10-191, 281-10-192, 281-10-193, 281-10-194, 281-10-195, 281-10-196, 281-10-197, 281-10-198, 281-10-199, 281-10-200, 281-10-201, 281-10-202, 281-10-203, 281-10-204, 281-10-205, 281-10-206, 281-10-207, 281-10-208, 281-10-209, 281-10-210, 281-10-211, 281-10-212, 281-10-213, 281-10-214, 281-10-215, 281-10-216, 281-10-217, 281-10-218, 281-10-219, 281-10-220, 281-10-221, 281-10-222, 281-10-223, 281-10-224, 281-10-225, 281-10-226, 281-10-227, 281-10-228, 281-10-229, 281-10-230, 281-10-231, 281-10-232, 281-10-233, 281-10-234, 281-10-235, 281-10-236, 281-10-237, 281-10-238, 281-10-239, 281-10-240, 281-10-241, 281-10-242, 281-10-243, 281-10-244, 281-10-245, 281-10-246, 281-10-247, 281-10-248, 281-10-249, 281-10-250, 281-10-251, 281-10-252, 281-10-253, 281-10-254, 281-10-255, 281-10-256, 281-10-257, 281-10-258, 281-10-259, 281-10-260, 281-10-261, 281-10-262, 281-10-263, 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281-10-596, 281-10-597, 281-10-598, 281-10-599, 281-10-600, 281-10-601, 281-10-602, 281-10-603, 281-10-604, 281-10-605, 281-10-606, 281-10-607, 281-10-608, 281-10-609, 281-10-610, 281-10-611, 281-10-612, 281-10-613, 281-10-614, 281-10-615, 281-10-616, 281-10-617, 281-10-618, 281-10-619, 281-10-620, 281-10-621, 281-10-622, 281-10-623, 281-10-624, 281-10-625, 281-10-626, 281-10-627, 281-10-628, 281-10-629, 281-10-630, 281-10-631, 281-10-632, 281-10-633, 281-10-634, 281-10-635, 281-10-636, 281-10-637, 281-10-638, 281-10-639, 281-10-640, 281-10-641, 281-10-642, 281-10-643, 281-10-644, 281-10-645, 281-10-646, 281-10-647, 281-10-648, 281-10-649, 281-10-650, 281-10-651, 281-10-652, 281-10-653, 281-10-654, 281-10-655, 281-10-656, 281-10-657, 281-10-658, 281-10-659, 281-10-660, 281-10-661, 281-10-662, 281-10-663, 281-10-664, 281-10-665, 281-10-666, 281-10-667, 281-10-668, 281-10-669, 281-10-670, 281-10-671, 281-10-672, 281-10-673, 281-10-674, 281-10-675, 281-10-676, 281-10-677, 281-10-678, 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281-10-762, 281-10-763, 281-10-764, 281-10-765, 281-10-766, 281-10-767, 281-10-768, 281-10-769, 281-10-770, 281-10-771, 281-10-772, 281-10-773, 281-10-774, 281-10-775, 281-10-776, 281-10-777, 281-10-778, 281-10-779, 281-10-780, 281-10-781, 281-10-782, 281-10-783, 281-10-784, 281-10-785, 281-10-786, 281-10-787, 281-10-788, 281-10-789, 281-10-790, 281-10-791, 281-10-792, 281-10-793, 281-10-794, 281-10-795, 281-10-796, 281-10-797, 281-10-798, 281-10-799, 281-10-800, 281-10-801, 281-10-802, 281-10-803, 281-10-804, 281-10-805, 281-10-806, 281-10-807, 281-10-808, 281-10-809, 281-10-810, 281-10-811, 281-10-812, 281-10-813, 281-10-814, 281-10-815, 281-10-816, 281-10-817, 281-10-818, 281-10-819, 281-10-820, 281-10-821, 281-10-822, 281-10-823, 281-10-824, 281-10-825, 281-10-826, 281-10-827, 281-10-828, 281-10-829, 281-10-830, 281-10-831, 281-10-832, 281-10-833, 281-10-834, 281-10-835, 281-10-836, 281-10-837, 281-10-838, 281-10-839, 281-10-840, 281-10-841, 281-10-842, 281-10-843, 281-10-844, 281-10-845, 281-10-846, 281-10-847, 281-10-848, 281-10-849, 281-10-850, 281-10-851, 281-10-852, 281-10-853, 281-10-854, 281-10-855, 281-10-856, 281-10-857, 281-10-858, 281-10-859, 281-10-860, 281-10-861, 281-10-862, 281-10-863, 281-10-864, 281-10-865, 281-10-866, 281-10-867, 281-10-868, 281-10-869, 281-10-870, 281-10-871, 281-1

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EXHIBIT B

RCL118S1 Plan Boundary

1 COUNTY OF RIVERSIDE
OFFICE OF COUNTY COUNSEL
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ANITA C. WILLIS, ASSISTANT COUNTY COUNSEL (Bar No. 162671)
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MICHELLE P. CLACK, DEPUTY COUNTY COUNSEL (Bar No. 190718)
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Riverside, California 92501
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FILED
SUPERIOR COURT OF CALIFORNIA
COUNTY OF RIVERSIDE

JUL 29 2016

J. ALVAREZ

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7 COUNTY OF RIVERSIDE

8 JEFFER MANGELS BUTLER & MITCHELL LLP
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11 Facsimile: 415.398.5584

12 Attorneys for Defendant,
CAJALCO ROAD QUARRY successor-in-interest to Paul Hubbs
13 Construction Company, Inc. and Lucille M. Hubbs

14
15 SUPERIOR COURT FOR THE STATE OF CALIFORNIA
16 COUNTY OF RIVERSIDE

17 COUNTY OF RIVERSIDE, a political
18 subdivision of the State of California,

19 Plaintiff,

20 v.

21 PAUL HUBBS CONSTRUCTION
22 COMPANY, INC., LUCILLE M. HUBBS, and
23 DOES 1 through 100, Inclusive,

24 Defendants.

CASE NO. RIC 387195

**JOINT STIPULATION RE: STIPULATED
SETTLEMENT AGREEMENT**

FILED CONCURRENTLY HEREWITH:

**SECOND AMENDMENT TO STIPULATED
SETTLEMENT AGREEMENT AND
JUDGMENT THEREON;
[PROPOSED] ORDER**

Department 7
Judge: Hon. John W. Vineyard

Action Filed: 01-06-03
Judgment Entered: 10-28-04
Amended Judgment Entered: 08-28-13

25
26
27 Plaintiff COUNTY OF RIVERSIDE, a political subdivision of the State of
28

Jeffer Mangels
Butler & Mitchell LLP
JMBM

1 California ("Plaintiff" or "County"), on the one hand, and Defendants CAJALCO ROAD
2 QUARRY ("Cajalco") successor-in-interest to Paul Hubbs Construction Company, Inc. and
3 Lucille M. Hubbs (collectively "Defendants"), on the other hand, by and through their
4 respective counsel, hereby submit the below Joint Stipulation in order to clarify for the
5 Court the nature and purpose of the Second Amendment to Stipulated Settlement
6 Agreement and Judgment Thereon, and [Proposed] Order, jointly filed concurrently
7 herewith:

8 WHEREAS, this case concerns surface mining operations on certain real
9 property located at 8843 Cajalco Road, Corona within the unincorporated area of Riverside
10 County ("Real Property");

11 WHEREAS, the Real Property was previously owned by Cajalco's
12 predecessors-in-interest and the prior Defendants, Paul Hubbs Construction, Inc., and
13 Lucille M. Hubbs, Trustee, of the Paul J. Hubbs and Lucile M. Hubbs Survivors Trust
14 ("prior Defendants");

15 WHEREAS, the County initially filed this action on January 6, 2003, against
16 the prior Defendants, alleging various violations pertaining to the surface mining operation
17 conducted by the prior Defendants on the Real Property;

18 WHEREAS, the County and the prior Defendants negotiated a settlement,
19 and a Stipulated Settlement Agreement and Judgment Thereon was entered by the Court
20 on October 24, 2004 ("2004 Judgment"), and the Court expressly retained jurisdiction
21 over this matter when it entered the 2004 Judgment;

22 WHEREAS, following entry of the 2004 Judgment, and continuing through
23 the time that Cajalco acquired the Real Property in 2011, various areas within the Real
24 Property had remained in a hazardous condition due to the prior surface mining
25 operations; and, those operations had created unstable slopes onsite, including sheer
26 vertical faces over 300 feet tall, which at that time presented immediate and significant
27 threats to public health and safety, along with other conditions on the Real Property that
28 presented on-going aesthetic and erosion impacts;

1 subsequently approved by the County, the County cannot adequately inspect the surface
2 mining operation at the Real Property pursuant to the California Surface Mining and
3 Reclamation Act ("SMARA"), and the parties cannot efficiently develop accurate, adequate
4 financial assurances, as SMARA and local law require, thereby necessitating amendments
5 to the reclamation plan as currently described in the 2013 Judgment to allow for proper
6 mine safety and reclamation—and legal compliance—by reconciling the reclamation plan
7 with the mining operations as they are actually occurring on the ground;

8 WHEREAS, the Court's approval of the 2016 Agreement is warranted to
9 remedy issues that have arisen since the 2013 Judgment and that must be resolved to
10 ensure compliance with critical legal mandates; and Cajalco stands ready, with the County,
11 to remedy the inconsistencies identified above to ensure required, regulatory compliance;

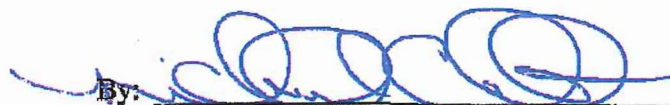
12 WHEREAS, pursuant to the terms of the 2013 Judgment, the Court retains
13 continuing jurisdiction over this action and the parties, to enforce the terms and conditions
14 of the 2004 Judgment and 2013 Judgment.

