FINAL
ENVIRONMENTAL IMPACT STATEMENT

VOLUME 2 - DEIS AND SDEIS WRITTEN COMMENT LETTERS

SOLEDAD CANYON

SAND AND GRAVEL MINING PROJECT

OEPC #FES-00-18

BUREAU OF LAND MANAGEMENT
PALM SPRINGS - SOUTH COAST FIELD OFFICE

JUNE 2000

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Prepared for:

BUREAU OF LAND MANAGEMENT
PALM SPRINGS - SOUTH COAST FIELD OFFICE
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Project Applicant:

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EIS Consultant:

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JUNE 2000

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INDEX OF DEIS AND SDEIS COMMENT LETTERS

DEIS AND SDEIS LETTERS RECEIVED FROM FEDERAL AGENCIES

CODE	AGENCY	SIGNATURE, TITLE	DATE
F-1	United States Environmental Protection Agency	Deanna M. Wieman, Deputy Director Cross-Media Division	1/6/2000
F-2	United States Environmental Protection Agency	Jeanne Geselbracht	10/07/99

DEIS AND SDEIS LETTERS RECEIVED FROM STATE AGENCIES

CODE	AGENCY	SIGNATURE, TITLE	DATE
S-1	Department of Conservation	Jason Marshall, Assistant Director	9/10/99
S-2	Department of Conservation	Jason Marshall, Assistant Director	6/22/99
S-3	State Water Resources Control Board	Ross Swenerton, Chief Environmental Review Unit	6/1/99
S-4	Department of Water Resources	Stephen W. Verigin, Acting Chief Division of Safety of Dams	5/25/99
S-5	Department of Conservation	Jason Marshall, Assistant Director	1/6/2000
S-6	Governor's Office of Planning and Research State Clearinghouse	No Signature	12/1/99
S-7	Governor's Office of Planning and Research State Clearinghouse	Terry Roberts, Senior Planner, State Clearinghouse	1/7/2000
S-8	State Water Resources Control Board	Harry M. Schueller, Chief Divison of Water Rights	10/7/99
S-9	State Water Resources Control Board	Charles A. Rich, Chief, Complaint Unit Cori Condon, Associate Engineering Geologist	12/20/99
S-10	Department of Transportation	Cheryl Powell signed for Stephen Buswell, IGR/CEQA Program Manager, Transportation Planning Office	12/29/99

DEIS AND SDEIS LETTERS RECEIVED FROM LOCAL AGENCIES

CODE	AGENCY	SIGNATURE, TITLE	DATE
L-1	City of Santa Clarita	Jeffrey Lambert, AICP Director of Planning and Building Services	8/25/99
L-2	LA County Department of Regional Planning	Morris J. Litwack, Section Head, Zoning Enforcement	8/31/99
L-3	City of Santa Clarita	Jo Anne Darcy, Mayor	6/10/99
L-4	Saugus Union School District	Gail Wickstrom, Ed. D. Superintendent	10/19/99
L-5	City of Santa Clarita	Jeffrey Lambert, AICP Director of Planning and Building Services	1/4/2000
L-6	LA County Department of Parks and Recreation	Kimway Conway Chief of Planning	1/6/2000
L-7	Southern California Association of Government	J. David Stein, Manager, Performance Assessment and Implementation	1/6/2000
L-8	Newhall County Water District	Thomas E. Shollenberger, General Manager	1/5/2000
L-9	LA County Fire Department	Michael A. Wilkinson, Chief, Forestry Division Prevention Bureau	1/18/2000
L-10	South Coast Air Quality Management District	Steve Smith, Program Supervisor, CEQA Section Planning, Rule Development & Area Sources	1/26/2000
L-11	County of Los Angeles, Department of Public Work	David Yamahara, Planning Division	3/15/00

DEIS AND SDEIS LETTERS RECEIVED FROM COMMUNITY GROUPS/ ASSOCIATIONS/CONSULTING FIRMS

CODE	GROUP/FIRM	SIGNATURE, TITLE	DATE
C-1	Sierra Club, Angeles Chapter	Henry Schultz, Chair, Santa Clarita Group	9/13/99
C-2	San Marino Environmental Associates	Jonathan N. Baskin, Ph. D.	9/10/99
C-3	Remy, Thomas and Moose, LLP	Andrea A. Matarazoo	9/9/99
C-4	SCOPE	Lynne A. Plambeck, Vice President	9/13/99
C-5	Friends of the Santa Clara River	Ron Bottorff, Chair	9/13/99
C-6	S.A.F.E.	Tana Lampton, Director	9/13/99
C-7	SCOPE	Lynne A. Plambeck, Vice President	5/11/99

CODE	GROUP/FIRM	SIGNATURE, TITLE	DATE
C-8	Sierra Club, Angeles Chapter	Martin Schlageter, Conservation Coordinator	5/15/99
C-9	Natural History Club of Acton/Agua Dulce	Stacey Nickels, President	9/13/99
C-10	Saugus Union School District	Gail Wickstrom, Ed., D. Superintendent	9/8/99
C-11	Acton-Agua Dulce Unified School District	Jim Duzick, President, et.al	9/9/99
C-12	Democratic Alliance for Action	Diane Trautman, President	7/27/99
C-13	The Agua Ducle Town Council and The Agua Dulce Civic Association	James F. Duzick, President Diane Terito, Land Use Chair	9/13/99
C-14	Sierra Club, Angeles Chapter	Martin Schlageter, Conservation Coordinator	3/23/99
C-15	Center for Biological Diversity	Peter Galvin, Conservation Biologist	11/23/99
C-16	Natural History Club	Stacey Nickels, President NHC, A/AD	1/10/2000
C-17	Hall and Associates	Carlyle W. Hall, Jr. Attorney for SAFE Action for the Environment, Inc.	1/8/2000
C-18	Agua Dulce Town Council Agua Dulce Civic Association	Diane Terito, President, Agua Dulce Town Council Susan Kaplan, President Agua Dulce Civic Association	1/7/2000
C-19	Newhall School District	Marc Winger, Superintendent	10/20/99

DEIS AND SDEIS LETTERS RECEIVED FROM INDIVIDUALS INCLUDING FORM LETTERS

CODE	AGENCY	SIGNATURE, TITLE	DATE
I-1		Joseph Yore	7/22/99
I-2		Joseph Yore, enclosure from code I-1	6/10/99
I-3		Arthur and Beverly Edwards	7/12/99
I-4		Lynne Winner	7/6/99
I-5		Mary K. Riggins	6/8/99
I-6		Michelle Hoffman	6/3/99
I-7		Estelle Blashak	6/10/99
I-8		Nancy Miller	7/3/99
I-9		Vinton & Tana Lampton	9/13/99
I-10		Chris Towles	7/6/99

CODE	AGENCY	SIGNATURE, TITLE	DATE
I-11	S.A.F.E.S.	Mary K. Riggins	6/8/99
I-12	Petition from Stop The Rock Quarry Project	2500 signatures	No date
I-13	Form Letters	500 Individual Letters	5/16/99
I-14		Kyle Mcriylite	5/15/99
I-15		John C. Bodune	5/15/99
I-16		Ron Aaron	5/15/99
I-17		Peter Tutokey	5/15/99
I-18		Virginia Applen	5/15/99
I-19		Tim Partenffider	5/15/99
I-20		Timothy Tudor Applen	5/15/99
I-21		Loren Nickloff	5/15/99
I-22		Lindsay Jewell Stukey	5/15/99
I-23		Danielle Gersh	5/15/99
I-24		Jeffrey Mark Gersh	5/15/99
I-25		Edith and George Haddock	5/15/99
I-26		Tana Lampton	5/20/99
I-27		Carol Hano	5/15/99
I-28		Sarham	5/15/99
I-29		George Hano	5/15/99
I-30		Richard McCormick	5/15/99
I-31		Bruce N.	5/12/99
I-32		Rebecca Hollinger	5/15/99
I-33		Tim Hollinger	5/15/99
I-34		Lynn Saufley	5/15/99
I-35		Joan Marie Dunn	5/15/99
I-36		Beth Shott	5/25/99
I-37		James A. Yankovich	5/15/99
I-38		Simon Peter Raible	5/20/99
I-39		Anne E. Raible	5/20/99
I-40		Mary Alexoff	5/20/99
I-41		Phillip J. Lepacher	5/15/99
I-42		Alicia E. Martin	5/1/99
I-43		Kevin and Cindie Olen	5/24/99
I-44		Sally McCork	3/10/99
I-45		Kathy Carver	6/5/99
I-46		Gea Miller	3/10/99
I-47		Ronda Lockarct	3/10/99
I-48		Art Brewer	3/10/99

CODE	AGENCY	SIGNATURE TITLE	DATE
I-49		No Name	No date
I-50		Ray Brown	3/10/99
I-51		S. East	3/10/99
I-52		D. Saufley	3/10/99
I-53	Agua Dulce Civic Association	Stephen Voyles	No Date
I-54		Shauna B. Comber	5/25/99
I-55		Philip Avila	9/12/99
I-56		Virginia Applen	5/5/99
I-57		James R. Lankford	No date
I-58		Berta Gonzalez-Harper	4/13/99
I-59		Kenneth G. Solis	5/15/99
I-60		Easton Phillip Lepach	5/15/99
I-61		Clinton Perkins	5/15/99
I-62		Richard Thompson	No date
I-63		Rosalio Granco	No date
I-64		Ralph Clarkson	5/15/99
I-65		Maurillo Murillo	No date
I-66		Tory Cabrac	No date
I-67		Paul Calliez	4/12/99
I-68		David Bamo	No date
I-69		Dan Steele	4/12/99
I-70		Santos Garcia	No date
I-71		Marcos Alvarez Lugo	No date
I-72		James Baron	4/12/99
I-73		Phillip Cervantez	No date
I-74		Francisco Isiordia	No date
I-75		Omero Reyes	4/12/99
I-76		Fred Alvaty	6/16/99
I-77	E.G. Kowboys, Inc.	Reiner Schone	5/30/99
I-78	E.G. Kowboys, Inc.	Reiner Schone	5/30/99
I-79		Francesca Capasso	5/30/99
I-80		Francesca Capasso	5/30/99
I-81		Michael D. Antonovich, Supervisor 5th District	5/12/99
I-82		Kayla Marie Bagby	5/22/99
I-83		Alfred J. Alvaty	5/22/99
I-84		Willard Stephen Bagby	5/22/99
I-85		Jane Ann Bagby	5/22/99
I-86		Kurt L. Hayden	5/9/99

CODE	AGENCY	SIGNATURE, TITLE	DATE
I-87		Kurt L. Hayden	5/9/99
I-88		Pat Allen	4/12/99
I-89		Robert K. Grier	5/15/99
I-90		Charlotte B. Van Lohn	5/15/99
I-91		Linda F. Kirk	5/15/99
I-92		Robert E. Bowers	5/15/99
I-93		Carl Eugene Gorhar	5/15/99
I-94		Brad Johnson	5/14/99
I-95		Carnetta Jones	5/15/99
I-96		Tom Timble	5/15/99
I-97		Harry Lockart	5/15/99
I-98		Ronda Lockart	5/15/99
I-99		Stuart Larson	8/27/99
I-100		Tana & Vinton Lampton	1/10/2000
I-101		James Frautnick	10/4/99
I-102		Alan & Christine Chudnow	10/5/99
I-103		S.T.	12/13/99
I-104		Joseph V. Castagna, Jr. General Partner General Partner5	12/26/99
I-105	B & R Gallery	Signature Illegible	12/12/99
I-106		Peter J. Saputo	10/12/99
I-107		George Miller	10/12/99
I-108		Dale & Monique Stuart	10/20/99
I-109		Elaine & Howard Fox	10/5/99

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION IX
75 Hawthorne Street
San Francisco, CA 94105-3901

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PALM SPRINGS-SOUTH COAST
RESOURCE AREA

F-1

James Kenna
Field Manager
Bureau of Land Management
Palm Springs - South Coast Field Office
P.O. Box 1260
North Palm Springs, CA 92258-1260

JAN 6 2000

Dear Mr. Kenna:

The U.S. Environmental Protection Agency (EPA) has reviewed the May, 1999, Draft Environmental Impact Statement (DEIS) and November, 1999, Supplemental to the Draft Environmental Impact Statement (DSEIS) for the **Soledad Canyon Sand and Gravel Mining Project, Los Angeles County, California.** Our review and comments on this DEIS are provided pursuant to the National Environmental Policy Act (NEPA), the Council on Environmental Quality's NEPA Implementation Regulations at 40 CFR 1500-1508, and Clean Air Act Section 309.

The DEIS/DSEIS analyzes alternatives for Transit Mixed Concrete Company (TMC) to mine and produce sand and gravel resources in Soledad Canyon over a 20-year period. The project site is on split estate lands where the minerals are federally owned and administered by the BLM and the surface is privately owned. Approximately 83 million tons of material would be mined to produce 56 million tons of sand and gravel, also known as Portland cement concrete sand and gravel. The proposed project would include a concrete batch plant to produce and deliver ready-mixed concrete to local markets. Alternatives to the proposed action include No Action, Reduced North Fines Storage Area, Offsite Batch Plant Location, Reclaimed Water Use, Railroad Transportation, and Alternative North Fines Storage Area.

Based on public comments and EPA input on the DEIS originally published last May, BLM decided to identify in a DSEIS its preferred alternative, different from TMC's proposal identified in the May DEIS as the proposed alternative. The DSEIS provides additional information on the agency's preferred alternative, which is the Reduced North Fines Storage Area Alternative with a conveyor belt system for transporting fines material. We commend BLM on its decision to publish this DSEIS and identify a preferred alternative which it appears would result in significantly less impact than TMC's original proposal, especially to air quality. The potential impacts of the originally proposed and preferred alternatives remain unclear, however, because of questionable assumptions made in the air quality modeling and uncertainties with respect to conformity with the State Implementation Plan (SIP).