15 NOW, THEREFORE, THE PARTIES JOINTLY SUBMIT the Second
16 Amendment to Stipulated Settlement Agreement and Judgment Thereon; and [Proposed]
17 Order, filed concurrently herewith, and ask it be entered as the judgment in this matter.

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DATED: 7/19/16

COUNTY COUNSEL
GREGORY P. PRIAMOS



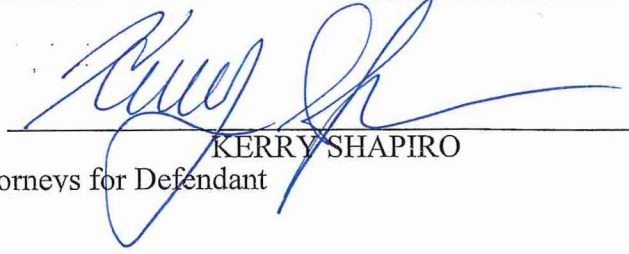
By: _____
MICHELLE P. CLACK
DEPUTY COUNTY COUNSEL
Attorneys for Plaintiff

1 DATED:

7/18/16

JEFFER MANGELS BUTLER & MITCHELL LLP

2
3 By:



KERRY SHAPIRO

4 Attorneys for Defendant
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Jeffer Mangels
Butler & Mitchell LLP

JMBM

1 COUNTY OF RIVERSIDE
OFFICE OF COUNTY COUNSEL
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FILED
SUPERIOR COURT OF CALIFORNIA
COUNTY OF RIVERSIDE

JUL 29 2016

J. ALVAREZ

6 Attorneys for Plaintiff
7 COUNTY OF RIVERSIDE

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12 Attorneys for Defendant,
CAJALCO ROAD QUARRY successor-in-interest to Paul Hubbs
13 Construction Company, Inc. and Lucille M. Hubbs

14
15 SUPERIOR COURT FOR THE STATE OF CALIFORNIA

16 COUNTY OF RIVERSIDE

17 COUNTY OF RIVERSIDE, a political
18 subdivision of the State of California,

19 Plaintiff,

20 v.

21 PAUL HUBBS CONSTRUCTION
COMPANY, INC., LUCILLE M. HUBBS, and
22 DOES 1 through 100, Inclusive,

23 Defendants..

CASE NO. RIC 387195

**SECOND AMENDMENT TO STIPULATED
SETTLEMENT AGREEMENT AND
JUDGMENT THEREON;
[PROPOSED] ORDER**

Department 7
Judge: Hon. John W. Vineyard

Action Filed: 01-06-03
Judgment Entered: 10-28-04
Amended Judgment Entered: 08-28-13

24
25
26 This Second Amendment to the Stipulated Settlement Agreement and Judgment
27 Thereon ("2016 Second Amended Agreement") amends the Amendment to Stipulated Settlement
28 Agreement and Judgment Thereon, entered by the Court on August 28, 2013 ("2013 Agreement"),

1 and is entered into as of July 14, 2016 by and between Plaintiff County of Riverside (“County”) and
2 Cajalco Road Quarry (“Cajalco”), successor-in-interest to Paul Hubbs Construction Company, Inc.
3 and Lucille M. Hubbs, collectively. County and Cajalco (collectively, the “Parties”) enter into the
4 2016 Second Amended Agreement with reference to the following facts:

5 **RECITALS**

6 A. Cajalco is the owner of that certain real property located at 8843 Cajalco Road,
7 Corona within the unincorporated area of Riverside County (APNs 279-231-006, 281-231-011,
8 279-231-017, 279-231-018, 281-140-021, 281-150-027, 281-180-021, 281-190-028, 281-190-029,
9 281-200-004, 281-220-002, 281-220-003, 281-220-007, 281-230-013, 281-230-014, 281-240-005,
10 281-260-006, 281-260-007, 281-270-008, 281-290-007, 281-290-008, 281-300-003) (the “Real
11 Property”), attached hereto as **Exhibit A**.

12 B. Cajalco is successor-in-interest to Defendants Paul Hubbs Construction, Inc., and
13 Lucille M. Hubbs, Trustee, of the Paul J. Hubbs and Lucille M. Hubbs Survivors Trust (hereinafter,
14 the “prior Defendants”), having acquired all rights, title and interests from the prior Defendants to
15 the Real Property in October 2011.

16 C. Surface mining operations have been conducted on portions of the Real Property
17 continuously since the 1930s, and a vested right to conduct legal, non-conforming surface mining
18 operations on portions of the Real Property based upon historic use of the site was established in
19 1948 when the County enacted its first surface mining ordinance. Reclamation Plan 118
20 (“RCL118”) required by the Surface Mining and Reclamation Act (“SMARA”) and County
21 Ordinance No. 555 governed surface mining operations on a portion of the Real Property from 1982
22 until amended in 2013 by RCL118S1 (discussed below).

23 D. On or about January 6, 2003, the County filed the underlying action (“Action”) against
24 prior Defendants for injunctive relief and civil penalties for alleged violations of SMARA
25 and County land use ordinances concerning alleged illegal surface mining operations on the Real
26 Property.

27 E. The County and prior Defendants reached a stipulated settlement agreement in 2004
28 (“2004 Agreement”), submitting the 2004 Agreement to the Court in late September 2004. On

1 October 24, 2004, the Court ordered that the terms of the 2004 Agreement would be the order of the
2 Court (“2004 Order”).

3 F. The terms of the 2004 Agreement were intended to resolve allegations by the County
4 of on-going surface mining activities contrary to the terms of the approved RCL118 for the conduct
5 of surface mining operations on the Real Property.

6 G. In January 2006, Temescal Cliffs, LLC purchased the Real Property from the prior
7 Defendants. Temescal Cliffs, LLC subsequently entered into bankruptcy, and failed to satisfy the
8 terms of the 2004 Agreement.

9 H. On October 17, 2011 Cajalco acquired the Real Property at a public auction in which
10 First American Title Insurance Company, as the duly appointed Trustee in compliance with Notice
11 of Trustee's sale, sold the Real Property to Cajalco (Trustee Sale No. 432077). (Document recorded
12 on October 18, 2011, County of Riverside DOC#2011-0457028.)

13 I. Following entry of the 2004 Order, and continuing through the time that Cajalco
14 acquired the Real Property in 2011, the conditions on areas within the Real Property had remained
15 in a hazardous condition due to prior surface mining operations, with unstable slopes onsite,
16 including sheer vertical faces of over 300 feet in height, which at that time presented immediate and
17 significant threats to public health and safety. Conditions on the Real Property as of 2011 presented
18 additional, on-going aesthetic and erosion impacts.

19 J. Following Cajalco’s acquisition of the Real Property in October 2011, Cajalco and
20 the County discussed ways to remediate the Real Property to eliminate the significant threats to
21 public health and safety presented by the onsite conditions existing at that time. The County and
22 Cajalco met on several occasions in 2012 and 2013 to identify the appropriate manner in which to
23 correct the public health, safety and welfare concerns and to bring the conditions on the Real
24 Property into compliance with current County and SMARA requirements.

25 K. The Riverside County Board of Supervisors directed County Counsel to resolve
26 outstanding issues of the 2004 Agreement during its October 16th, 2012 hearing (Agenda Item
27 #3.6).

28 L. In the interests of remedying the then-existing conditions, the County and Cajalco

1 agreed to amend the terms of the 2004 Agreement, and on August 20, 2013 entered into the 2013
2 Agreement, which include the following terms and conditions:

- 3 1. Cajalco was authorized to submit, and the County authorized to review and if
4 appropriate approve, an amendment to RCL118 (hereinafter "RCL118S1"), to
5 conform the Real Property to the County's then-current safety standards, to reclaim
6 the site, in furtherance of the public health, safety and welfare at the Real Property.
- 7 2. The vested surface mining operations conducted on portions of the Real Property
8 were exempt from the requirements of the Multiple Species Habitat Conservation
9 Plan ("MSHCP") because such mining operations at the Real Property preceded
10 adoption of the MSHCP (MSHCP EIR/EIS, §§ 4.2.2; 5.1.2; County Resolution
11 2003-299, p. 44).
- 12 3. Cajalco was to submit a revised financial assurances cost estimate in support of
13 RCL118S1 at the time its application is filed, as required by Public Resources Code
14 sections 2770 and 2773.1 and Riverside County Ordinance No. 555, Section 9.
- 15 4. All activities set forth in RCL118S1 would be conducted in accordance with
16 RCL118S1, and no use permit or other approval would be required to conduct such
17 activities within the RCL118S1 boundary because such activities were substantially
18 within the scope of historic vested mining operations on the Real Property.
- 19 5. Mining and/or reclamation activities proposed outside of the scope of
20 RCL118S1 would be subject to future applicable County review.
- 21 6. Modification of RCL118 by RCL118S1 under Section 13 of Ordinance No. 555
22 would likely be exempt from the provisions of the California Environmental Quality
23 Act ("CEQA") pursuant to the exemptions applicable to activities that lack
24 significant environmental effect (14 Cal.Code Regs. § 15061(b)(3)) and exemptions
25 applicable to existing facilities (14 Cal.Code Regs § 15301).
- 26 7. The exemption under CEQA determined by the County for RCL118S1 would have
27 no effect on the applicability of CEQA to any discretionary project that may be
28 proposed for the Real Property following completion of the activities authorized by

1 the RCL118S1, or from activities unrelated to the those authorized by RCL118S1.

2 M. On August 28, 2013, the Superior Court entered its Order granting the joint
3 application of the Parties to the Court that the 2013 Amendment shall be the Order of the Court in
4 Superior Court Case No. RIC 387195, and that the Court shall retain jurisdiction over the settlement
5 until performance in full of the terms of the settlement have been completed.

6 N. Thereafter, consistent with the terms of the 2013 Agreement, Cajalco submitted to
7 the County an application for Reclamation Plan No. RCL118 Substantial Conformance No. 1 (i.e.,
8 for proposed RCL 118S1), to amend then-existing RCL 118.

9 O. On October 26, 2013, the County issued a Notice of Exemption under CEQA for the
10 proposed RCL118S1 project, pursuant to Section 15301(d), because the project's purpose was the
11 restoration of physical conditions at the site, which at that time contained potentially hazardous
12 slopes; and also under Section 15061(b)(3), because the only actions subject to County review were
13 those strictly related to reclamation, on areas already subject to substantial disturbance; and, also in
14 part based upon the determination that the proposed amendment to RCL 118 was to reclaim existing
15 site conditions, including potentially hazardous slopes, concurrent with on-going mining operations.

16 P. On November 12, 2013, the County approved Reclamation Plan No. RCL118S1,
17 which specifically referenced or identified various surface mining activities to be undertaken during
18 mining and reclamation, including crushing, screening, processing, trucking, mining, and related
19 activities historically on-going at the site, which further the existing quarry operations, including a
20 processing plant, screens and conveyors. The County also approved Findings in support thereof,
21 including Finding No. 10(f), which stated: "As of 1982 the County had approved two mining-
22 related entitlements that recognized areas subject to vested rights: the 1970 plant permit (which
23 identified a mine site boundary) and the 1982 reclamation plan RP 118 (which identified a mining
24 area subject to future reclamation). Surface mining activities within these areas, as contemplated by
25 Amended RCL118S1, are thus within the scope of the previously-determined vested right."

26 Q. Following County approval of RCL118S1, Cajalco undertook extensive efforts to
27 implement the terms and conditions of RCL118S1, including to remediate existing site conditions
28 and potentially hazardous slopes, as well as to modify facilities in order to implement necessary

1 upgrades and to comply with requirements of various public agencies, all concurrent with on-going
2 mining operations. In addition, consistent with the vested scope of the surface mining operation,
3 processing and other surface mining equipment and facilities previously referenced or identified in
4 the 2013 Agreement and RCL118S1 have been modified, upgraded, or expanded, all within the
5 Reclamation Plan boundary, including an upgraded primary crusher and conveyor system,
6 establishment of a plate press for water conservation purposes, upgraded processing and load-out
7 areas, trailers and other upgraded facilities typical of surface mining operations, all as described in
8 Exhibit B-3, attached hereto.

9 R. On January 5, 2015, the County issued a Notice of Violation ("NOV") to Cajalco
10 identifying several areas of non-compliance with RCL118S1 by the Cajalco operation; the County
11 supplemented the NOV with a March 26, 2015 letter to Cajalco, and undertook additional on-site
12 assessment in May 2016. The NOV, as supplemented by additional correspondence in 2015, and by
13 the on-site assessment in 2016, identified certain non-compliance issues centered around the
14 following: (1) establishment of a re-aligned and upgraded access road; (2) use of adaptive
15 management techniques which included deposition of material to address trespass and related
16 access concerns pending at that time in areas outside the new Reclamation Plan boundary, and
17 clearing vegetation off of land immediately west of these areas, outside of the Reclamation Plan
18 boundary; (3) re-location of explosive magazine bunkers; (4) adjustment of the mine plan boundary
19 to satisfy certain grading requirements, and allowance of light-vehicle parking areas; (5)
20 establishment of various berms and a lay-down area within the Reclamation Plan boundary that
21 required description within the Reclamation Plan; and (6) establishment of a water quality basin
22 east of the mine area but within the overall vested right area to prevent co-mingling of run-on
23 waters into the mine site, and for dissipation of water velocity during potential El Nino storm
24 events.

25 S. During the course of implementation from 2013 to 2015, it became apparent that the
26 manner in which the 2013 Agreement and RCL118S1 had modified the prior 1982 RP118,
27 including by reducing the size of the Reclamation Plan boundary area relative to the 1982 boundary
28 area, could not fully accommodate the necessary facility upgrades and modifications, and that

1 further efforts to refine the Reclamation Plan, including its boundary area, was necessary in order to
2 fulfill the intent and objectives of the 2013 Agreement. Following extensive meet and confer and
3 discussions between the County and Cajalco, the Parties have determined that the current
4 Reclamation Plan boundaries in RCL118S1 established in the 2013 Agreement were the result of an
5 incomplete or interim effort to modify the original 1982 RP 118 Reclamation Plan boundary area,
6 which made accomplishing the intent and goals of the 2013 Agreement logistically and
7 operationally infeasible due to constraints at the site; and therefore, in order to fully meet the intent
8 and goals of the 2013 Agreement, further refinements are necessary, including to the Reclamation
9 Plan boundary area, and therefore have agreed to amend the 2013 Agreement through this 2016
10 Second Amended Agreement in order to meet such intent and goals.

11 NOW, THEREFORE, in consideration of the mutual covenants herein contained, and for
12 other good and valuable consideration, the receipt and sufficiency of which is hereby
13 acknowledged, the Parties hereby agree and stipulate as follows:

14 1. With respect to the County's First Cause of Action for Illegal Surface Mining
15 Operations:

16 a) The County and Cajalco agree that in order to complete the process of
17 conforming the Real Property to the County's current safety standards, to properly describe the
18 upgrades and modifications to the vested surface mining operation, to reclaim the site, and in
19 furtherance of public health, safety and welfare at the Real Property, modifications to RCL118S1
20 are required. Cajalco agrees to submit for consideration an application to modify RCL118S1
21 consistent with the proposed Reclamation Plan 118S2 ("RCL118S2"), which is described below and
22 depicted in the map exhibit attached as **Exhibit B**. The Parties stipulate and Cajalco agrees that the
23 application for RCL118S2 will be submitted pursuant to Section 13.b. of Riverside County
24 Ordinance No. 555 as a non-substantial modification of approved RCL118S1. The application
25 submitted by Cajalco will be subject to the normal and customary requirements, decisions or review
26 by the County and/or Department of Conservation. The Parties stipulate and Cajalco agrees to
27 submit the above-referenced application no later than thirty calendar (30) days from the Court's
28 Order.