We have rated this DEIS/DSEIS as EO-2 -- Environmental Objections-Insufficient Information (see the enclosed "Summary of Rating Definitions and Follow-Up Action"). Our objections are based on uncertainties regarding the project's potential impacts to air quality and conformity with the SIP. We also have concerns regarding the project's potential impacts to aquatic resources and water quality, including waters of the U.S., and uncertainties regarding the adequacy of the reclamation bond. We recommend that the Final Environmental Impact Statement (FEIS) provide additional information regarding air quality modeling and SIP conformity, water quality, compliance with Clean Water Act Section 404, facilities design, mitigation measures and best management practices, financial assurance, blasting, and environmental justice. Information on conformity is necessary because BLM cannot sign a Record of Decision until project conformity has been demonstrated. The FEIS should also describe in detail the design of the proposed conveyor system, its potential impacts, and necessary mitigation measures. **1**

In addition, we are concerned that this mining and production EIS may have been influenced by the previous EA for sale of the mineral estate which, without evaluating the impacts of the overall project, appears to have compromised BLM's decisionmaking authority, leaving the agency with fewer options on production of the mineral estate. We recommend that, in the future, BLM analyze in one NEPA document the full scope of potential impacts involved in the decision to proceed with a mineral sale or lease, including the mining and production of the mineral estate. Our detailed comments are enclosed. **2**

We appreciate the opportunity to review this DEIS/DSEIS and would be happy to continue to work with you and your staff to address our issues in the FEIS. We also respectfully request a copy of the FEIS be sent to this address when it is officially filed with our Washington, D.C., office. If you have any questions, please call me at (415) 744-1566, or Jeanne Geselbracht at (415) 744-1576.

Sincerely,

Deanna M. Wieman, Deputy Director
Cross-Media Division

002548

Enclosures

cc: Daryl Koutnik, County of Los Angeles, Department of Regional Planning
Esther Feldman, Chairman, Regional Planning Commission
Elizabeth Erickson, Regional Water Quality Control Board - Los Angeles Region
Connie Day, South Coast Air Quality Management District
Jack Mills, BLM-Sacramento

General Comments

The DEIS/DSEIS analyzes alternatives for a sand and gravel sale which BLM approved in a 1989 environmental assessment (EA). In issuing the FONSI, the BLM also committed to analyze the impacts of the project operations (under a Mining and Reclamation Plan) at a later date. EPA disagrees with BLM's practice of assessing mineral sales in an EA and then later evaluating the impacts of the sale's logical consequences in a subsequent EA or EIS. The Soledad Sale EA did not analyze a No Action alternative; nor did it thoroughly analyze the potential impacts of mining and production at the site. For example, potential impacts to air quality were not analyzed in the EA despite the fact that the project is in a non-attainment area for PM10 (particulate matter smaller than 10 ug/m^3), carbon monoxide, ozone, and nitrogen dioxide. Furthermore, the EA indicated that the proposed sale was not within a 100-year flood plain and, therefore, did not analyze the potential impacts of mining on the flood plain of the Santa Clara River. However, the proposed project being analyzed in the DEIS/DSEIS does involve actions near the flood plain and potentially could affect it.

Clearly, the sale decision and the mine production decision meet the definition of connected actions [40 CFR 1508.25(a)(1)].. "Connected actions" and "similar actions," both of which appear to be relevant to the scope of mineral sale NEPA documents, are defined in CEQ's NEPA Implementation Regulations. In accordance with 40 CFR 1508.25(a)(1), connected actions should be discussed in the *same impact statement*. Actions are connected if they: (i) automatically trigger other actions which may require environmental impact statements, (ii) cannot or will not proceed unless other actions are taken previously or simultaneously, or (iii) are interdependent parts of a larger action and depend on the larger action for their justification. In addition, agencies should analyze in a *single EIS* similar actions which, when viewed with other reasonably foreseeable or proposed agency actions, have similarities that provide a basis for evaluating their environmental consequences together, such as common timing or geography. [1508.25(a)(3)]. 3

Based on both these definitions, it is clear that BLM should have analyzed, in one NEPA document, the full scope of potential impacts resulting from its decision to proceed with a mineral sale, including the mining and production of the mineral estate. EPA believes that this mining/production EIS is prejudiced by the previous EA for sale of the estate, compromising BLM's decisionmaking authority and leaving the agency with fewer unencumbered options on the mineral estate. BLM's piecemealing of these actions conflicts with the intent of NEPA.

According to the Soledad Sale EA, the proposed sale was the result of a court order for settlement of a trespass. Although the EA did not specify what alternatives were required by the settlement, it assessed one alternative for two mineral material sales, each with a total of 100 million tons of material. In the EA, therefore, the proposed action encompassed a range

of production from 20 to 200 million tons. Because the EA analyzed only one alternative ranging from 20 million to 200 million tons of material, a true analysis of the differences between alternatives falling within that range (a reasonable range of alternatives) was never conducted. With a more thorough analysis, it is unlikely that the sale of 200 million tons of material over a 20-year period could have been found to have no significant impact. In 1990, however, BLM issued TMC Federal contracts specifically to produce 56.1 million tons of PCC aggregate which would guarantee $28 million in royalties to the Federal Government. It is unclear how these specifications were developed when they were not available a few months earlier during the EA process. The DEIS, based on these unaccountable objectives, now states that the Reduced Quantity Mining Concept Alternative would not meet the requirements of the Federal Contracts objectives for the quantity of material to be mined (p. 2-58). More specific alternatives, such as the proposed alternative, the preferred alternative and the Reduced Quantity Mining Concept Alternative should have been evaluated in a single mineral sale/mining and production NEPA document. **3**

We strongly recommend that, for future mineral sales and leases, BLM conduct thorough NEPA evaluations so as not to lock itself out of reasonable alternatives, mitigation measures, and even no action before the full impact of the project is known. Before conducting a mineral sale, we believe that BLM must rigorously explore and objectively evaluate in one NEPA document all of the alternatives for sale, exploration, and production; thoroughly discuss the impacts of each alternative; and discuss means to mitigate adverse environmental impacts. If the NEPA document reveals adverse significant impacts, BLM would then have several options *before* deciding whether to proceed with the sale. At this point, BLM would still have the option to, among other things, delete certain areas from the sale; include specific necessary mitigation measures (discovered during investigation) as provisions of the sale; specify exploration and/or production actions that would be prohibited; and select no action.

Alternatives

The FEIS should describe in detail the design of the conveyor system proposed in the DSEIS, and discuss its potential impacts and necessary mitigation measures. **4**

EPA supports the use of reclaimed water for project operations if a source becomes available. We recommend that BLM and TMC commit to pursuing sources of reclaimed water as they become viable in the project area. **5**

Air Quality

The DSEIS provides insufficient information regarding the project's potential effects on air quality, and we cannot determine what the preferred project's impacts would be, particularly with respect to National Ambient Air Quality Standards (NAAQS) and conformity. We **6**

would object to the project if these uncertainties remain. We recommend, therefore, that additional information be provided in the FEIS with respect to both air quality modeling and project conformity. **6**

Air Modeling

EPA has reviewed the revised air quality modeling information provided in the DSEIS, Appendix B "Air Quality Modeling Results," West Coast Environmental, 11/17/99. EPA does not know what the project impacts would be because of several questionable assumptions made in the air quality modeling. The following issues should be addressed in the FEIS in order to determine the potential impacts of the preferred project with respect to NAAQS.

Section 3.1. Model. The model runs in Appendix D of the "Air Quality Modeling Results" (within Appendix B of the DEIS) show that the project location was assumed to be urban, which is questionable given the rural setting; this would tend to lower modeled concentrations (since urban dispersion in the model is larger). More importantly, the area was modeled as flat terrain, which is clearly inappropriate given the complex terrain nearby. This, too, would tend to lower modeled concentrations, possibly by a large amount. **7**

Section 3.2.2. Plume Rise. It is unclear why calculations of plume rise from point sources with stacks should be applicable to the volume sources (rock plant and batch plant); their initial height and dispersion should be based on some characteristic of the volume sources themselves and the amount of turbulent mixing near them. **8**

Section 3.4. Meteorological Data. There is no indication of whether Lancaster or Newhall (Santa Clarita) station meteorological data are representative of the project site. It is not clear why wind speeds within this canyon would be higher than at the meteorological stations, as assumed. Even if they are, however, that by itself does not guarantee higher concentrations, which also depend on atmospheric stability, wind speed-dependent emission rates, and wind direction relative to nearby terrain. Thus, it is unclear to what extent the model runs represent impacts from the project. **9**

Section 3.5. Background Concentrations. It is unclear whether Santa Clarita monitoring data are representative of the project location. Especially for PM10, sources of which have rather localized impacts, monitors should be as site-specific as possible. Even relatively nearby monitors may not be representative. In any case, the claim that Santa Clarita concentrations are higher than at the project location is hard to evaluate without a comparison of the land uses at both the monitor and the project. **10**

General Conformity

The DSEIS estimates that emissions of nitrogen oxides (NOx) and volatile organic compounds (VOC) will exceed the applicability limits as specified in 93.153 of the General Conformity Rule [incorporated by reference by South Coast Rule 1901 (64 FR 19916)]. Thus, NOx and VOC emissions from this project are subject to the conformity requirements in Section 93.158. **11**

The DSEIS (pp. 2-26 to 2-27) includes an analysis on how the project's NOx and VOC emissions are consistent with the growth and emissions estimates used by the SCAQMD's emissions inventory and also states that the SCAQMD was consulted in the development of this analysis. According to the DSEIS, BLM is trying to show conformity under 93.158(a)(5)(i)(A) which allows projects to conform in ozone nonattainment areas with approved SIPs if "[t]he total of direct and indirect emissions from the action...is determined and documented by the State agency primarily responsible for the applicable SIP to result in a level of emissions which, together with all of the other emissions in the nonattainment (or maintenance) area, would not exceed the emissions budgets specified in the applicable SIP." We do not believe that this criterion has been satisfied yet because the SCAQMD and Southern California Association of Governments (SCAG) have not provided a determination and documentation as specified in 93.158(a)(5)(i)(A). The FEIS and final conformity determination should include the necessary documentation, so that a conformity determination can be made prior to a Record of Decision. **12**

Water Resources

The DEIS (p. 3-342) states that no cumulative impact on surface water quality would occur from regulated mining operations. It is unclear, however, whether all drainage from the entire project site would be captured in the seven desilting/debris basins. The facilities design should ensure that contaminants such as dust palliatives, oil and grease, and total suspended solids (TSS) and total dissolved solids (TDS) from project surfaces drain only to the settling ponds. **13**

We recommend that the settling ponds and all diversion channels be adequately designed to withstand at least a 100-year, 24-hour storm without breaching. We understand from discussions with BLM that TMC intends to design desilting/debris basins to a 50-year capital storm standard. The FEIS should describe this event, as well as the 100-year, 24-hour storm event and describe how basins and diversion channels would be designed.

In addition, to prevent unauthorized discharges to streams, the conveyor system used to transport material should be equipped with catchments to contain material that falls off of the belt. This should be included in the design and described and discussed in the FEIS. **14**

Appendix B1 indicates that drainage, siltation, and erosion control plans have been developed but are not included in the document. Nor are they summarized in the DEIS/DSEIS. Pursuant to 40 CFR 1502.14(f), mitigation measures should be included in the EIS. Furthermore, according to the Council on Environmental Quality's 40 Questions, #19.b, all relevant, reasonable mitigation measures that could improve the project are to be identified. The FEIS should describe the specific best management practices in the Storm Water Pollution Protection Plan that would be used to prevent erosion and sedimentation. **15**

The project involves 16.6 miles of unpaved roads (DEIS, Table 3.1.4-15), which could be coated with magnesium chloride to suppress dust. The Santa Clara River is impaired for chloride in the vicinity of the proposed project. The DEIS (pp. 3-115, 3-117), however, states that the project would not result in significant releases of chloride into the Santa Clara River. The FEIS should indicate how much of the dust palliative would be washed off into road shoulders, settling ponds, and debris basins where it would be expected to percolate into the groundwater and possibly overflow during extreme storm events. It is unclear why chloride would not be expected to migrate through the soil to below 25 feet (DEIS, p. 3-115). Was fate and transport modeling conducted? The FEIS should provide the justification for this statement. The FEIS should also identify other dust palliatives that could be applied instead of magnesium chloride should it exceed appropriate thresholds in surface or ground water, indicate what those thresholds would be, and discuss how this would be monitored. **16**

Mitigation measure WR1 involves monitoring to be conducted on water resources and sensitive ecological habitats near the project site. The Habitat Protection Plan (DEIS, pp. F6-16, 17) contains action levels that would trigger adjustments to mining operations to reduce or avoid impacts to water resources and sensitive habitats, and the DEIS lists several adjustments that could be made. The FEIS should identify who would enforce the water mitigation measures described in the DEIS (pp. 3-70 and 3-71) and determine when specific measures are appropriate based on action thresholds. **17**

Biological Resources

The U.S. Fish and Wildlife Service Biological Opinion includes a reasonable and prudent measure that BLM shall ensure TMC does not use herbicides which are toxic to unarmored threespine sticklebacks in proximity to waters of the Santa Clara River. The Habitat Protection Plan (DEIS, p. F6-19) states that a glyphosate-type herbicide would be sprayed onto giant reed stems/stumps during annual removal of that plant from the river. The FEIS should discuss the potential impacts of this type of herbicide on the unarmored threespine stickleback and other aquatic species in the Santa Clara River, and describe application procedures and schedules that would be required by BLM and the U.S. Forest Service in order to ensure against adverse impacts. **18**

Waters of the U.S.

According to the DEIS (p. 3-212), three ephemeral drainages exist on the project site and may be waters of the U.S. The DEIS also states that two of the three drainages would be altered by the North Fines Storage Area and by Mining Cut 3 (p. 3-231). A jurisdictional analysis should be conducted to determine whether these are waters of the U.S. The FEIS should describe these waters, including acreages and channel lengths, habitat types, values, and functions of these waters. The FEIS should indicate where these drainages are with respect to the project activities, and discuss how they would be affected and how their channels would be diverted. If these drainages are waters of the U.S., a Clean Water Act Section 404 permit may be needed from the U.S. Army Corps of Engineers for the proposed activities.