1 b) The Parties stipulate and the County agrees that the vested surface mining
2 operations conducted on portions of the Real Property are exempt from the requirements of the
3 Multiple Species Habitat Conservation Plan ("MSHCP") because such mining operations at the
4 Real Property preceded adoption of the MSHCP (MSHCP EIR/EIS, §§ 4.2.2; 5.1.2; County
5 Resolution 2003-299, p. 44).

6 c) The Parties stipulate that an owner of vested surface mining operations is
7 allowed to "modernize his operation; and change, add to, or increase the size of his equipment
8 (though deemed to be structures), even though this increases his output and intensifies the use;
9 provided that by such action he does not change the original protected nonconforming use." (*Moore*
10 *v. Bridgewater Township* (1961), 173 A.2nd 430, 442 (cited in *Hansen Brothers Enterprises, Inc. v.*
11 *Board of Supervisors of Nevada County* (1996) 12 Cal4th 533. As one California court has
12 summarized this issue recently: if a vested right was obtained "in the heyday of the gold rush, it
13 would not be limited to a shovel, gold pan, rocker, and a long tom."

14 d) The Parties stipulate and Cajalco agrees that it will submit a revised financial
15 assurances cost estimate in support of RCL118S2 at the time its application is filed, as required by
16 Public Resources Code sections 2770 and 2773.1 and Riverside County Ordinance No. 555, Section
17 9.

18 2. With respect to the civil penalties, County will waive all civil penalties.

19 3. The parties agree that all activities set forth in RCL118S2 will be conducted in
20 accordance with RCL118S2, and that no use permit or other approval is required to conduct such
21 activities within the RCL118S2 boundary (as described in **Exhibit B**) because there will only be (1)
22 minor adjustments to the actual mine plan area that will all be within the scope of historic vested
23 mining operations on the Real Property, (2) none of the upgraded or modernized equipment or
24 facilities change the original vested mining use, and in fact many of the modernizations and
25 upgrades increase efficiency and environmental conservation of the surface mining operation; and
26 (3) all other non-mining activities will either be on areas within the footprint of historic vested
27 mining operations, or are necessary to satisfy various public agency requirements or facility
28 upgrades. The Parties further stipulate, and Cajalco agrees, that any mining or reclamation

1 activities proposed outside of the scope of RCL118S2 (as described in **Exhibit B**) will be subject to
2 future applicable County review, and that, subject to and consistent with the terms and conditions
3 herein, nothing in this 2016 Second Amended Agreement shall otherwise limit the scope of future
4 County enforcement authority under applicable provisions of Ordinance No. 555 and SMARA.

5 4. The County and Cajalco stipulate that the modification of RCL118S1 by RCL118S2
6 under Section 13 of Ordinance No. 555 may be exempt from the provisions of the California
7 Environmental Quality Act (“CEQA”) pursuant to the exemptions applicable to: (1) activities that
8 lack significant environmental effect (14 Cal.Code Regs. § 15061(b)(3)); (2) existing facilities (14
9 Cal.Code Regs § 15301); (3) replacement or reconstruction of existing structures and facilities (14
10 Cal.Code Regs § 15302), and (4) minor alterations to land (14 Cal.Code Regs § 15304). The
11 County agrees to consider whether such exemptions under CEQA apply for RCL118S2 primarily
12 because the activities proposed therein (1) are a non-substantial modification to the existing
13 RCL118S1 associated with an existing mining operation, (2) are for the purpose of restoring
14 conditions at the site to a condition compliant with law, including to complete the process of
15 remedying existing hazardous conditions on site, and (3) will not change or extend mining
16 operations, but rather allow restorative activities on already disturbed areas. The County and
17 Cajalco agree that any exemption under CEQA determined by the County for RCL118S2 shall have
18 no effect on the applicability of CEQA to any discretionary project that may be proposed for the
19 Real Property following completion of the activities authorized by the RCL118S2, or from activities
20 unrelated to the those authorized by RCL118S2.

21 5. The Parties stipulate and agree that the Superior Court of the County of Riverside,
22 State of California shall continue to retain jurisdiction of this action and over the parties personally
23 to enforce the terms and provisions of this 2016 Second Amended Agreement, until performance in
24 full of its terms has been completed.

25 6. The Parties stipulate and agree that each party will pay its own costs and attorney’s
26 fees related to or arising out of this action.

27 7. Upon complete performance of all of the terms of this 2016 Second Amended
28 Agreement by Cajalco and the County, the County shall file a Request to Dismiss this Action (RIC

1 387195) against Cajalco with prejudice.

2 8. The Parties agree that this 2016 Second Amended Agreement and attached Exhibits
3 are intended to provide a comprehensive resolution of this action. So long as the provisions of this
4 2016 Second Amended Agreement are diligently pursued and complied with, the County agrees not
5 to pursue any other civil, administrative, or criminal remedies for violations of SMARA or County
6 Ordinances described in the Complaint filed in this action.

7 9. The Parties agree to waive their right to trial and appeal in the above-entitled action
8 (Case No. RIC-387195).

9 10. This 2016 Second Amended Agreement shall be binding upon and shall inure to the
10 benefit of the parties hereto and their respective heirs, personal representatives, successors and
11 assigns.

12 11. Any alteration, change or modification of or to this 2016 Second Amended
13 Agreement, in order to become effective, shall be made by written instrument and in each such
14 instance executed by or on behalf of the party to be bound thereto.

15 12. This 2016 Second Amended Agreement may be executed in two or more
16 counterparts, each of which shall be deemed to be an original, and such counterparts when taken
17 together shall constitute one and the same instrument and Agreement.

18 13. Time is hereby expressly made of the essence of this 2016 Second Amended
19 Agreement and all performances and obligations due hereunder.

20 14. Except as expressly stipulated and agreed to above, this 2016 Second Amended
21 Agreement supersedes all prior provision, rights, performances and obligations arising out of the
22 2013 Agreement and 2013 Order, and any other prior agreements and orders in this case.


23 IN WITNESS WHEREOF, the County and Cajalco have executed this Second
24 Amended Agreement as of July 14, 2016.

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DATED: 7/14/16

COUNTY OF RIVERSIDE

By: 
JUAN C. PEREZ
DIRECTOR, TRANSPORTATION AND LAND
MANAGEMENT AGENCY, RIVERSIDE
COUNTY

DATED: 7/14/16

COUNTY COUNSEL
GREGORY P. PRIAMOS

By: 
MICHELLE P. CLACK
DEPUTY COUNTY COUNSEL
Attorneys for Plaintiff

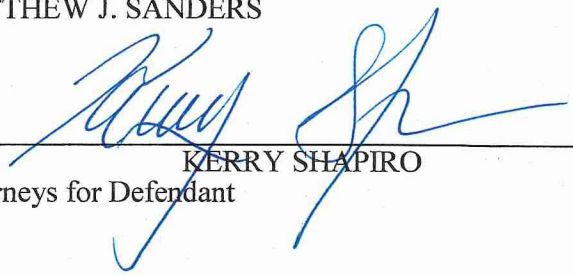
DATED: 7/11/16

CAJALCO ROAD QUARRY

By: 
CHRISTINE GOEYVAERTS

DATED: 7/12/16

JEFFER MANGELS BUTLER & MITCHELL LLP
KERRY SHAPIRO
MATTHEW J. SANDERS

By: 
KERRY SHAPIRO
Attorneys for Defendant

[PROPOSED] ORDER

Upon consideration of the foregoing Second Amendment to Stipulated Settlement Agreement, the Joint Stipulation filed in connection herewith, and good cause appearing therefore:

IT IS HEREBY ORDERED that the terms and provisions of the Second Amendment to Stipulated Settlement Agreement shall be the Order of the Court in this case. The Court retains jurisdiction, pursuant to the terms of the Settlement and Code of Civil Procedure section 664.6, to

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enforce the Settlement until performance in full of the terms of the Settlement has been completed.

DATED: 7/20, 2016

John W. Vineyard

Judge of the Superior Court

JMBM | Jeffer Mangels
Butler & Mitchell LLP

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EXHIBIT A

Real Property (APNs)

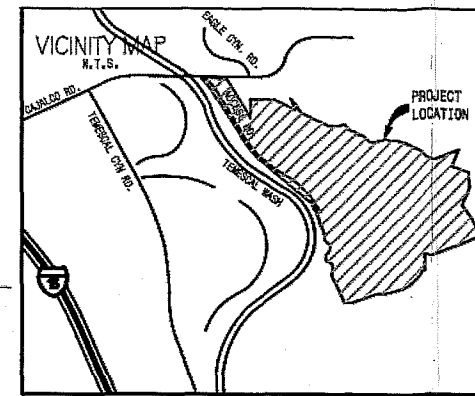
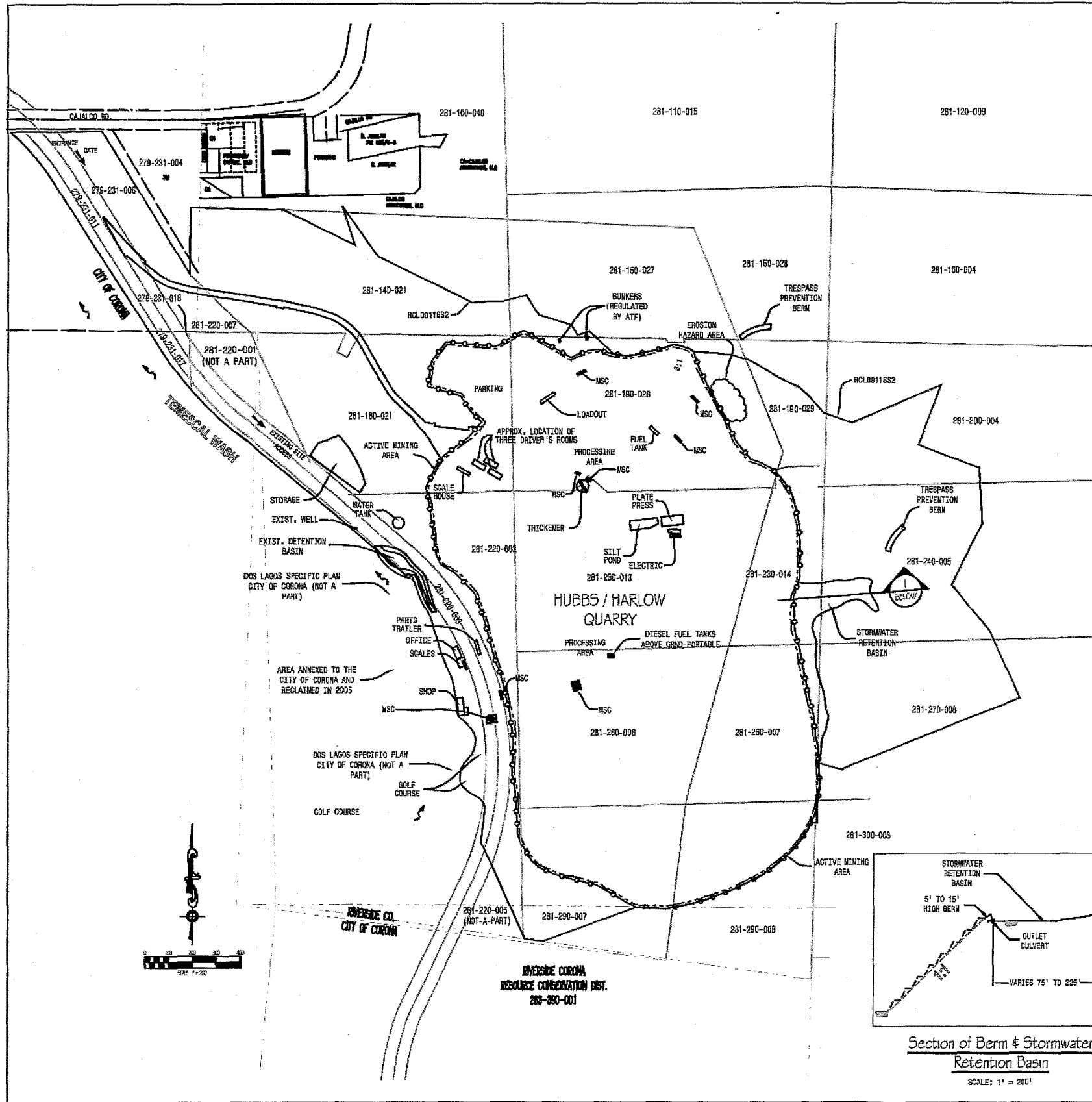


EXHIBIT "A"
HUBBS / HARLOW QUARRY
 Amended Reclamation Plan
 RCL 0011852
 CA. MINE I.D. 91-33-0061
 LEGAL DESCRIPTION

ALL THAT PORTION OF THE SOUTHWEST QUARTER OF SECTION 15, TOWNSHIP 4, SOUTH, RANGE 6 WEST, SAN BERNARDINO BASE AND MEXICAN AS SHOWN BY SECTIONIZED SURVEY FOR THE RANCHO EL SOBRYATE DE SAN JACINTO ON FILE IN BOOK 1, PAGE 8 OF MAPS, RECORDS OF SAN BERNARDINO COUNTY, CALIFORNIA BEING ALSO SHOWN ON ASSESSOR'S MAP #51 IN THE OFFICE OF THE ASSESSOR OF RIVERSIDE COUNTY.

MINE OPERATOR AND APPLICANT

CAJALCO ROAD QUARRY
 200 S. MAIN STREET
 CORONA, CALIFORNIA 92880

OWNER OF LAND AND MINERAL RIGHTS

CAJALCO ROAD QUARRY
 200 S. MAIN STREET
 CORONA, CALIFORNIA 92880

CIVIL ENGINEER

GABEL, COOK & ASSOCIATES, INC.
 7177 BROOKTON AVE., SUITE 339
 RIVERSIDE, CA 92508
 (951) 788-8082

GEOLOGIST / GEOTECH

CHI, INC.
 1355 COOLEY DR.
 COLTON, CA 92324
 (909) 824-7209

LANDSCAPE ARCHITECT

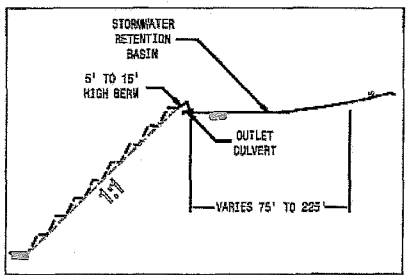
NONE

ASSESSOR PARCEL NO.

- 279-231-006, 281-231-011, 279-231-017, 279-231-018, 281-140-021, 281-150-027, 281-180-021, 281-190-028, 281-190-029, 281-200-004, 281-220-002, 281-220-003, 281-220-007, 281-230-015, 281-230-014, 281-240-005, 281-250-006, 281-250-007, 281-270-008, 281-290-008, 281-300-005

LEGEND

	SECTION LINE / RECORD OF SURVEY
	PARCEL LINE
	EXISTING CONTOUR
	FINISHED CONTOUR
	EXIST. FENCE
	RCL0011852
	PROPOSED BERM
	METAL SHIPPING CONTAINERS



Section of Berm & Stormwater Retention Basin
 SCALE: 1" = 200'

AERIAL SURVEY:
 TOPOGRAPHY BY ENVIROMINE, INC.
 DATED MARCH 2015.

METAL SHIPPING CONTAINERS ARE USED AT VARIOUS LOCATION THROUGHOUT THE SITE.

GABEL, COOK & ASSOCIATES, INC.
 CIVIL ENGINEERS - LAND SURVEYORS
 LAND PLANNERS
 7177 BROOKTON AVE., SUITE 339, RIVERSIDE, CA 92508
 Telephone (951) 788-8082 Facsimile (951) 788-8194

PROJECT SCOPE

- STABILIZE EXISTING SLOPES, CLEANING AND CONTOURING SURFACE DISTURBANCES.
- RECTIFY PREVIOUS NON-COMPLIANCE ISSUES BY AMENDING RECLAMATION PLAN.
 - RECLAIM SITE.
 - DEFINE EXISTING USES.

AREAS

DISTURBED AREA 62 ACRES
 RECLAIMED AREA 135 ACRES

GENERAL NOTES

- PRODUCT: SAND, ROCK AND GRAVEL
- UTILITY SURVEYORS: ELECTRICAL; SD, CAL EDISON; SEWER; SEPTIC(OFFICE); PORTABLE TOILETS; WATER: WELL (ADJACENT TO TEMESCAL CREEK)
- ASSESSOR PARCEL NUMBERS SEE "VICINITY MAP" KEY
- EXIST. LAND USES: OS-MIN (OPEN SPACE-MINERAL RESOURCES)
- EXISTING ZONING: MRA-N/A
- MAX. MINING DEPTH: 817 FT

FUTURE USE

COMMERCIAL / INDUSTRIAL / RESIDENTIAL

PROJECT LIFE

ANTICIPATED TERMINATION DATE DEC. 31, 2038 DEPENDING ON MARKET DEMAND. RECLAMATION WILL NOT PERMANENTLY AFFECT FUTURE MINING ASSUMING A SUFFICIENT ECONOMIC MINEABLE RESOURCE REMAINS.