BLM should contact the U.S. Army Corps of Engineers to determine if the proposed project requires a Section 404 permit under the Clean Water Act. Section 404 regulates the discharge of dredged or fill material into waters of the United States, including wetlands and other "special aquatic sites." If a permit is required, EPA will review the project for compliance with Federal Guidelines for Specification of Disposal Sites for Dredged or Fill Materials (40 CFR 230), promulgated pursuant to Section 404(b)(1) of the Clean Water Act ("404(b)(1) Guidelines"). Pursuant to 40 CFR 230, any permitted discharge into waters of the U.S. must be the least environmentally damaging practicable alternative available to achieve the project purpose. The FEIS should include an evaluation of the project alternatives in this context in order to demonstrate the project's compliance with the 404(b)(1) Guidelines. If, under the proposed project, dredged or fill material would be discharged into waters of the U.S., the FEIS should discuss alternatives to avoid those discharges. 1

If a discharge is permitted, the FEIS should discuss how potential impacts would be minimized and mitigated. This discussion should include: (a) acreage and habitat type of waters of the U.S. that would be created or restored; (b) water sources to maintain the mitigation area; (c) the revegetation plans including the numbers and age of each species to be planted; (d) maintenance and monitoring plans, including performance standards to determine mitigation success; (e) the size and location of mitigation zones; (f) the parties that would be ultimately responsible for the plan's success; and (g) contingency plans that would be enacted if the original plan fails. Mitigation should be implemented in advance of the impacts to avoid habitat losses due to the lag time between the occurrence of the impact and successful mitigation.

Reclamation

The DEIS (p. 2-45) describes how the performance/reclamation bond for the project was calculated. It is unclear whether the $1,400,000 calculated by BLM or the $1,144,308 calculated by the State would be adequate to reclaim the mine should it prematurely close for 2

any reason at any time before the end of phase one of the project. In addition, the first-year reclamation cost estimate appears to be based on first-year construction costs, not first year reclamation costs. Furthermore, phase one is presumably a five year duration, not one year. The DEIS does not describe the reclamation activities for the first year or phase one or specify costs for each activity. The FEIS should provide this information. The FEIS should also discuss whether the phase two, three, and four reclamation/performance bond would also be 20 percent of the total cumulative contract amount for each phase (i.e., up to $28 million) or some other amount, and whether this amount would be adequate to cover closure and reclamation costs should the mine prematurely close at any time during those phases.

The FEIS should also estimate the real projected costs of closure and reclamation so it is clear to the reader how the reclamation bond should be adjusted over the life of the project and whether the bond would be adequate should the project prematurely close at any point during the project life. The FEIS should demonstrate that the bond amount would be adequate to cover closure and reclamation costs of a third party contractor, rather than TMC, performing the work. The FEIS should discuss the procedure for adjusting the bond as contract amounts and reclamation costs vary over the life of the project. EPA recommends that, at the beginning of each bond adjustment phase, BLM and/or the State secure the bond in an amount adequate to fund closure and reclamation at that phase, including coverage for facilities even if they are not intended for closure during that phase. This would ensure that enough money would be available to cover premature closure. **20**

Blasting

The FEIS should discuss whether Soledad Canyon Road or the Southern Pacific Railroad would need to be temporarily closed during blasting. If so, the FEIS should evaluate the impacts of road closures to transportation, economics, and public health and safety, including the potential impacts on emergency vehicles. **21**

Environmental Justice

The DEIS indicates that the census tract used for the environmental justice analysis for this project is approximately 30 square miles. It is unclear from the DEIS whether any neighborhood in proximity of the project site constitutes an environmental justice community. The FEIS should describe the neighborhoods near the project site. If any of these areas constitutes an environmental justice community, the FEIS should analyze the potential impacts and any necessary mitigation measures. **22**

NEPA/CEQA

We understand that BLM attempted to coordinate with Los Angeles County in order to combine this DEIS with the County's Draft Environmental Impact Report (DEIR), prepared pursuant to the California Environmental Quality Act (CEQA). We believe it is unfortunate that the DEIS and DEIR were not written and released for public review as one document. EPA strongly recommends that, in the future, federal projects in California which require both NEPA and CEQA compliance be analyzed under one document so as to eliminate confusion, duplication, and inconsistencies. **23**

OPTIONAL FORM 99 (7-90)

FAX TRANSMITTAL

To Brian Martin	From Elena-BLM
Dept./Agency	Phone #
Fax # 626 334 3740	Fax #

# of pages ▶ 11

NSN 7540-01-317-7368 5099-101 GENERAL SERVICES ADMINISTRATION

SUMMARY OF EPA RATING DEFINITIONS

This rating system was developed as a means to summarize EPA's level of concern with a proposed action. The ratings are a combination of alphabetical categories for evaluation of the environmental impacts of the proposal and numerical categories for evaluation of the adequacy of the EIS.

ENVIRONMENTAL IMPACT OF THE ACTION

"LO" (Lack of Objections)

The EPA review has not identified any potential environmental impacts requiring substantive changes to the proposal. The review may have disclosed opportunities for application of mitigation measures that could be accomplished with no more than minor changes to the proposal.

"EC" (Environmental Concerns)

The EPA review has identified environmental impacts that should be avoided in order to fully protect the environment. Corrective measures may require changes to the preferred alternative or application of mitigation measures that can reduce the environmental impact. EPA would like to work with the lead agency to reduce these impacts.

"EO" (Environmental Objections)

The EPA review has identified significant environmental impacts that must be avoided in order to provide adequate protection for the environment. Corrective measures may require substantial changes to the preferred alternative or consideration of some other project alternative (including the no action alternative or a new alternative). EPA intends to work with the lead agency to reduce these impacts.

"EU" (Environmentally Unsatisfactory)

The EPA review has identified adverse environmental impacts that are of sufficient magnitude that they are unsatisfactory from the standpoint of public health or welfare or environmental quality. EPA intends to work with the lead agency to reduce these impacts. If the potentially unsatisfactory impacts are not corrected at the final EIS stage, this proposal will be recommended for referral to the CEQ.

ADEQUACY OF THE IMPACT STATEMENT

Category 1" (Adequate)

EPA believes the draft EIS adequately sets forth the environmental impact(s) of the preferred alternative and those of the alternatives reasonably available to the project or action. No further analysis or data collection is necessary, but the reviewer may suggest the addition of clarifying language or information.

"Category 2" (Insufficient Information)

The draft EIS does not contain sufficient information for EPA to fully assess environmental impacts that should be avoided in order to fully protect the environment, or the EPA reviewer has identified new reasonably available alternatives that are within the spectrum of alternatives analysed in the draft EIS, which could reduce the environmental impacts of the action. The identified additional information, data, analyses, or discussion should be included in the final EIS.

"Category 3" (Inadequate)

EPA does not believe that the draft EIS adequately assesses potentially significant environmental impacts of the action, or the EPA reviewer has identified new, reasonably available alternatives that are outside of the spectrum of alternatives analysed in the draft EIS, which should be analysed in order to reduce the potentially significant environmental impacts. EPA believes that the identified additional information, data, analyses, or discussions are of such a magnitude that they should have full public review at a draft stage. EPA does not believe that the draft EIS is adequate for the purposes of the NEPA and/or Section 309 review, and thus should be formally revised and made available for public comment in a supplemental or revised draft EIS. On the basis of the potential significant impacts involved, this proposal could be a candidate for referral to the CEQ.

*From EPA Manual 1640, "Policy and Procedures for the Review of Federal Actions Impacting the Environment."

Geselbracht.Jeanne@epamail.epa.gov on 10/07/99 11:22:47 AM

F-2

To: Elena Misquez/CASO/CA/BLM/DOI
cc:
Subject soledad comments

Elena: Attached are the issues we hope can get ironed out in the supplemental draft EIS. Please call me if you have any questions. (415) 744-1576.

(See attached file: solemail.wpd)

Alternatives

Only the potential impacts of the proposed project are discussed in any detail in chapter 3 of the DEIS. The DEIS does not present detailed information on the potential impacts of the various alternatives on several resources, such as air quality, noise, water resources, and floods. It is, therefore, difficult to determine to what degree these alternatives would be an improvement over the proposed alternative. The supplemental DEIS should include more detailed, quantitative analyses of all of the alternatives to the proposed project. **1**

Air Quality

Several changes to the modeling would help ensure that it more accurately represents the source. First, the receptor grid used should be adequate to determine the maximum impact. Typical modeling would use a 500- to 1000-meter grid size, plus a finer grid around the area of maximum impact. In the EIS, a 5000-meter grid was used. This is too coarse, especially in the vicinity of the maximum impact. **2**

Second, representative or conservative background air quality and meteorology should be used. The monitoring site used in the EIS is at Newhall, about 11 miles to the southwest. Even though this is the closest meteorological site available, because of the complex terrain, it is unlikely to be representative of the conditions at the source. The Newhall windrose shows wind primarily from southeast and south-southeast. However, winds will likely follow the local canyons, which are oriented east-west and southwest-northeast, roughly perpendicular to winds at Newhall. **3**

Third, although the ISCST3 model is not capable of handling complex terrain such as that around the source, it can give conservative results if used in a complex terrain screening mode. In the modeling for the DEIS described in Appendix E3, flat terrain was assumed. Relative to complex terrain mode, this will give **4**

conservative (higher) impacts for elevations lower than the source. However, the results may not be conservative in the area to the northeast of the source, where terrain rises above the source elevation, and to the southeast, where there could be plume impaction on the opposite side of Soledad Canyon. In short, the complex terrain around the source should be taken into account in order to determine the source's air impacts. Thus, this model is likely not adequate for the terrain, unless it can be shown to give conservative results. **4**

Water Resources

Mitigation measure WR1 involves monitoring to be conducted on water resources and sensitive ecological habitats near the project site. The Habitat Protection Plan (DEIS, pp. F6-16, 17) contains action levels that would trigger adjustments to mining operations to reduce or avoid impacts to water resources and sensitive habitats, and the DEIS lists several adjustments that could be made. The supplemental DEIS should identify who would enforce the water mitigation measures described in the DEIS (pp. 3-70 and 3-71) and determine when specific measures are appropriate based on action thresholds. **5**

The U.S. Fish and Wildlife Service Biological Opinion includes a reasonable and prudent measure that BLM shall ensure TMC does not use herbicides which are toxic to unarmored threespine sticklebacks in proximity to waters of the Santa Clara River. The Habitat Protection Plan (DEIS, p. F6-19) states that a glyphosate-type herbicide would be sprayed onto giant reed stems/stumps during annual removal of that plant from the river. The supplemental DEIS should discuss the potential impacts of this type of herbicide on the unarmored threespine stickleback and other aquatic species in the Santa Clara River, and describe application procedures and schedules that would be required by BLM and the U.S. Forest Service in order to ensure against adverse impacts. **6**

The proposed project involves 16.6 miles of unpaved roads (DEIS, Table 3.1.4-15), which could be coated with magnesium chloride to suppress dust. The Santa Clara River is impaired for chloride in the vicinity of the proposed project. The DEIS (pp. 3-115, 3-117), however, states that the project would not result in significant releases of chloride into the Santa Clara River. The supplemental DEIS should indicate how much of the dust palliative would be washed off into road shoulders, settling ponds, and debris basins where it would be expected to percolate into the groundwater and possibly overflow during extreme storm events. It is unclear why chloride would not be expected to migrate through the soil to below 25 feet (DEIS, p. 3-115). Was fate and transport modeling conducted? The supplemental DEIS should provide the justification for this statement. **7**

The DEIS (p. 3-342) states that no cumulative impact on surface water quality would occur from regulated mining operations. It is unclear, however, whether all drainage from the entire project site would be captured in the seven desilting/debris basins. The facilities design should ensure that contaminants such as dust palliatives, oil and grease, and total suspended solids (TSS) and total dissolved solids (TDS) from project surfaces drain only to the settling ponds. In addition, we recommend that the settling ponds be adequately designed to withstand a 100-year, 24-hour storm without breaching. **8**

Waters of the U.S.

According to the DEIS (p. 3-212), three ephemeral drainages exist on the project **9**

site and may be waters of the U.S. The DEIS also states that two of the three drainages would be altered by the North Fines Storage Area and by Mining Cut 3 (p. 3-231). A jurisdictional analysis should be conducted to determine whether these are waters of the U.S. The supplemental DEIS should describe these waters, including acreages and channel lengths, habitat types, values, and functions of these waters. The supplemental DEIS should indicate where these drainages are with respect to the project activities, and discuss how they would be affected and how their channels would be diverted. If these drainages are waters of the U.S., a Clean Water Act Section 404 permit may be needed from the U.S. Army Corps of Engineers for the proposed activities. **9**

BLM should contact the U.S. Army Corps of Engineers to determine if the proposed project requires a Section 404 permit under the Clean Water Act. Section 404 regulates the discharge of dredged or fill material into waters of the United States, including wetlands and other "special aquatic sites." If a permit is required, EPA will review the project for compliance with Federal Guidelines for Specification of Disposal Sites for Dredged or Fill Materials (40 CFR 230), promulgated pursuant to Section 404(b)(1) of the Clean Water Act (?404(b)(1) Guidelines?). Pursuant to 40 CFR 230, any permitted discharge into waters of the U.S. must be the least environmentally damaging practicable alternative available to achieve the project purpose. The supplemental DEIS should include an evaluation of the project alternatives in this context in order to demonstrate the project?s compliance with the 404(b)(1) Guidelines. If, under the proposed project, dredged or fill material would be discharged into waters of the U.S., the supplemental DEIS should discuss alternatives to avoid those discharges. **10**

If a discharge is permitted, the supplemental DEIS should discuss how potential impacts would be minimized and mitigated. This discussion should include: (a) acreage and habitat type of waters of the U.S. that would be created or restored; (b) water sources to maintain the mitigation area; (c) the revegetation plans including the numbers and age of each species to be planted; (d) maintenance and monitoring plans, including performance standards to determine mitigation success; (e) the size and location of mitigation zones; (f) the parties that would be ultimately responsible for the plan's success; and (g) contingency plans that would be enacted if the original plan fails. Mitigation should be implemented in advance of the impacts to avoid habitat losses due to the lag time between the occurrence of the impact and successful mitigation. **11**

Blasting

The supplemental DEIS should discuss whether Soledad Canyon Road or the Southern Pacific Railroad would need to be temporarily closed during blasting. If so, the supplemental DEIS should evaluate the impacts of road closures to transportation, economics, and public health and safety, including the potential impacts on emergency vehicles. **12**

Environmental Justice

The DEIS indicates that the census tract used for the environmental justice analysis for this project is approximately 30 square miles. It is unclear from the DEIS whether any neighborhood in proximity of the project site constitutes an environmental justice community. The supplemental DEIS should describe the neighborhoods near the project site, including the River?s End Trailer Park. If **13**

any of these areas constitutes an environmental justice community, the supplemental DEIS should analyze the potential impacts and any necessary mitigation measures. 13

- solemail.wpd

DEPARTMENT OF CONSERVATION
801 K Street, MS 24-02
Sacramento, CA 95814
(916) 445-8733 Phone
(916) 324-0948 Fax
(916) 324-2555 TDD

S-1

September 10, 1999

Mr. James G. Kenna, Field Manager
Palm Spring-South Coast Field Office
US Bureau of Land Management
P. O. Box 1260
North Palm Springs, CA 92258-1260

Dear Mr. Kenna:

The California Department of Conservation's Office of Mine Reclamation (Office) previously reviewed the referenced DEIR/DEIS in April 1999 (circulated through the State Clearinghouse as two separate, but identical documents). Based on this review, mine reclamation comments were submitted to Darryl Koutnik of the Los Angeles County Department of Regional Planning in a memorandum dated April 7, 1999 (enclosed). The Department's Division of Mines and Geology (Division) offered cursory mineral resource classification comments on this project's DEIS in a June 22, 1999 memorandum, submitted to you under an extended deadline (enclosed). We understand that the comment period for both documents has been extended a second time. This has given the Division an opportunity to prepare the following more detailed follow-up mineral resource comments for your consideration.