MINING QUANTITIES

	CUT (MCY)	FILL (MCY)
MINED	11.1	0
TOTAL (CY)	11.1	0

SHEET INDEX

SHT	EXHIBIT	DESCRIPTION
1	B-1	TITLE / AMENDED RECLAMATION PLAN
2	B-2	TYPICAL CROSS SECTIONS
3	B-3	MINE DETAILS

HUBBS/HARLOW QUARRY
 200 S. MAIN STREET, CORONA, CA, 92880

TITLE SHEET / AMENDED RECLAMATION PLAN

DATE	12/18/18	SCALE	1315	BY	BS	PROJECT NO.	65-315-ED1
DATE	AS SHOWN	SCALE		BY		PROJECT NO.	

EXHIBIT B

RCL118S2 Plan Boundary

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JMBM | Jeffer Mangels
Butler & Mitchell LLP

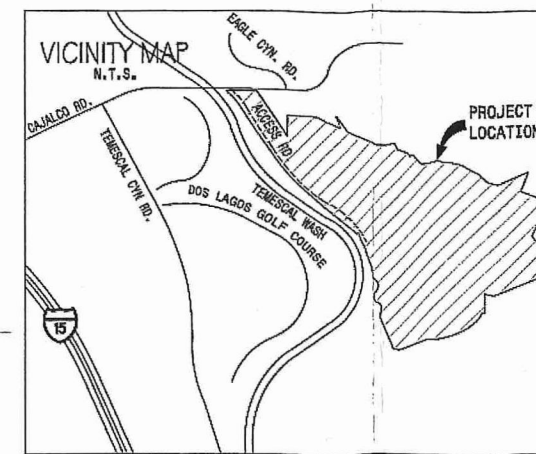
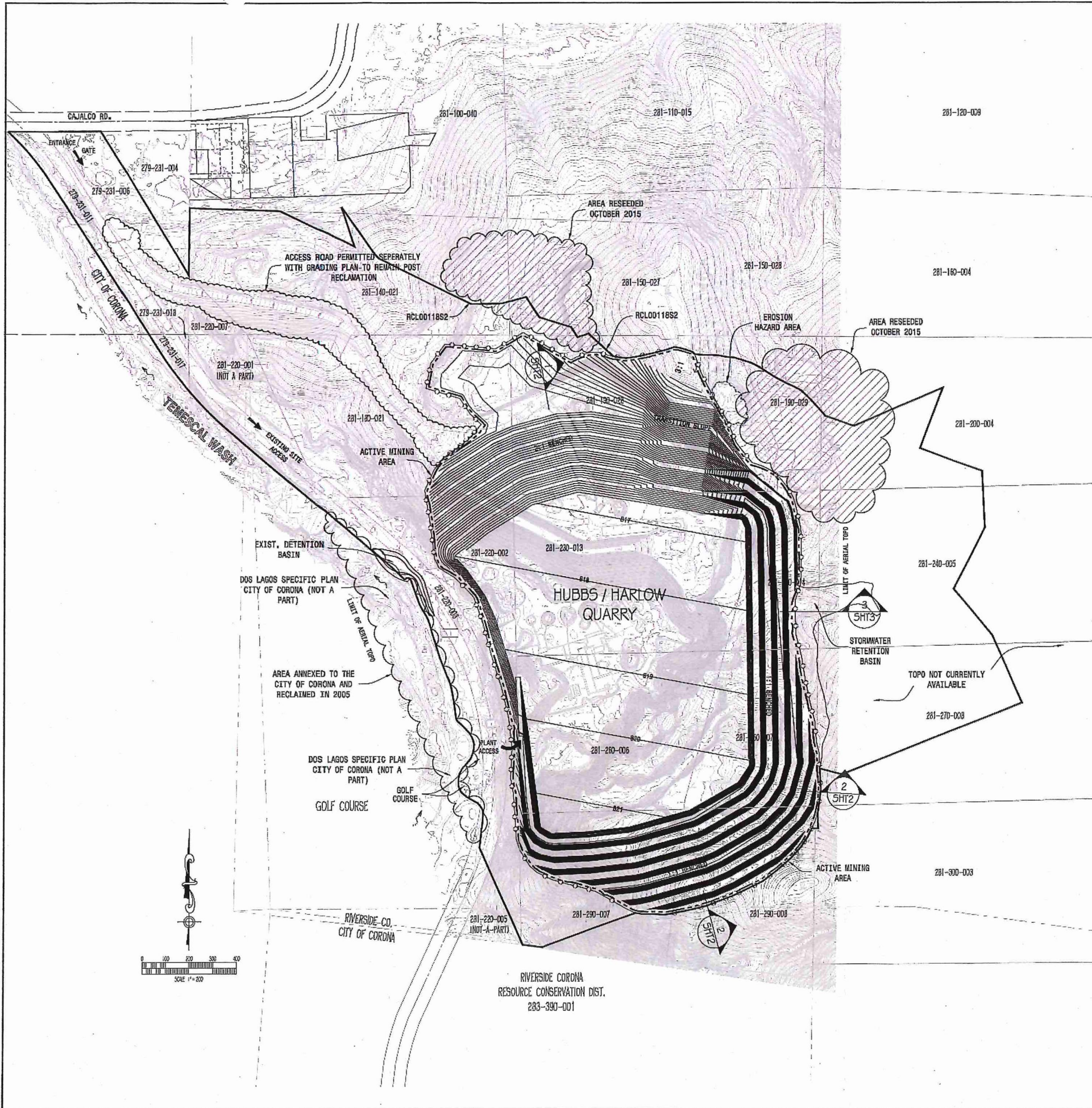


EXHIBIT "B1" HUBBS / HARLOW QUARRY

Amended Reclamation Plan
RCL 0011852
CA. MINE I.D. 91-33-0061

LEGAL DESCRIPTION

ALL THAT PORTION OF THE SOUTHWEST QUARTER OF SECTION 15, TOWNSHIP 4, SOUTH, RANGE 6 WEST, SAN BERNARDINO BASE AND MERIDIAN 4 AS SHOWN BY SECTIONIZED SURVEY FOR THE RANCHO EL SOBRIANTE DE SAN JACINTO ON FILE IN BOOK 1, PAGE 8 OF MAPS, RECORDS OF SAN BERNARDINO COUNTY, CALIFORNIA BEING ALSO SHOWN ON ASSESSOR'S MAP #51 IN THE OFFICE OF THE ASSESSOR OF RIVERSIDE COUNTY.

PROJECT SCOPE

- STABILIZE EXISTING SLOPES, CLEANING AND CONTOURING SURFACE DISTURBANCES.
- RECTIFY PREVIOUS NON-COMPLIANCE ISSUES BY AMENDING RECLAMATION PLAN.
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- UTILITY PURVEYORS
 - ELECTRICAL: SO. CAL EDISON
 - SEWER: SEPTIC(OFFICE) PORTABLE TOILETS
 - WATER: WELL (ADJACENT TO TEMESCAL CREEK)
- ASSESSOR PARCEL NUMBERS SEE 'VICINITY MAP/APPN KEY'
- EXIST. LAND USE: OS-MIN (OPEN SPACE-MINERAL RESOURCES).
- EXISTING ZONING: MRA-N/A
- MAX. MINING DEPTH: 817 FT

FUTURE USE

COMMERCIAL / INDUSTRIAL / RESIDENTIAL

PROJECT LIFE

ANTICIPATED TERMINATION DATE DEC. 31, 2038 DEPENDING ON MARKET DEMAND. RECLAMATION WILL NOT PERMANENTLY AFFECT FUTURE MINING ASSUMING A SUFFICIENT ECONOMIC MINEABLE RESOURCE REMAINS.

MINING QUANTITIES

	CUT (MCY)	FILL (MCY)
MINED	11.1	0
TOTAL (CY)	11.1	0

SHEET INDEX

SHT	EXHIBIT	DESCRIPTION
1	B-1	TITLE / AMENDED RECLAMATION PLAN
2	B-2	TYPICAL CROSS SECTIONS
3	B-3	MINE DETAILS

MINE OPERATOR AND APPLICANT

CAJALCO ROAD QUARRY
200 S. MAIN STREET
CORONA, CALIFORNIA 92880

OWNER OF LAND AND MINERAL RIGHTS

CAJALCO ROAD QUARRY
200 S. MAIN STREET
CORONA, CALIFORNIA 92880

CIVIL ENGINEER

GABEL, COOK & ASSOCIATES, INC.
7177 BROCKTON AVE., SUITE 339
RIVERSIDE, CA 92506
(951) 788-8092

GEOLOGIST / GEOTECH

CHJ, INC.
1395 COOLEY DR.
COLTON, CA 92324
(909) 824-7209

LANDSCAPE ARCHITECT

NONE

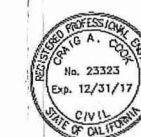
ASSESSOR PARCEL NO.

279-231-006, 281-231-011, 279-231-017, 279-231-018, 281-140-021, 281-150-027, 281-180-021, 281-180-028, 281-190-029, 281-200-004, 281-220-002, 281-220-003, 281-220-007, 281-230-013, 281-230-014, 281-240-005, 281-260-006, 281-260-007, 281-270-008, 281-290-007, 281-290-008, 281-300-003

LEGEND

---	SECTION LINE / RECORD OF SURVEY
---	PARCEL LINE
---	EXISTING CONTOUR
---	FINISHED CONTOUR
-X-X-X-	EXIST. FENCE
---	RCL0011852
---	PROPOSED BERM (SEE DETAIL A, EXHIBIT B2)

AERIAL SURVEY:
TOPOGRAPHY BY ENVIRONMENTAL, INC.
DATED MARCH 2015.



GABEL, COOK & ASSOCIATES, INC.
CIVIL ENGINEERS LAND SURVEYORS
LAND PLANNERS
7177 Brockton, Ave. Ste 339, Riverside, CA 92506
Telephone (951) 788-8092 Facsimile (951) 788-5184

Drawn by	Check by	Date	Project	Sheet	Scale	Title
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AS SHOWN

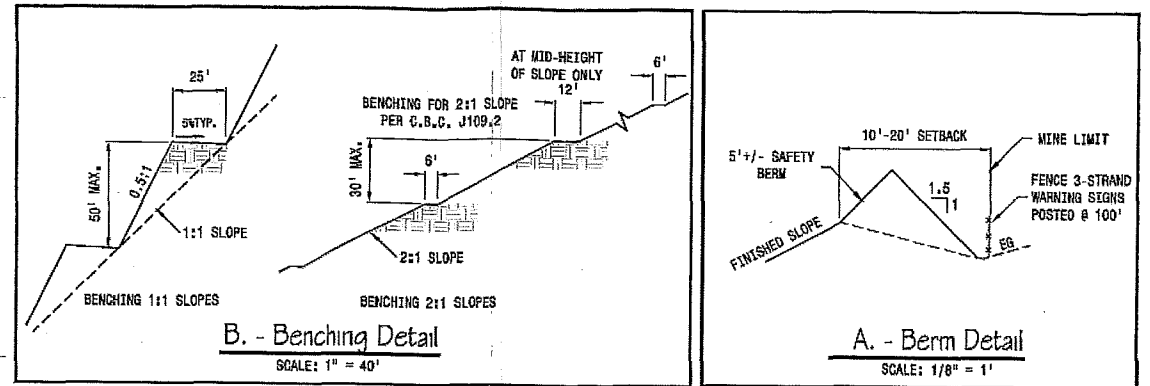
HUBBS/HARLOW QUARRY
200 S. MAIN STREET, CORONA, CA. 92880

TITLE SHEET / AMENDED RECLAMATION PLAN

EXHIBIT "B2"
HUBBS / HARLOW QUARRY
 Amended Reclamation Plan
 RCL0011852
 CA. MINE I.D. 91-33-0061

LEGEND

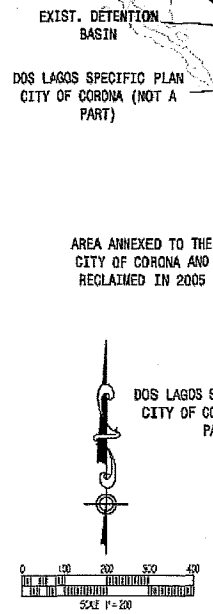
	SECTION LINE / RECORD OF SURVEY
	PARCEL LINE
	EXISTING CONTOUR
	FINISHED CONTOUR
	EXIST. FENCE
	RCL0011852
	PROPOSED BERM



PROPOSED SEEDING RATES FOR PERENNIAL SPECIES

SPECIES	SEEDING RATE (LB/ACRE)
CALIFORNIA SAGEBRUSH	2
FOUR-WING SALTBRUSH	2
BROOM BACCHARIS	2
ACTON BUSH ENCELIA	3
HAIKY YERBA SANTA	1
CALIFORNIA BUCKWHEAT	8
GOLDEN YARROW	2
CALIFORNIA POPPY	2
BLADDERPOD	4
GOLDFIELDS	1
DEERWEED	4
ARROYO LUPINE	6
WHITE SAGE	2
BLACK SAGE	1
SMALL FESCUE	6

SEED: 48 LBS/ACRE
 HEIGHT: 12-54 INCHES
 EMERGENCE: 10-25 DAYS
 ESTABLISHMENT: 50-70 DAYS TO 50% COVER AFTER EMERGENCE



SITE PREPARATION

- SLOPES WILL BE ROUGH GRADED FROM THE PROPOSED FLOOR TO ALLOW FOR COLLECTION OF SEEDS AND WATER.
- COMPACTED AREAS WILL BE SCARIFIED TO A DEPTH NECESSARY TO PROMOTE PLANT GROWTH, TYPICALLY TO A DEPTH OF 12 INCHES.

REVEGETATION NOTES

- PRIOR TO MINING, THE TOP 6 INCHES OF SOIL IS TO BE PUSHED OFF TO THE PERIMETER OF THE MINE AND USED TO CONSTRUCT BERMS.
- DURING RECLAMATION, THE TOP SOIL WILL BE RETURNED TO THE MINING SURFACE AND SPREAD EVENLY THROUGHOUT THE FINISHED FLOOR AND SLOPES ALONG WITH THE SAND BY-PRODUCT OR TAILINGS.
- THE SLOPE AND FLOOR AREAS WILL BE RECLAIMED AND REVEGETATED. ONLY NATIVE SPECIES WHICH CURRENTLY OCCUR ADJACENT TO THE SITE WILL BE USED.
- DUE TO THE VERY ROCKY EXISTING CONDITIONS, ONLY A LIMITED AMOUNT OF TOPSOIL OR GROWTH MEDIA WILL BE AVAILABLE. MOST OF THE SLOPES WILL BE ROCK FACED.

POST-RECLAMATION NOTES

- PROPERTY WILL BE URBANIZED FOR INFILL PROJECTS.
- REMOVE ALL STRUCTURES INCLUDING SCREENS, CONVEYORS, FOOTINGS AND EQUIPMENT
- REMOVE EXISTING ELECTRICAL SERVICE WITHIN THE MINE AND RECLAMATION AREA (RCL0011851).

SEEDING

BROADCAST SEEDING WILL BE CONDUCTED BETWEEN OCTOBER AND DECEMBER TO TAKE ADVANTAGE OF WINTER PRECIPITATION AND ELIMINATE THE NEED FOR IRRIGATION. SEED COLLECTION FROM NEARBY UNDISTURBED AREAS WILL BE SUPPLEMENTED BY COMMERCIALY AVAILABLE SEEDS AS NEEDED. SEED WILL ONLY BE COLLECTED WITHIN ONE YEAR OF PLANNED RESEEDING. THE DISTURBED AREAS WILL BE SEEDED WITH THE SPECIES AND RATES SHOWN IN THE TABLE BELOW. NOTE THAT THE SPECIES SEEDED WILL BE AUGMENTED WITH NATIVE ANNUALS. ONLY NATIVE SEEDS TOLERANT TO EXISTING SOIL AND RAINFALL CONDITIONS WILL BE USED. THE AVERAGE PRECIPITATION IN THE AREA SHOULD BE SUFFICIENT FOR SEED GERMINATION AND ROOT ESTABLISHMENT OF NATIVE SPECIES. IRRIGATION OF THE SITE WILL NOT BE USED TO AVOID ENCOURAGING NON-NATIVE INVASIVE PLANTS.

SUCCESS CRITERIA

AREAS SUBJECT TO EROSION MUST ATTAIN AT LEAST 65 PERCENT COVERAGE FOR TWO SUCCESSIVE YEARS TO BE CONSIDERED FULLY RECLAIMED. ALTERNATIVELY, IN THE EVENT THE LEAD AGENCY APPROVES SUBSEQUENT DEVELOPMENT OF THE PROPERTY WITH A SITE SPECIFIC EROSION CONTROL/WATER QUALITY MANAGEMENT PLAN, THE SUCCESS CRITERIA COULD BE REPLACED WITH METHODS CONSISTENT WITH GRADING/DEVELOPMENT PLAN FOR THE PROPERTY.