The property proposed for aggregate extraction by Transit Mixed Concrete is within an area designated by the State Mining and Geology Board (SMGB) as containing resources significant to the region. The area is labeled by the SMGB as Sector B. There are two other aggregate resource sectors in the region -- Sectors A and C. Sector B contains a large aggregate resource deposit that is important not only to the local Saugus-Newhall region, but also to the neighboring San Fernando Valley region. (The latter region will very likely depend on the Saugus-Newhall region as an aggregate supply in the near future.)

Each of the designated areas has its own aggregate resource availability profile depending on the character of its current and potential competitive uses. Some areas are "more available" than others. From an examination of competitive land uses, the aggregate resources in Sector B are more available than in either Sector A or in Sector C. Sector A, which covers the stream channel deposits of the Santa Clara River, is mostly adjacent or close to housing and other urban developments, and includes a major part of the drainage that supplies water to the Oxnard Plain in Ventura County. Sector C, which encompasses a large area in the San Gabriel Mountains, is mostly

within the U.S. National Forest and has many other competing public land values such as plant and wildlife habitat, scenic beauty, and recreation.

As previously noted, the aggregate resources in Sector B are important not only to the local market, but also to the neighboring San Fernando Valley Production-Consumption (P-C) Region. In 1994, DMG estimated that the San Fernando Valley P-C Region would be depleted of its permitted aggregate supply by the year 2001 (DMG Open-File Report 94-14). Based on this estimate, DMG concluded that 4 to 15 million tons per year (production range of San Fernando Valley P-C Region, 1980 to 1992) of aggregate would then be required from mines outside of the San Fernando Valley P-C Region.

There are three P-C regions adjacent to the San Fernando Valley P-C Region that could conceivably supply the aggregate – the Simi P-C Region on the west, the San Gabriel Valley P-C Region on the east, and the Saugus-Newhall P-C Region on the north. Although all of these regions could export aggregate to the San Fernando Valley P-C Region, doing so would affect each region differently:

1. The Simi P-C Region is now exporting aggregate westward to the Western Ventura P-C Region. As the annual demand from the two P-C regions, combined, is about 5 million tons, additional exportation to the San Fernando Valley P-C Region could more than halve the 16-year supply of permitted aggregate in the Simi P-C Region;

2. The San Gabriel Valley P-C Region has an eighteen-year supply of aggregate, based on a consumption rate of about 16 million tons per year. The aggregate resources in this region are surrounded by urbanization, and, because of potential land use conflicts, additional permitting may be difficult. Indeed, most of the recent additions of reserves have come from allowing deeper mining in existing pits.

3. The Saugus-Newhall P-C Region has more opportunities for a large expansion of permitted aggregate lands than either the Simi or San Gabriel Valley P-C regions. It is within this Region, in the previously described Sector B, that the Transit Mixed Concrete property is located.

Enclosed is a list of references from which the above analysis was drawn.

We do not make any recommendations regarding the permitting of this project. There are many other environmental and social issues that must be weighed and balanced to arrive at a decision. However, the above analysis is offered with the intent that you have complete information regarding the significance of the mineral resources 1

at this location relative to other sources in the larger region, and in the context of the projected population growth and aggregate demand in this part of Southern California. 1

We appreciate the additional time for review and comment on the proposed mining project. If we can be of further assistance, or if you have questions on the above comments, please contact Robert L. Hill, Senior Geologist with the Division, at 801 K Street, MS 8-38, Sacramento, CA 95814; or via telephone at (916) 327-0791. You may also contact Russ Miller, Senior Geologist at the Division's Los Angeles office at 107 S. Broadway, Room 1065, Los Angeles, CA 90012-4402; or via telephone at (213) 620-3560.

Sincerely,

Jason Marshall
Assistant Director

Enclosures

cc: Russ Miller
Division of Mines and Geology, Los Angeles

Robert L. Hill
Division of Mines and Geology, Sacramento

James S. Pompy, Manager
Reclamation Unit
Office of Mine Reclamation

References

1. Miller, R.V., 1994, Update of mineral land classification of portland cement concrete aggregate in Ventura, Los Angeles, and Orange counties, California, Part II, Los Angeles County; California Department of Conservation, Division of Mines and Geology, Open-File Report 94-14.

2. Joseph, S.E., Miller, R.V., Ran, S.S., and Goodman, R.W., 1987, Mineral Land Classification of the greater Los Angeles area; Part V, classification of sand and gravel resource areas, Saugus-Newhall Production-Consumption Region and Palmdale Production-Consumption Region; California Department of Conservation, Division of Mines and Geology Special Report 143, Part V.

3. California Department of Conservation (DOC) under direction of the State Mining and Geology Board (SMGB), 1987, Designation of Regionally Significant Construction Aggregate Resource Areas in the Saugus-Newhall and Palmdale Production Consumption Regions; DOC, SMGB Designation Report No. 6.

4. California Department of Conservation (DOC) under direction of the State Mining and Geology Board (SMGB), 1982, Designation of regionally significant construction aggregate resource areas in the western Ventura County and Simi production- consumption regions; DOC, SMGB Designation Report No. 2.

5. California Department of Conservation (DOC) under direction of the State Mining and Geology Board (SMGB), 1981, Designation of sand and gravel resources of regional significance in the San Fernando Valley region, Los Angeles County, California; DOC, SMGB Designation Report No. 1.

State of California | The Resources Agency

MEMORANDUM

To: Project Manager
Resources Agency

Date: April 7, 1999

Mr. Darryl Koutnik
Los Angeles County Department of Regional Planning
320 West Temple Street, Room 1348
Los Angeles, CA 90012

From: **Department of Conservation**
Office of Governmental and Environmental Relations

Subject: Draft Environmental Impact Report for Transit Mixed Concrete Company Soledad Canyon Sand and Gravel Project Mining and Reclamation Plan, CA Mine ID # 91-19-0009 **SCH #91111066**

The Department of Conservation's Office of Mine Reclamation (OMR) has reviewed the Draft Environmental Impact Report (DEIR) for the Transit Mixed Concrete Soledad Canyon Sand and Gravel Project. OMR provides statewide administration of the 1975 Surface Mining and Reclamation Act (SMARA), including technical assistance for the local review of mine reclamation plans. We offer the following comments for your consideration.

The proposed project is located in Soledad Canyon in the Santa Clarita Valley north of the City of Los Angeles. Approximately 232 acres of the site will be subject to mining and reclamation. The Bureau of Land Management (BLM) manages mineral rights, while Curtis Sand and Gravel Company owns fee title to the surface lands. The Santa Clara River traverses the southeastern portion of the project area. The project would entail either 1) removal of a maximum of 56.1 tons of material or 2) mining until expiration of the project in 20 years. Additional aggregate would be available through an extension of the mineral extraction contract with BLM, or expansion of the quarry. Mining has been conducted in the project area for approximately 20 years; three quarries exist within a quarter-mile radius of the proposed project. OMR previously commented on the reclamation plan for this project in 1997, conferring with Mr. John Hecht, the applicant's consultant.

SMARA (Public Resources Code Section 2710 et seq.) and the State Mining and Geology Board's regulations for surface mining and reclamation practice [California Code of Regulations (CCR) Title 14, Chapter 8, Article 1, Section 3500 et seq.; Article 9, Section 3700 et seq.] require that specific items be addressed or included in reclamation plans. As stated in our 1997 letter, the reclamation plan adequately

satisfies the majority of requirements of SMARA and the related portions of the CCR. The following items, however, require additional information or clarification.

1. The requirement for **topsoil salvage** was discussed in our previous letter. Page 1-30 of the DEIR describes vegetation and soil stripping ("where practical") in Area A. It states that field observations show little or no topsoil in the area that will be disturbed during the mine excavation operations. These excavation operations will be limited to the south-facing portion of the site below the ridgeline. However, no reference is made to soil salvage and vegetation removal in the North Fines area. All topsoil within the footprint of the proposed north fill area should be salvaged when vegetation is removed. Vegetation can be chipped and used as mulch, or directly incorporated into the soil. Topsoil can be placed at the sides of the fill areas for ease in reapplication. It should be reapplied subsequent to fill placement. Stockpiled growth material should be clearly identified in the field and on maps to prevent inadvertent removal.

   We recommend that the applicant salvage topsoil for use in revegetation. Topsoil stockpiles can be seeded with revegetation species for erosion control. This approach will conserve the dormant seedbed and help maintain a population of beneficial soil microorganisms. This approach is also more cost effective than broad scale soil amendment and inoculation with mycorrhizae. In the event that topsoil is not salvaged, CCR Section 3705(e) requires that materials used as growth medium be analyzed and amended to support the vegetation being established. Substitute "soils" should be compared to native, undisturbed soils and amended to provide any necessary micro- or macronutrients.

2. On page 1-60 of the plan, the **installation of containerized plants** is described. The root crown of plants *should not* be placed *above* the soil surface. The correct installation practice is to *mound the soil* one to two inches *above the crown* so that the root crown is not exposed after soil settlement and watering. Containerized plants installed as currently proposed in the reclamation plan will be subject to desiccation.

3. **Revegetation performance standards** are presented on page 1-62. The plan does not, however, include standards for "Concurrent Reclamation" and, instead, states that "... the performance standard will be determined in the field." As stated in our previous letter, a cover standard for erosion control should be provided in the reclamation plan. An example of such a standard might be 80% cover with no bare areas larger than 10' X 10'.

Under "Final Reclamation," the reclamation plan proposes to evaluate revegetation cover and species diversity using "an existing adjacent reference community." The standards must be specified in the reclamation plan prior to approval. These standards should be based on the baseline data collected for the reclamation plan and DEIR. The plan also proposes to evaluate density based on information provided in Table F3-4 of Appendix F. However, this table citation must be in error, as Table F3-4 does not provide plant densities. It is apparent that the correct reference should be to Table F3-6.

4. DEIR Table 3.1.8.1 assesses the potential **occurrence of sensitive species** in the project area. The term "No Comment" is provided in several sections of the Survey Results. This term has no meaning in reference to the occurrence of a sensitive species and should be revised to reflect actual survey results, i.e., indicate occurrence on non-occurrence.

Thank you for the opportunity to review and comment on the reclamation plan. If you have any questions on these comments, or require any assistance with other mine reclamation issues, please contact James S. Pompy, Manager, Reclamation Unit at (916) 323-8565.

Jason Marshall
Assistance Director

cc: James S. Pompy, Manager
Reclamation Unit
Office of Mine Reclamation

S-2

State of California | The Resources Agency

MEMORANDUM

To: Project Coordinator
Resources Agency

Date: June 22, 1999

Mr. James G. Kenna
Field Manager
Bureau of Land Management
Palm Springs-South coast Field Office
P.O. Box 1260
North Palm Springs, CA 92258-1260

From: **Department of Conservation**
Office of Governmental and Environmental Relations

Subject: Draft Environmental Impact Statement (DEIS) for the Soledad Canyon Sand and Gravel mining Project – **SCH #99054001**

The California Department of Conservation's Division of Mines and Geology (Division) has reviewed the above referenced DEIS. The Division is responsible for mapping, analyzing and providing information to local government agencies and the general public on the distribution and significance of mineral resources in California. We offer the following comments on the aggregate resource deposits with respect to the Soledad Canyon Sand and Gravel Mining project site.

In describing the project setting, the Final EIS should note that the Division has classified the project site as Mineral Resource Zone-2 (MRZ-2). MRZ-2 denotes areas where adequate information indicates that significant mineral deposits are present, or where there is a high likelihood for their presence. Also, the area has been designated by the State Mining and Geology Board as an area of regional significance for construction aggregate (sand and gravel) resources. 1

For your use in documenting the value of the mineral resources at this site, we recommend that you reference the following Division publications:

- Miller, R.V., 1994, Update of mineral land classification of portland cement concrete aggregate in Ventura, Los Angeles, and Orange counties, California, Part II, Los Angeles County, California Department of Conservation, Division of Mines and Geology, Open-File Report 94-14. 2
- California Department of Conservation, 1987b, Designation of regionally significant construction aggregate resource areas in the Saugus-Newhall and Palmdale Production-Consumption regions: SMARA Designation Report No. 6.