CONSTRUCTION NOTES

- CONSTRUCT 5 FT. SAFETY BERM AROUND PIT.
- CONSTRUCT 3 STRAND FENCING AROUND PIT WITH WARNING SIGNS POSTED AT EVERY 100 FT.
- CONSTRUCT 25 FT WIDE BENCH
- CONSTRUCT 6 FT. WIDE BENCH PER C.B.C. APPENDIX J SECTION J109.2
- CONSTRUCT 12 FT. WIDE BENCH AT MID, HEIGHT SLOPE IN ACCORDANCE WITH C.B.C. APPENDIX J SECTION J109.2.
- CONSTRUCT TEST PLOT AREA IN ACCORDANCE WITH OCR 3705 (b)



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HUBBS/HARLOW QUARRY
 200 S. MAIN STREET, CORONA, CA. 92690
 #65 - HUBBS QUARRY
 TYPICAL CROSS SECTION

Drawn by: WDG	Scale: AS SHOWN	Project: 1315	Page: 65	Sheet: 65-315-E02
Approved by:	Date: 05/19/16	Project: 1315	Page: 65	Sheet: 2

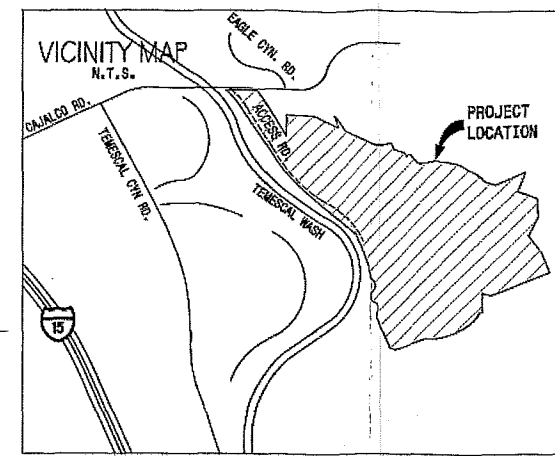
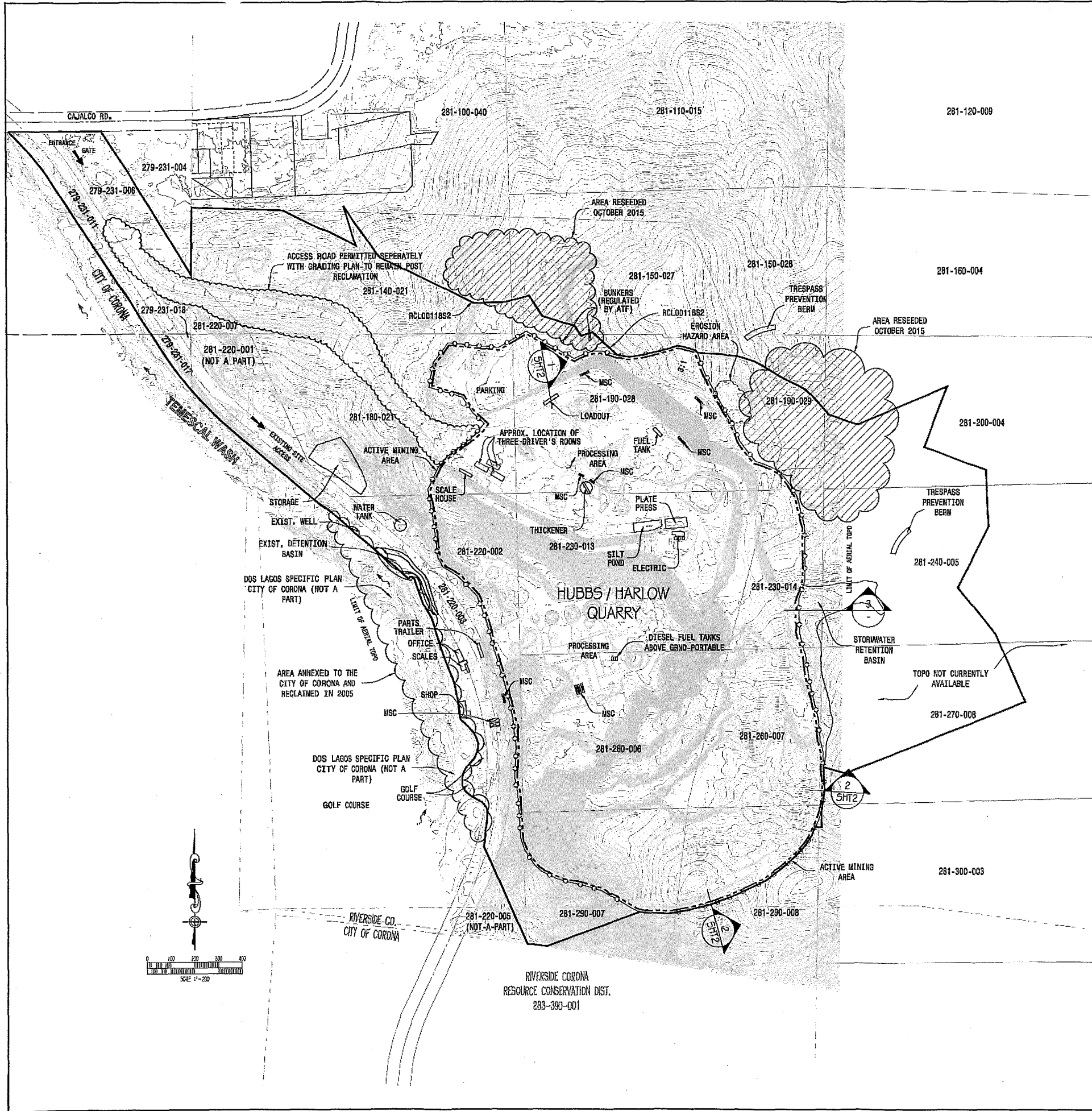
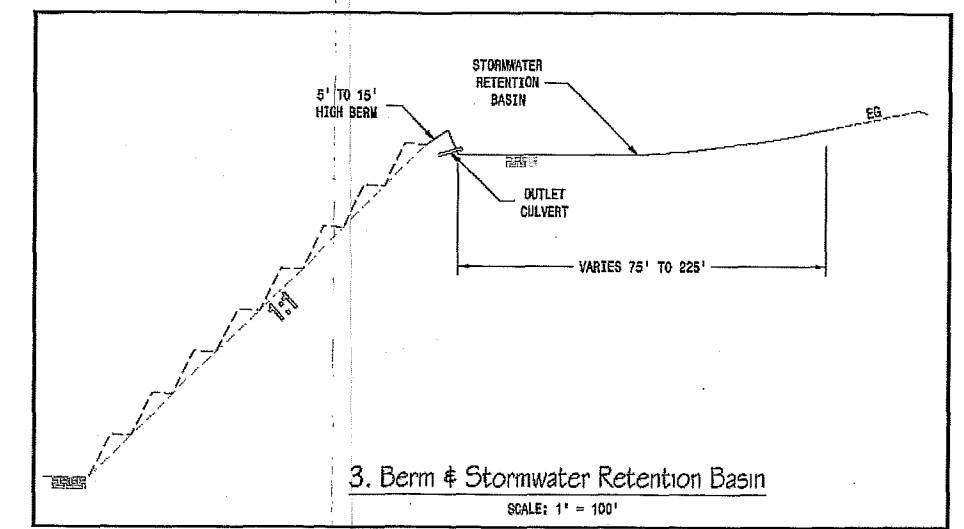


EXHIBIT "B3"
HUBBS / HARLOW QUARRY
 Amended Reclamation Plan
 RCL 0011852
 CA. MINE I.D. 91-33-0061
 LEGAL DESCRIPTION
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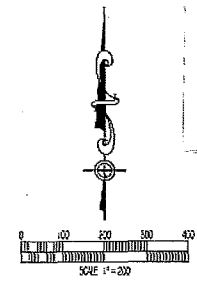
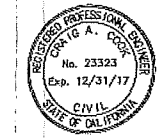


LEGEND

---	SECTION LINE / RECORD OF SURVEY
---	PARCEL LINE
--- 790 ---	EXISTING CONTOUR
--- 780 ---	FINISHED CONTOUR
* * * * *	EXIST. FENCE
---	RCL0011852
---◇---	PROPOSED BERM
□	METAL SHIPPING CONTAINER

AERIAL SURVEY:
 TOPOGRAPHY BY ENVIRONMENTAL, INC.
 DATED MARCH 2015.

METAL SHIPPING CONTAINERS ARE USED AT VARIOUS LOCATION THROUGHOUT THE SITE.



RIVERSIDE CORONA
 RESOURCE CONSERVATION DIST.
 283-390-001

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HUBBS/HARLOW QUARRY 200 S. MAIN STREET, CORONA, CA. 92680			
MINE DETAIL			
Drawn by	WDG	Sheet	3
Approved by		Project	1315
Date	05/19/16	Plan	65
Scale	AS SHOWN	Sheet No.	65-315-E01
			3
			SHT 3 OF 3