- Joseph, S.E., Miller, R.V., Ran, S.S., and Goodman, R.W., 1987, Mineral Land Classification of the greater Los Angeles area; Part V, classification of sand and gravel resource areas, Saugus-Newhall Production-Consumption Region and Palmdale Production-Consumption Region: California Department of Conservation, Division of Mines and Geology Special Report 143, Part V. 2

Thank you for the opportunity to review and comment on the DEIS. If you have questions regarding our comments, or require technical information or assistance, please contact Division Senior Engineering Geologist Robert Hill at (916) 327-0791.

Jason Marshall
Assistant Director

cc: Robert Hill
Division of Mines and Geology

State Water Resources Control Board

Division of Water Rights
901 P Street • Sacramento, California 95814 • (916) 657-2199
Mailing Address: P.O. Box 2000 • Sacramento, California • 95812-2000
FAX (916) 657-1485 • Web Site Address: http://www.swrcb.ca.gov

Winston H. Hickox
Secretary for Environmental Protection

Gray Davis
Governor

S-3

In Reply Refer to: A29967:91165

JUN 0 1 1999

Mr. Daryl Koutnik
County of Los Angeles
Department of Regional Planning
Impact Analysis Section, Room 1348
320 West Temple Street
Los Angeles, CA 90012

Dear Mr. Koutnik:

COMMENTS ON THE DRAFT ENVIRONMENTAL IMPACT REPORT FOR THE SOLEDAD CANYON SAND AND GRAVEL MINING PROJECT (NO. 91165) (STATE CLEARINGHOUSE NO. 91111066)

Thank you for the opportunity to comment on the subject Draft Environmental Impact Report (Draft EIR). In order to satisfy the proposed project's water supply needs, Transit Mixed Concrete Company (TMC) has sought to appropriate water from Santa Clara River by filing Water Right Application 29967 with the State Water Resources Control Board (SWRCB), Division of Water Rights (Division). Application 29967 proposes to directly divert a maximum of 0.95 cubic foot per second of water from the Santa Clara River subterranean stream, not to exceed 322 acre-feet per year. The water diverted will be used for various mining and industrial purposes associated with the proposed project, including aggregate production, dust suppression, compaction of excess fines, truck washing and production of ready mixed concrete.

In view of Water Right Application 29967, the SWRCB is a Responsible Agency for the proposed project under the California Environmental Quality Act (CEQA) and must, therefore, review and consider the Draft and Final EIRs prepared by Los Angeles County (County) prior to deciding whether and how to grant approval of the requested water right permit for the project. Staff of the Division's Environmental Section have reviewed the subject Draft EIR and provide the following comments:

General Comments

In a letter dated April 15, 1992, (copy enclosed), we advised both the County and TMC that the SWRCB, Division of Water Rights, would be a Responsible Agency for the proposed project and that the County should circulate a copy of the Draft EIR through the State Clearinghouse for our review. Despite this correspondence, however, when the Draft EIR was originally circulated for public review on February 17, 1999, our agency was excluded from the mailing list of state agencies designated in Appendix A to receive a copy. This oversight, while undoubtedly not intentional, could have led to a significant flaw in the County's CEQA process on this project, 1

had we not been alerted by the California Regional Water Quality Control Board, Los Angeles Region, that a Draft EIR had been circulated, and had the County not extended the public review period to June 14, 1999.

Part of the reason the oversight occurred may be that the environmental consultants preparing the Draft EIR confused our agency with the California Department of Water Resources. At the beginning of the Draft EIR, on pages S-1, S-7, 1-4 (Table 1.1-2) and 3-23 to 3-29, the role of our agency and its correct name are accurately described. Later in the Draft EIR, however, the term California Division of Water Rights (CDWR) was introduced, on pages 3-67 and 3-329, and on pages 3-354 and 3-359, the discussion adds the term California Department of Water Resources. Lastly, Appendix C-2 uses "CDWR" in its list of acronyms to mean the California Department of Water Resources and uses "DWR" to mean the Division of Water Rights. In all of these cases, where the discussion is clearly intended to cover the water rights process or allocation of unappropriated water resources, the text should be revised to use the term State Water Resources Control Board (SWRCB), Division of Water Rights. 1

Specific Comments

1. Page 1-60: In the section entitled "Irrigation", the discussion indicates that the project may involve at least temporary irrigation of plants to be used for mining site revegetation. The source of the water to be used for this purpose should be identified. Also, if the source is to be water appropriated from Santa Clara River by Transit Mixed Concrete Company (TMC), TMC should amend its Water Right Application 29967 to include irrigation as a project purpose. 2

2. Pages 3-230 to 3-231 and Appendix F6: The discussion of project impacts on sensitive wildlife species concludes that uncontrolled pumping from the underflow of the Santa Clara River, during the dry months of drought years, could result in significant effects on sensitive fish species found in the river, most notably the unarmored threespine stickleback *(Gasterosteous aculeatus californicus)*, and sensitive riparian bird species, most notably the least Bell's vireo *(Vireo bellii pusillus)*. In view of this, Mitigation Measure B6 is proposed to prevent such potential significant impacts through implementation of the Habitat Protection Plan presented in Appendix F6. The stated purpose of the plan is to conduct routine habitat monitoring downstream of the project's water pumps and impose specific action levels that would trigger curtailment of project water pumping, if necessary, to prevent significant impacts on unarmored threespine stickleback habitat and riparian vegetation. 3

We reviewed the Draft Habitat Protection Plan (Draft Plan) presented in Appendix F6, and find that it appears to be focussed solely on measures to prevent significant reductions in the quantity/quality of existing unarmored threespine stickleback aquatic

habitat. No mention is made in the Draft Plan of what additional monitoring and follow-up actions are necessary to prevent significant loss of aquatic/riparian vegetative habitat for other sensitive wildlife species, such as the southwestern pond turtle and the least Bell's vireo. Consequently, we request that the Draft Plan be amended substantially to incorporate specific monitoring and follow-up actions needed to ensure that the project's proposed diversions from the Santa Clara River will not cause significant reductions in aquatic/riparian vegetative habitat utilized by other sensitive wildlife species, including: 3

a. Southwestern pond turtle *(Clemmys marmorata pallida)*
b. California red-legged frog *(Rana aurora draytoni)*
c. Least Bell's vireo (*Vireo bellii pusillus)*
d. California yellow-billed cuckoo *(Coccyzus asmericanus occidentalis)*
e. Willow flycatcher *(Empidonax traillii)*

Moreover, the requested plan amendments must include, at a minimum, delineation of the baseline level of key aquatic and riparian plant species, and specific action levels which would trigger curtailment of project water pumping if abundance of these plant species threatens to drop significantly below the baseline level due to water stress connected to project water pumping.

3. Appendix A: The SWRCB's April 15, 1992, letter to the County (copy enclosed) should be included in the responses to the Notice of Preparation. 4

When the above comments have been addressed and a Final EIR has been prepared and certified, please send a copy of the certified Final EIR to our agency, along with a listing of specific mitigation measures adopted to reduce identified impacts to non-significant levels. Also, when a Notice of Determination is adopted, we would appreciate receiving a copy of that as well. The SWRCB cannot issue a water right permit for the project until the appropriate CEQA documents have been completed by the County and copies of these documents have been received. If you have any questions concerning the above, please write to me at the address on the letterhead, or call me at (916) 657-2199.

Sincerely,

Ross Swenerton

Ross Swenerton, Chief
Environmental Review Unit 2

Enclosure

cc: See next page

cc: Mr. Brian Mastin
Transit Mixed Concrete Company
P.O. Box 575
Azusa, CA 91702-0575

Mr. Kerry Shapiro
Baker & McKenzie
Two Embarcadero Center, Suite 2400
San Francisco, CA 94111-3909

Ms. Elenda Misquez
Bureau of Land Management
P.O. Box 1260
North Palm Springs, CA 92258

Ms. Elizabeth Erickson
California Regional Water Quality Control Board
Los Angeles Region
320 W. 4th Street, Suite 200
Los Angeles, CA 90013

Department of Fish and Game
South Coast Region
330 Golden Shore, Suite 50
Long Beach, CA 90802
Attn: Environmental Services

ORIGINATOR

916/657-0446

FAX: 916/657-2388

In Reply Refer
to: 316:NW:29967

APR 15 1992

Mr. Paul McCarthy
County of Los Angeles
Impact Analysis Section
Department of Regional Planning
320 W. Temple Street
Los Angeles, CA 90012

Dear Mr. McCarthy:

WATER RIGHT APPLICATION 29967, TRANSIT MIXED CONCRETE COMPANY, TO DIVERT 322 AF/YR OF UNDERFLOW FROM THE SANTA CLARA RIVER

This is to confirm your telephone conversation with Nick Wilcox of our staff on March 4, 1992 regarding Los Angeles County (County) being Lead Agency for this project. During this conversation, you acknowledged that the County will act as Lead Agency and therefore be responsible for preparation of appropriate environmental documents as required by the California Environmental Quality Act (CEQA).

Since the County will be Lead Agency, the State Water Resources Control Board (State Water Board) will be a Responsible Agency. As a Responsible Agency, the State Water Board must consult with the County to assure that an appropriate environmental document is prepared. Initial review of this application by our staff, as well as consultation with other agencies, indicates that significant environmental effects may result from the proposed project. We understand that an Environmental Impact Report (EIR) is now being prepared for this project.

In order for the EIR to meet the State Water Board's needs as a Responsible Agency, it should cover at least the following issues:

1. Impacts of the diversion and use of water on downstream water users or instream beneficial uses (fish, wildlife, riparian vegetation, recreation, aesthetics).

2. Impacts of project construction on aquatic and terrestrial biota (vegetation, invertebrates, fish, and wildlife).

3. Impacts of the project on Rare and Endangered Species, with particular attention paid to the 3-Spined Stickleback fish and the Western Yellow-Billed Cuckoo which occur in the area.

4. Impacts of the project on downstream water quality.

5. Cumulative impacts of the project in relation to other existing or proposed projects in the area.

6. Mitigation measures to reduce identified impacts to a level of insignificance.

The State Water Board should receive a Notice of Preparation of an EIR. Further, the draft EIR should be circulated through the State Clearinghouse for our review. The County should file a Notice of Determination with the State Clearinghouse and County Clerk after the final EIR is complete. Finally, the County should send the State Water Board a copy of the Notice of Determination, final EIR including comments received and responses to the comments, as well as a listing of specific mitigation measures adopted to reduce identified impacts to nonsignificant levels. The State Water Board cannot complete processing of the water right application until the requirements of CEQA have been fulfilled and these documents have been received.

If you have any questions, please call me at 916/657-2199. The staff person currently working on this issue is Nick Wilcox, and he can be reached at 916/657-0446.

Sincerely,

Ross Swenerton, Chief
Environmental Review Unit 2

cc: Mr. Ken Sasaki
Department of Fish and Game
30 Golden Shore, Suite 50
Long Beach, CA 90802

Mr. Brian Mastin
Transit Mixed Concrete Company
P.O. Box 575
Azusa, CA 91702-0575

NWilcox/lmsanborn 3/30/92
slamm300/NW1/A29967

State of California

The Resources Agency

Memorandum

S-4

Date : MAY 25 1999

To : 1. Project Coordinator
Resources Agency

2. Ms. Elena Misquez
Bureau of Land Management
Post Office Box 1260
North Palm Springs, California 92258-1260

From : Department of Water Resources

Subject : SCH# 99054001
Draft Environmental Impact Statement
Soledad Canyon Sand and Gravel Mining Project
Los Angeles County

We have reviewed the Draft Environmental Impact Statement dated May 1999 for the Soledad Canyon Sand and Gravel Mining Project.

Based on the information provided, we could not determine if any of the desilting and debris basins will fall under our jurisdiction. As defined by Part 1, of Division 3, of the California Water Code, dams 25 feet or higher having a reservoir storage capacity of more than 15 acre-feet, and dams higher than 6 feet having a storage capacity of 50 acre-feet or more are under our jurisdiction. Please provide us with the maximum height dimension and storage capacity of each of these basins so we can determine whether any falls under our jurisdiction. 1

If any of these basins fall under our jurisdiction, a construction application, together with plans and specifications, must be filed. All dam safety related issues must be resolved prior to approval of the application, and the work must be performed under the direction of a civil engineer registered in California. The Design Engineering Branch at (916) 445-3092 is responsible for the application approval process.

Thank you for the opportunity to review and comment on the Draft Environmental Impact Statement.

If you have any questions, please contact Area Engineer Mutaz Mihyar at (916) 323-1116 or Regional Engineer Richard Sanchez at (916) 322-6206.

Stephen W. Verigin

Stephen W. Verigin, Acting Chief
Division of Safety of Dams
(916) 445-7606

S-5

State of California

The Resources Agency

MEMORANDUM

To: Project Coordinator
Resources Agency

Date: January 6, 2000

Ms. Elena Misquez
Palm Springs-South Coast Field Office
Bureau of Land Management
690 West Garnet Avenue
P. O. Box 1260
North Palm Springs, CA 92258-1260

RECEIVED
BUREAU OF LAND MANAGEMENT
00 JAN 1 PM 4: 13
PALM SPRINGS-SOUTH COAST
RESOURCE AREA

From: **Department of Conservation**
Office of Governmental and Environmental Relations

Subject: Supplement to the Draft Environmental Impact Statement (DEIS) for the Soledad Canyon Sand and Gravel Project – **SCH# 99054001**

The Department of Conservation's Division of Mines and Geology (Division) has reviewed the Supplemental DEIS with respect to mineral resource conservation issues. We previously commented on the Draft EIS on September 10, 1999 in a memorandum to Mr. Darryl Koutnik, Los Angeles County Department of Regional Planning. This memorandum, which is included in Appendix A of the Supplemental DEIS, contains information about the significance of aggregate resources in the Saugus-Newhall, Simi, and San Gabriel Valley Production-Consumption (P-C) regions, in light of the imminent depletion of aggregate reserves in the San Fernando Valley P-C Region.

To reiterate, depletion of aggregate reserves in the San Fernando Valley P-C Region in (or around) year 2001 will require that these resources be imported to the San Fernando Valley region from alternative sources. The most likely alternatives are the Simi, San Gabriel Valley, and Saugus-Newhall P-C regions.

Our September 10 letter states that:

- The Simi P-C Region is exporting aggregate westward to the Western Ventura P-C Region. Because the combined annual demand from the two P-C regions is about 5 million tons, additional exportation to the San Fernando Valley region could more than halve the 16-year supply of permitted aggregate reserves in the Simi P-C Region.

- The San Gabriel Valley P-C Region has an 18-year supply of aggregate, based on a consumption rate of about 16 million tons per year. The aggregate resources in this region are surrounded by urbanization and, because of potential land-use conflicts, additional permitting may be difficult. Most of the recent additions of reserves in this region have come from allowing deeper mining of existing pits.

- The Saugus-Newhall P-C Region has more opportunities for a large expansion of permitted aggregate lands than either the Simi or San Gabriel Valley P-C regions. The property proposed for aggregate extraction by Transit Mixed Concrete is within an area (Sector B) of the Saugus-Newhall P-C Region designated by the State Mining and Geology Board (SMGB) as containing aggregate resources significant to the region. In addition to Sector B, the SMGB has designated two other sectors (A and C) in the Saugus-Newhall P-C Region as containing significant deposits of aggregate resources. However, these Sectors have greater limitations to their use for aggregate extraction than Sector B. Sector A includes stream channel deposits of the Santa Clara River, is mostly adjacent or close to housing and other urban developments, and includes a major part of the drainage that supplies water to the Oxnard Plain in Ventura County. Sector C, which encompasses a large area in the San Gabriel Mountains, is mostly within the U.S. National Forest and has many other competing public land values such as plant and wildlife habitat, scenic beauty, and recreation.

From this examination of competing land uses, it is apparent that the aggregate resources in Sector B are more available than in either Sector A or in Sector C. Sector B contains a large aggregate resource that is important not only to the local Saugus-Newhall PC Region, but also to the neighboring San Fernando Valley P-C Region. The latter region will very likely depend on the Saugus-Newhall region as an aggregate supply in the very near future.

In conclusion, we recommend that in examining the environmental impacts of this project, the impacts from the apparent project alternatives, as discussed above, also be closely considered, especially in light of projected supply and demand of aggregate resources in the Los Angeles basin. **1**

Thank you for the opportunity to review and comment on the Supplemental DEIR. If you have questions about our comments, or require additional technical assistance or information, please contact Division Senior Geologist Robert L. Hill Senior Geologist at 801 K Street, MS 8-32, Sacramento, CA 95814; or, phone (916) 327-0791. You may also call me at (916) 445-8733.

Kenneth E. Scott

for Jason Marshall
Assistant Director

cc: Robert L. Hill

STATE OF CALIFORNIA

Governor's Office of Planning and Research
State Clearinghouse

Gray Davis
GOVERNOR

STREET ADDRESS: 1400 TENTH STREET ROOM 222 SACRAMENTO, CALIFORNIA 95814
MAILING ADDRESS: P.O. BOX 3044 SACRAMENTO, CA 95812-3044
916-445-0613 FAX 916-323-3018 www.opr.ca.gov/clearinghouse.html

Loretta Lynch
DIRECTOR

S-6

ACKNOWLEDGEMENT OF RECEIPT

DATE: December 1, 1999

TO: Elena Misquez
Bureau of Land Management
690 W. Garnet Ave.
P.O. Box 1260
North Palm Springs, CA 92258-1260

RE: Soledad Canyon Sand & Gravel Project
SCH#: 99054001

This is to acknowledge that the State Clearinghouse has received your environmental document for state review. The review period assigned by the State Clearinghouse is:

Review Start Date: November 23, 1999
Review End Date: January 6, 2000

We have distributed your document to the following agencies and departments:

California Highway Patrol
Caltrans, District 7
Department of Conservation
Department of Fish and Game, Region 5
Department of Parks and Recreation
Native American Heritage Commission
Office of Historic Preservation
Regional Water Quality Control Board, Region 4
Resources Agency
State Lands Commission
State Water Resources Control Board, Division of Water Rights

The State Clearinghouse will provide a closing letter with any state agency comments to your attention on the date following the close of the review period.

Thank you for your participation in the State Clearinghouse review process.

S-7

STATE OF CALIFORNIA

Governor's Office of Planning and Research
State Clearinghouse

RECEIVED
BUREAU OF LAND MANAGEMENT
00 JAN 10 PM 3: 10
PALM SPRINGS-SOUTH COAST
RESOURCE AREA

Gray Davis
GOVERNOR

Letta Lynch
DIRECTOR

January 7, 2000

Elena Misquez
Bureau of Land Management
690 W. Garnet Ave.
P.O. Box 1260
North Palm Springs, CA 92258-1260

Subject: Soledad Canyon Sand & Gravel Project
SCH#: 1999054001

Dear Elena Misquez:

The State Clearinghouse submitted the above named Draft EIS to selected state agencies for review. On the enclosed Document Details Report please note that the Clearinghouse has listed the state agencies that reviewed your document. The review period closed on January 6, 2000, and the comments from the responding agency (ies) is (are) enclosed. If this comment package is not in order, please notify the State Clearinghouse immediately. Please refer to the project's eight-digit State Clearinghouse number in future correspondence so that we may respond promptly.

Please note that Section 21104(c) of the California Public Resources Code states that:

> "A responsible or other public agency shall only make substantive comments regarding those activities involved in a project which are within an area of expertise of the agency or which are required to be carried out or approved by the agency. Those comments shall be supported by specific documentation."

These comments are forwarded for use in preparing your final environmental document. Should you need more information or clarification of the enclosed comments, we recommend that you contact the commenting agency directly.

This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act. Please contact the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process.

Sincerely,

Terry Roberts

Terry Roberts
Senior Planner, State Clearinghouse

Enclosures
cc: Resources Agency

1400 TENTH STREET P.O. BOX 3044 SACRAMENTO, CALIFORNIA 95812-3044
916-445-0613 FAX 916-323-3018 WWW.OPR.CA.GOV/CLEARINGHOUSE.HTML

Document Details Report
State Clearinghouse Data Base

RECEIVED
BUREAU OF LAND MANAGEMENT
00 JAN 10 PM 3: 11
PALM SPRINGS-SOUTH COAST
RESOURCE AREA

SCH#	1999054001
Project Title	Soledad Canyon Sand & Gravel Project
Lead Agency	Bureau of Land Management
Type	eis Draft EIS
Description	Sand & gravel mining project on a site of approximately 500 acres consisting of a total of 59 million tons of material to produce and sell approximately 56.1 million tons of sand and gravel over a 20 year period; and a concrete batch plant to produce and deliver ready-mixed concrete to the local market. A reclamation plan for both concurrent and final reclamation processes proposed.

Lead Agency Contact

Name	Elena Misquez		
Agency	Bureau of Land Management		
Phone	(760) 251-4810	*Fax*	
email			
Address	690 W. Garnet Ave. P.O. Box 1260		
City	North Palm Springs	*State* CA	*Zip* 92258-1260

Project Location

County	Los Angeles						
City	Agua Dulce						
Region							
Cross Streets	Soledad Canyon Rd./Agua Dulce Canyon Road						
Parcel No.							
Township	4N	*Range*	14W	*Section*	9 & 16	*Base*	SB

Proximity to:

Highways	SR14
Airports	Agua Dulce Air
Railways	Southern pacific
Waterways	Santa Clara River
Schools	
Land Use	Vacant undeveloped land/County zoned M-2 (Heavy Manafacturing)/Non-Urban

Project Issues Air Quality; Aesthetic/Visual; Economics/Jobs; Forest Land/Fire Hazard; Flood Plain/Flooding; Geologic/Seismic; Job Generation; Housing; Noise; Public Services; Septic System; Sewer Capacity; Social; Soil Erosion/Compaction/Grading; Solid Waste; Toxic/Hazardous; Traffic/Circulation; Vegetation; Water Quality; Water Supply; Wetland/Riparian; Wildlife; Landuse; Cumulative Effects; Population/Housing Balance; Recreation/Parks; Drainage/Absorption; Minerals; Growth Inducing; Archaeologic-Historic

Reviewing Agencies Resources Agency; Department of Conservation; Department of Fish and Game, Region 5; Office of Historic Preservation; Department of Parks and Recreation; California Highway Patrol; Caltrans, District 7; State Water Resources Control Board, Division of Water Rights; Regional Water Quality Control Board, Region 4; Native American Heritage Commission; State Lands Commission

Date Received 11/23/1999 *Start of Review* 11/23/1999 *End of Review* 01/06/2000

Note: Blanks in data fields result from insufficient information provided by lead agency.

RECEIVED
JAN 6 2000
STATE CLEARINGHOUSE

State of California **The Resources Agency**

MEMORANDUM

To: Project Coordinator
Resources Agency

Date: January 6, 2000

Ms. Elena Misquez
Palm Springs-South Coast Field Office
Bureau of Land Management
690 West Garnet Avenue
P. O. Box 1260
North Palm Springs, CA 92258-1260

Clear
1/6/2000
e

From: **Department of Conservation**
Office of Governmental and Environmental Relations

Subject: Supplement to the Draft Environmental Impact Statement (DEIS) for the Soledad Canyon Sand and Gravel Project – **SCH# 99054001**

The Department of Conservation's Division of Mines and Geology (Division) has reviewed the Supplemental DEIS with respect to mineral resource conservation issues. We previously commented on the Draft EIS on September 10, 1999 in a memorandum to Mr. Darryl Koutnik, Los Angeles County Department of Regional Planning. This memorandum, which is included in Appendix A of the Supplemental DEIS, contains information about the significance of aggregate resources in the Saugus-Newhall, Simi, and San Gabriel Valley Production-Consumption (P-C) regions, in light of the imminent depletion of aggregate reserves in the San Fernando Valley P-C Region.

To reiterate, depletion of aggregate reserves in the San Fernando Valley P-C Region in (or around) year 2001 will require that these resources be imported to the San Fernando Valley region from alternative sources. The most likely alternatives are the Simi, San Gabriel Valley, and Saugus-Newhall P-C regions.

Our September 10 letter states that:

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- The San Gabriel Valley P-C Region has an 18-year supply of aggregate, based on a consumption rate of about 16 million tons per year. The aggregate resources in this region are surrounded by urbanization and, because of potential land-use conflicts, additional permitting may be difficult. Most of the recent additions of reserves in this region have come from allowing deeper mining of existing pits.

- The Saugus-Newhall P-C Region has more opportunities for a large expansion of permitted aggregate lands than either the Simi or San Gabriel Valley P-C regions. The property proposed for aggregate extraction by Transit Mixed Concrete is within an area (Sector B) of the Saugus-Newhall P-C Region designated by the State Mining and Geology Board (SMGB) as containing aggregate resources significant to the region. In addition to Sector B, the SMGB has designated two other sectors (A and C) in the Saugus-Newhall P-C Region as containing significant deposits of aggregate resources. However, these Sectors have greater limitations to their use for aggregate extraction than Sector B. Sector A includes stream channel deposits of the Santa Clara River, is mostly adjacent or close to housing and other urban developments, and includes a major part of the drainage that supplies water to the Oxnard Plain in Ventura County. Sector C, which encompasses a large area in the San Gabriel Mountains, is mostly within the U.S. National Forest and has many other competing public land values such as plant and wildlife habitat, scenic beauty, and recreation.

From this examination of competing land uses, it is apparent that the aggregate resources in Sector B are more available than in either Sector A or in Sector C. Sector B contains a large aggregate resource that is important not only to the local Saugus-Newhall PC Region, but also to the neighboring San Fernando Valley P-C Region. The latter region will very likely depend on the Saugus-Newhall region as an aggregate supply in the very near future.

In conclusion, we recommend that in examining the environmental impacts of this project, the impacts from the apparent project alternatives, as discussed above, also be closely considered, especially in light of projected supply and demand of aggregate resources in the Los Angeles basin. **1**

Thank you for the opportunity to review and comment on the Supplemental DEIR. If you have questions about our comments, or require additional technical assistance or information, please contact Division Senior Geologist Robert L. Hill Senior Geologist at 801 K Street, MS 8-32, Sacramento, CA 95814; or, phone (916) 327-0791. You may also call me at (916) 445-8733.

Kenneth E. Scott

for Jason Marshall
Assistant Director

cc: Robert L. Hill

Winston H. Hickox
Secretary for Environmental Protection

State Water Resources Control Board

S-8

Division of Water Rights
901 P Street • Sacramento, California 95814• (916) 657-1359
Mailing Address: P.O. Box 2000 • Sacramento, California • 95812-2000
Fax (916) 657-1485 Web Site Address: http://www.swrcb.ca.gov

Gray Davis
Governor

OCTOBER 07 1999

TO ENCLOSED MAILING LIST

APPLICATIONS 29898, 29967 AND 30498 TO APPROPRIATE WATER FROM THE SANTA CLARA RIVER IN LOS ANGELES COUNTY: CLASSIFICATION OF WATER SOUGHT TO BE APPROPRIATED

Water Right Applications 29898, 29967, and 30498 (filed by Santa Clarita Water Company, Transit Mixed Concrete Company, and CalMat Company, respectively) seek to appropriate water from wells near the Santa Clara River in Los Angeles County. By letter dated September 30, 1997, Ed Anton, former Chief of the Division of Water Rights, advised interested parties that a preliminary issue to be addressed before proceeding with processing the applications was whether the water sought to be appropriated falls within the permitting authority of the State Water Resources Control Board (SWRCB). At that time, the Division of Water Rights expected to schedule a hearing to address the legal classification of the water which the applicants seek to appropriate.

SWRCB staff has since reviewed copies of two court decisions which address the subject of the legal classification of groundwater in the area of a well operated by the Santa Clarita Water Company. The first order was issued by the Superior Court for Los Angeles County on July 17, 1981, in *Santa Clarita Water Company v. Charles J. Lyons* (Case No. C 159 433.) The court ruled that the Santa Clarita Water Co. lacked the right to withdraw water from a well located near the Santa Clara River on the defendant's property because it had not followed the procedures and requirements of California Water Code section 1200 et seq. ("Findings and Order Deciding Legal Issues and Dismissing Cross-Complaint of Seidenglanz," p. 4.) The second decision was the opinion issued by the California Court of Appeal for the Second District issued on November 8, 1984, in *Santa Clarita Water Company v. Lyons*, et al., 161 Cal App. 3d 450, 207 Cal. Rptr. 698. In addressing the argument by Santa Clarita Water Company that it was an "appropriator" of the water in question, the court of appeal held that the company was not an appropriator because it had not applied for a permit or license from the SWRCB. (161 Cal. App. at 462.) Thus, both the Superior Court and the Court of Appeal have held that subsurface water pumped at one of the wells operated by the Santa Clarita Water Company is subject to the statutory procedure for appropriation of water set forth in Water Code section 1200 et seq. In addition, a review of Division of Water Right records shows that the SWRCB has previously issued a water right permit for diversion of water from the subterranean stream in the area of the Santa Clara River.

In view of the information above, and the location of the points of diversion listed in Applications 29898, 29967 and 30498, the Division of Water Rights believes that there is a sufficient basis to proceed with processing the three applications in accordance with statutory procedures. Any protests based on the argument that the applicants seek to appropriate

OCTOBER 07 1999

percolating groundwater, rather than water in subterranean streams flowing in known and defined channels, can be addressed in the normal protest resolution process or, ultimately in a water right hearing if the protests are not resolved. We regret the delay in processing the applications and addressing the issues raised in the protests which was caused by questions regarding the status of the water which is sought to be appropriated. However, in this instance, we do not believe it is necessary or appropriate to schedule an initial hearing solely on the issue of classification of the water which is sought to be appropriated.

Applications 29898, 29967 and 30498 have all been previously noticed, and protests were received against all three applications. Our records indicate there are six outstanding protests to Application 29898, seven outstanding protests to Application 29967, and eleven outstanding protests to Application 30498. Due to scheduling conflicts, the Board will not likely schedule a hearing until the first quarter of year 2000. This provides an opportunity for the applicants and protestants to come to a resolution on any outstanding protests. We encourage the parties to attempt to resolve their concerns prior to the hearing. You will be notified when a hearing date is scheduled.

If you have any questions, please contact Lewis Moeller at (916) 657- 2050 or Jean McCue at (916) 657-2203.

Sincerely,

Harry M. Schueller, Chief
Division of Water Rights

Enclosure

FOR APPLICATIONS 30498, 29967, & 29898

Elenda Misquez
Bureau of Land Management
P.O. Box 1260
North Palm Springs, CA 92258

A30498
Newhall County Water District
c/o Jean A. DiAngelous
23780 North Pine Street
Santa Clarita, CA 91322-0970

A30498
Brian Trautwein, Director
Santa Barbara Urban Creeks Council
5771 Leeds Lane
Goleta, CA 93117

A30498
Jim Edmundson
Executive Director
California Trout
9770 Sombra Terrace
Shadow Hills, CA 91040

A30498
Ray Cole
CSPA Board
2874 Calariva Drive
Stockton, CA 95204

A30498
Richard Roos – Collins, Esquire
Natural Heritage Institute
114 Sansome Street, Suite 1200
San Franciso, CA 94104

A30498
Mike Jackson, Esquire
P.O. Box Drawer 207
Quincy, CA 95971

A30498
Mike Sherwood, Esquire
Sierra Club Legal Defense Fund
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Winston H. Hickox
Secretary for Environmental Protection

Gray Davis
Governor

S-9

DEC 20 1999

In Reply Refer to:363:CLC:262.0(19-06-01)

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Dear Ladies and Gentlemen:

WATER RIGHT COMPLAINT REGARDING DIVERSION FROM THE SANTA CLARA RIVER UNDERFLOW TO ROBINSON RANCH IN LOS ANGELES COUNTY

In June and July 1999, complaints against the Robinson Ranch Golf Course Development (Robinson Ranch) were submitted to the Division of Water Rights (Division) by three (3) local residents and the Santa Clarita Organization for Planning the Environment (SCOPE). These complaints allege that the diversion of water by Robinson Ranch from the Santa Clara River underflow will adversely impact private and municipal water supplies and harm environmental resources in the Santa Clara River. On September 7 and 8, 1999, staff from the Division's Complaint Unit conducted a field investigation in response to these complaints. On September 7th Division staff met with representatives of Robinson Ranch to view the golf course project and inspect the placement of the new well. On September 8th Division staff met with the complainants and/or their representatives and some interested parties to obtain a better understanding of their concerns.

Robinson Ranch responded to the complaints by claiming that diversions from the Santa Clara River well are covered by a valid riparian claim of right. Robinson Ranch asserts that the land on which the water is to be used is riparian to tributaries of the Santa Clara River (Oak Spring Canyon and Live Oak Spring Canyon). This land is located within the watersheds of these streams and touches these streams. Therefore, this land appears to be riparian to Oak Spring Canyon and Live Oak Spring Canyon. The golf course property, however, does not touch the Santa Clara River and, consequently, does not appear to be riparian to that river.

The instantaneous capacity of Robinson Ranch's well in the Santa Clara River is in excess of 2200 gallons per minute (gpm). A riparian landowner may move either upstream or downstream to divert water as a matter of convenience as long as they have other landowners' permission for access and no intervening right holders are adversely impacted. However, riparian landowners may not move off of their riparian lands in order to gain access to water that would not be present on the riparian lands. The contributory watersheds of Oak Spring Canyon and Live Oak Spring Canyon appear to be limited in size as does the visible extent of the recent alluvium in these channels. Robinson Ranch has not provided evidence to demonstrate that an equivalent amount of water could be diverted from Oak Springs Canyon and/or Live Oak Spring Canyon. This leads Complaint Unit staff to question whether the surface or underflow in these sources are capable of providing sufficient amounts of water during low flow periods of the year to justify downstream diversions at the rate of 2,200 gpm from the Santa Clara River underflow.

Robinson Ranch has submitted an application (Application X002997) to appropriate water from the Santa Clara River. If this application were to be approved, the question regarding the basis of right for diversion from Robinson Ranch's Santa Clara River well would be moot. However, the wells of concern to the complainants are most likely diverting under riparian or overlying groundwater rights and, as such, may be senior in priority to any permit issued pursuant to Robinson Ranch's application. These wells appear to be located in either Oak Spring Canyon alluvium or in the more consolidated Mint Canyon Formation.

Complaint Unit staff have reviewed two hydrogeological studies (Richard Slade, Hydrological Assessment of the Santa Clara River Alluvial Aquifer, 1986 and S. G. Robson, Water Resources Investigation in the Saugus-Newhall Area, 1972) submitted in support of the complaints. These studies provide evidence that diversions from the Santa Clara River alluvial aquifer exceed replenishment from precipitation and upgradient sources. If this trend continues, adverse impacts to the wells of concern of the complainants may occur. However, the time frame and conditions that would cause groundwater levels to be lowered to undesired levels cannot be predicted with the scant information presently available.

There appears to be a potential for diversions from the Robinson Ranch's Santa Clara River well to adversely impact both individual parties and municipal purveyors in the area[1]. The alluvium

[1] - Both the Santa Clarita Water Company and Newhall County Water District have municipal water supply wells in the river located within a short distance of Robinson Ranch's well. However, the basis of right for these diversions appears to be limited to pending applications that were filed prior to Robinson Ranch's application. The Santa Clarita Water Company filed Application 29898 on January 28, 1991, seeking approval of diversions of up to 15 cubic feet per second (cfs) or 6,730 gpm. The Newhall County Water District filed Application 30942 on September 17, 1999, seeking approval of diversions of up to 8.6 cfs or 3860 gpm. Even though an application was filed, Newhall County Water District contends that their wells tap percolating groundwater rather than water under the permitting jurisdiction of the SWRCB.

in Oak Spring Canyon, and the Santa Clara River are probably hydrologically connected with the Mint Canyon Formation. Diversions from the Robinson Ranch well will probably have a more immediate impact on wells located in the alluvium, due to the high permeability of these materials and the greater degree of connection with the Robinson Ranch well, than wells located in the Mint Canyon Formation. However, if diversions from wells in the alluvium continue to exceed recharge, we would expect a corresponding draw down in water levels in the Mint Canyon Formation. Therefore, if the drawdown is of a sufficient magnitude and period of time, wells in the Mint Canyon Formation could also be adversely impacted.

In summary, Complaint Unit staff believe:

1. The northern parcel of land owned by Robinson Development has been severed from the golf course property. As such, the golf course property is not riparian to the Santa Clara River.

2. Surface water and underflow within Oak Spring and Live Oak Spring Canyons would not be adequate to meet the needs of the golf course, particularly during dry seasons. Consequently, Robinson Ranch has no way of fully covering diversions at the downstream well under a riparian claim of right for the golf course property.

3. Robinson Ranch has filed an application but does not possess a permit to divert unappropriated water from the Santa Clara River.

4. There is a significant potential for diversions from the Robinson Ranch's Santa Clara River well to adversely impact other well owners in the area.

5. There is justification to ask Robinson Ranch to forgo diversions from the Santa Clara River well until such time as either a permit is issued or a demonstration of some valid basis of right can be made.

While termination of pumping may be justified, Complaint Unit staff understand that Robinson Ranch has a substantial investment in this project and that the City of Santa Clarita also has a strong desire to see this project move forward as long as the rights of other parties are not adversely impacted. Both of these interests could be jeopardized if diversions from the well are stopped and an alternate source of supply is not available. We understand that there is some question whether the Santa Clarita Water Company can provide an alternate water supply on a consistent basis.

An alternative to termination of pumping would be to implement a monitoring program to determine if Robinson Ranch's diversions are adversely impacting other diverters. If the data collected under such a program indicates that adverse impacts are occurring or are likely to occur, changes in operation may be necessary to protect these diverters.

Complaint Unit staff do not believe that the current monitoring wells for the project are adequate for this purpose. Measurement of water levels and withdrawals in the Santa Clara River / Oak Springs Canyon alluvium and Mint Canyon Formation should be an integral part of such a program. Cooperation by all water users in the area may be necessary in order to implement an effective monitoring program.

The Division has not received any information regarding public trust resources within the watershed or potential adverse impacts to these resources. Without such evidence, the Division is unable to take any action with respect to the complaint filed by SCOPE. Data collected from a monitoring program may prove to be valuable in determining whether or not Robinson Ranch's diversion will adversely impact public trust resources if such resources are subsequently identified. This type of analysis may also be required as part of the processing of the pending application.

In view of the above information and analyses, we believe that Robinson Ranch has three options.

1. Robinson Ranch may immediately cease diversions from the well in the Santa Clara River;

2. Robinson Ranch may implement a monitoring program acceptable to the Division as soon as practically feasible to ensure that prior right holders are not being adversely impacted; or

3. Robinson Ranch may provide additional documentation of some valid basis of right other than the inchoate right initiated pursuant to Application X002997.

If the third option is pursued, diversions from the Santa Clara River well should be suspended until such time as sufficient documentation is available to demonstrate to the Division's satisfaction that a valid basis of right does exist.

If the second option is to be pursued, please contact Cori Condon of this office to set up a meeting to discuss how the monitoring program will be developed and the time frame under which this program will be implemented. If an acceptable program cannot be put in place in the immediate future, we would also request that diversions from the well be suspended until such time as an acceptable monitoring program is operational.

We request that Robinson Ranch inform this office no later than January 7, 1999 describing the actions that it will take. If there are any questions concerning this matter, I can be reached at (916) 657-1945 or you may call Cori Condon at (916) 657-2045.

Sincerely,

Charles A. Rich

Charles A. Rich
Chief, Complaint Unit

Cori Condon
Associate Engineering Geologist

Enclosure

cc: See enlcosed mailing list.

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S-10

December 29, 1999

IGR/CEQA/991147/CP
Soledad Canyon Sand & Gravel Mining Project
Supplement to the Draft Environmental Impact
Statement OEPC #DEIS 99-57
Vic.: LA-14-35.71
SCH# 99054001

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PALM SPRINGS-SOUTH COAST
RESOURCE AREA

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North Palm Springs, CA 92258-1260

Dear Ms. Misquez:

Thank you for including the California Department of Transportation (Caltrans) in the environmental review process for the project referenced above. The project includes sand and gravel mining on a site of approximately 500 acres. Approximately 56.1 million tons of sand and gravel will be produced and sold over a 20-year period.

Caltrans recommends that truck trips, especially heavily laden truck traffic, be limited to off-peak commute hours. **1**

If you have any questions please reference IGR# 991147 and call me at (213) 897-4429, or contact Cheryl Powell the IGR/CEQA Coordinator for the project at (213) 897-3747.

Sincerely,

Cheryl Powell

for STEPHEN J. BUSWELL
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Transportation Planning Office

Cc: Scott Morgan
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RESOURCE AREA

L-1

August 25, 1999

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Palm Springs - South Coast Field Office
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Re: Comments on the Draft EIS for the Soledad Canyon Sand and Gravel Mining Project

Dear Mr. Kenna:

Thank you for the opportunity to comment on the Draft Environmental Impact Statement (DEIS) prepared for the Soledad Canyon Sand and Gravel Mining Project proposed by Transit Mixed Concrete Company. We appreciate the opportunity to work with Bureau of Land Management (BLM) staff to provide the agency's decision-makers with a document that accurately describes the potential impacts of the project.

We have had the DEIS reviewed by our planning staff who have summarized their findings in the form of a memo (see Attachment A). The memo identifies a number of potential environmental impacts related to land use compatibility, visual resources, air quality, noise, traffic, public health and safety, and water quality, among others. The memo also comments on the adequacy of the environmental analysis prepared for this project.

In addition, supplemental analysis was conducted for the City by a team of environmental specialists, geologists, civil engineers, biologists, and traffic engineers. The attached technical memos (Attachments B through H) detail the findings of the technical specialists.

This letter summarizes the findings of our review team. The attached technical memos from planning staff and the technical specialists form the basis of our conclusions regarding the defects in the DEIS. We would, therefore, request responses to each of the issues raised in the attached technical memos as well as the body of this letter.

<u>The DEIS is Legally Inadequate</u>

In preparing our comments on the DEIS, we have focused on the sufficiency of the document in identifying and analyzing the possible impacts on the environment and methods to avoid or mitigate 1

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significant effects of the project might be avoided or mitigated. Based on our review of the DEIS, we believe the document is fatally flawed and must be substantially rewritten. We believe this because: 1

1. **Meaningful Public Review and Comment Precluded**

The EIS fails to include information necessary to enable an independent peer review of the many findings and conclusions contained in the EIS. The EIS is inadequate because it does not include the following information which is necessary for our City's technical experts to review the accuracy of the EIS analysis:

- The Revegetation Plan for the Project. (See Attachment B).
- The Reclamation Plan for the project. (See Attachment B).
- The Conditions of Approval for the project. (See Attachment B).
- The Technical Appendix does not contain referenced geotechnical reports or information required for an independent review of potential slope stability impacts. (See Attachment C). 2
- The EIS does not provide sufficient information about the design and location of the desilting basins to enable meaningful peer review of the adequacy of the basins as a mitigation measure. The potential for unmitigated impacts exists. (See Attachment D).
- There is insufficient information in the EIS to allow for independent verification of the pavement analysis, but sufficient information to conclude that pavement impacts are more severe than described in the EIS and that mitigation is insufficient. (See Attachment H).

2. **Timeliness of Information and Appropriateness of Analytic Techniques**

The following analytic and informational errors in the EIS have been identified by our team of technical experts:

- The seismic analysis deviates from standard procedures in a way which would appear to underestimate the potential for site-specific ground motion. (See Attachment C). 3
- The noise analysis may potentially understate impacts, since it is not based on worst-case assumptions about hours of operation. (See Attachment B).

- The noise analysis fails to address the consistency of the project with the County's Noise Impact Management Corridor. (See Attachment B).

- The Biological Resources analysis is based on outdated studies and information. (See Attachments B and F). The discussion of agency-listed sensitive wildlife species in the DEIS and the supporting field surveys substantially underestimates the faunal diversity of the site and surrounding ecosystems. Neither of the references cited nor the field work conducted was adequate for a proper assessment of sensitive wildlife potentially present on the site, or to determine impacts. The determination of species to be considered appears to have overlooked standard local resources and references. The EIS failed to identify the following sensitive and endangered species as occurring on site, when in fact they do: Santa Ana sucker; unarmored three-spine stickleback; and arroyo chub. Surveys for sensitive species were conducted at the wrong time, which is why no species members were found. In addition, the EIS incorrectly assesses the probability of sensitive species to occur on-site. The EIS failed to address a number of sensitive species with the potential to be present on-site while at the same time addressing species which do not occur within 300 miles of the site. The flaws in the biota analysis are sufficiently sever that our reviewing biologist questions the professional qualifications and/or due diligence of the report preparers. (See Attachment F).

- The Cultural and Paleontological Resources discussion and analysis is not consistent with the 1999 CEQA Guidelines. (See Attachment B). 3

- The baseline air quality data (Table 3.1.7-2) used in the analysis is out-of-date and should be updated. In addition, the analysis is based on the previous Air Quality Management Plan. The analysis should be based on the current plan. (See Attachment E).

- The Traffic Analysis is fatally flawed. The Passenger Car Equivalency (PCE) used in the Traffic Analysis is not consistent with the recommendations of the Highway Design Capacity Manual or the AASHTO Design Manual. As a result, project traffic impacts are substantially understated. The analysis needs to be redone using an appropriate PCE. In addition, the analytic method used to analyze potential project impacts at stop sign controlled intersections is incorrect. Furthermore, the Traffic Analysis fails to address potential freeway and Congestion Management Plan (CMP) impacts. (See Attachment G).

- Information important to independent verification of the pavement analysis is not included in the technical appendices. (See Attachment H).

Unless these major analytic and informational defects in the document are corrected, the EIS cannot provide decisions makers with information which enables them to make a decision which intelligently takes account of environmental consequences of the project. 40 C.F.R Sec. 1502.22 requires that when information is incomplete or unavailable the information must be obtained if the costs are not exorbitant. If the cost of obtaining the necessary information is exorbitant, the EIS must: (1) state that the information is incomplete or unavailable, (2) state the relevance of information to evaluating reasonably foreseeable significant effects, (3) summarize credible scientific evidence about impacts, and (4) use methods generally accepted by the scientific community. We believe that the cost of rectifying the informational errors and omissions in the EIS, which we detail in this letter and our attachments, will not be exorbitant and must occur prior to approval of the EIS. 3

3. **Project Description**

Our review has revealed the following significant problems with the description of the proposed action contained in the EIS:

- The DEIS should consider the potential impacts of the mining of 64 million tons of sand and gravel, rather than just the 56.1 million tons analyzed in the EIS, since mining of 64 million tons is reasonably foreseeable, as evidenced by the fact that it is the total tonnage resulting from proposed Cuts 1 to 4, as noted in Table 2.1-1 of the EIS. (See Attachment B)

- The description of the project schedule in inadequate. The timing of pre-production, Phase I, and Phase II activities, as well as the timing of each of the cuts, needs to be detailed to allow independent analysis of potential project impacts and the appropriateness of the timing of project mitigations. (See Attachment B). 4

- The Sediment Placement Site (SPS) aspect of the project is not well described or analyzed. (See Attachment B).

- The Project Description fails to provide sufficient information regarding the three wells to be located in the area southwest of Area B and the above-ground pipeline, and the EIS does not contain an adequate analysis of the potential impacts associated with the construction and operation of these off-site facilities. (See Attachment B).

4. **Thresholds of Significance**

The EIS contains examples of both inaccurate significance criteria (i.e. thresholds which are not consistent with those established by the responsible agency) and significance criteria 5

which are set too high. As a result, a number of the significance judgements are incorrect and the significance of impacts is understated. It does not appear that the thresholds have been developed through a public review process, nor do they appear to be supported by substantial evidence.

- Water resource-related impacts would occur at levels well below the threshold levels contained in the EIS. These thresholds are inappropriate. (See Attachment B).

- The EIS should contain a water quality threshold of significance to ensure that no water quality impacts on the unarmored threespine stickleback will occur.

- Biological resource impacts would occur at levels well below the threshold levels contained in the EIS. These thresholds are inappropriate. (See Attachment B). 5

- The thresholds of significance used in the noise analysis are incorrect. The correct County noise ordinance standards should be used in the analysis. (See Attachment E).

- The ambient air quality standards (Table 3.1.7-1) used in the analysis are out of date and should be updated. In addition, the table contains several factual errors. In addition, the threshold criteria should be restated to be consistent with the current CEQA Guidelines Appendix G requirements. (See Attachment E).

5. **Unidentified Significant Environmental Impacts / Inaccurate Analysis**

The EIS fails to identify many potentially significant environmental impacts and understates a number of impacts, as a result of faulty analysis. Correction of these errors will result in an EIS which shows a substantial increase in the severity of the project's environmental impacts, unless additional mitigation measures are adopted to reduce these additional impacts to a level of insignificance.

- The EIS fails to address the potentially significant impacts associated with the existing silt ponds and pile. (See Attachments B and C). 6

- The EIS does not fully address potential liquefaction hazards. (See Attachment C).

- The EIS does not provide an analysis of potential compressible/collapsible soil impacts. (See Attachment C).

- The EIS's analysis of potential groundwater impacts and associated side effects is inadequate and would appear to underestimate the potential for significant impacts. (See Attachment C).

- The EIS fails to adequately analyze the potential for settlement associated with groundwater withdrawal. (See Attachment C).

- The EIS does not provide documentation which would allow for the conclusion that impacts associated with soil contamination on the site are less than significant. Without proper documentation and mitigation, impacts should be considered significant. (See Attachment B).

- The EIS indicates that low concentrations of salt may be toxic to plants, but fails to identify this as a significant biotic impact. (See Attachment B).

- The EIS indicates that lignin sulfonates may cause aesthetic problems in surface water because of discoloration, but fails to identify this as a significant aesthetic impact. (See Attachment B).

- The EIS indicates that project blasting impacts will be distinctly to strongly perceptible. The mitigation provided is inadequate. The EIS fails to identify this as a significant, unmitigated impact. (See Attachment B). 6

- The EIS fails to address the potential impacts or effectiveness of noise mitigations such as the construction of berms and soundwalls on Bee Canyon lots. These measure have the potential to create significant aesthetic impacts. (See Attachment B).

- The EIS fails to address the public service impacts associated with the soiling of public roads and highways resulting from the spillage and leakage of sand and gravel from project trucks. (See Attachment B).

- The EIS inappropriately concludes that the project is consistent with the AQMP. Lack of consistency with the AQMP is a significant unmitigated project impact. (See Attachment B).

- The EIS fails to adequately address the potential impact of the project on the three on-site blueline streams. (See Attachment B).

- The EIS fails to analyze the potential impacts associated with the construction of the project's off-site water wells and water pipeline. (See Attachment B).

- The EIS fails to adequately analyze the aesthetic impacts which would occur during the 20 years of project operation. These impacts are significant and are not identified as such in the EIS. (See Attachment B).

- The EIS fails to adequately identify viewshed impacts. (See Attachment A).

- No Best Management Practices (BMPs) are identified in the EIS to address the potential pollution associated with vehicle maintenance operations. Without mitigation, significant impacts will result. (See Attachment D).

- The analysis of off-site vehicle noise impacts has been conducted in an incorrect manner and must be corrected. (See Attachment E).

- The EIS does not include an air toxics impact assessment. This is a fatal flaw in the air quality analysis. (See Attachment E).

- The analysis of potential impacts associated with construction fugitive dust is based on unrealistic assumptions. The analysis understates the impacts and needs to be revised. (See Attachment E).

- The EIS fails to address the potential health hazards of increased exposure to San Joaquin Valley Fever associated with grading. (See Attachments E and A). 6

- The EIS analysis of project Air Quality Management Plan (AQMP) consistency is flawed since the EIS does not meet a key AQMP mitigation requirement: provision of emission offsets. Without such mitigation, AQMP consistency impacts would remain. (See Attachment E).

- The EIS analysis of biota impacts is fatally flawed. Significant unmitigated impacts to habitat, wildlife movement corridors, and sensitive and endangered species will occur. (See Attachment F).

- The project has the potential to create Congestion Management Plan (CMP) and freeway impacts which were not addressed in the EIS. (See Attachment G).

- The project would result in significant unmitigated pavement and roadway impacts. (See Attachment H).

- The EIS does not adequately consider potential land use conflicts. (See Attachment A).

6. Inappropriate or Inadequate Mitigation Measures

All relevant, reasonable mitigation measure that could improve the project must be identified in the EIS. To be adequate and effective, NEPA requires mitigation measures which fit into one of five categories of activities: (1) avoiding the impact by not taking certain action or parts of an action; (2) minimizing impacts by limiting the degree or magnitude of the action and its implementation; (3) rectifying the impact by repairing, rehabilitating, or restoring the affected environment; (4) reducing or eliminating the impact over time by preservation and maintenance during the life of the action; and (5) compensating for the impact by replacing or providing substitute resources or environments. The mitigation measures discussed in an EIS must cover the entire range of impacts of the proposal. (See 40 C.F.R. 1508.2; Forty Questions No. 19(a)). We do not believe that an adequate range of Type 1, 2, 4 and 5 mitigations measures have been considered in the document, either as part of the discussion of mitigation measures or, in the case of Type 1 and 2 mitigations, as project alternatives.

In addition, we have serious concerns about the adequacy, enforceability and monitorability of the mitigations, as currently structured. Specifically:

- The Financial Assurance Bond is inadequate as a mitigation. (See Attachment B).

7

- Throughout the document, mitigation measures are not worded in an enforceable fashion. (See Attachment B).

- The inspection schedule included in the Storm Water Pollution Prevention Plan (SWPPP) for the project is insufficient to fully mitigate project impacts. (See Attachment D).

- The project impact narrative includes assumptions about actions which will occur to prevent impacts, but these actions are not included as mitigation measures (see for example page 3-108-109). Unless some method for enforcement is included, project impacts should be classified as significant and unmitigated. In addition, some of these actions (such as use of sandbags) will not mitigate project impacts. (See Attachment D).

- The mitigation contention that reclaimed habitat would be re-invaded by native species is simplistic and unsound. Significant unmitigated habitat impacts will remain given the grading and re-vegetation plan. No mitigation, or inadequate mitigation, is provided for wildlife corridor impacts and impacts to sensitive and endangered species. (See Appendix F).

- The fair-share assessment of off-site project traffic mitigation costs is inaccurate and needs to be reassessed using a correct Passenger Car Equivalency factor. Current project traffic mitigations are inadequate to reduce impacts to a less-than-significant level. (See Attachment G).

- The EIS fails to include mitigations for potential project pavement impacts. (See Attachment H).

As currently written the mitigation measures will be difficult to translate into a mitigation monitoring plan for inclusion in the Record of Decision (ROD) pursuant to 40 CFR 1505.2 and will be difficult to monitor, pursuant to 40 CFR 1505.3. We would urge that the mitigation measures be reworked to facilitate monitoring and that a wider range of mitigations be included, especially mitigations in of the Type 1 and 2 variety. 7

In addition, if mining of any kind be approved on the project site, we would request that both the City of Santa Clarita and our citizens be kept informed of both the applicant's progress in carrying out all specified mitigation measures, and the results of relevant monitoring. This paragraph constitutes a formal request for such information, pursuant to 40 CFR 1505.3 (c) and (d).

7. **Impact Judgements**

Given these errors and omissions in the analysis and the deficiencies in the mitigations currently contained in the EIS, we believe that the project will result in significant unmitigated impacts. Specifically, we believe there is a clear potential for significant unmitigated impacts in the following areas, based on our technical review of the document:

- Geotechnical impacts 8
- Water Resource impacts
- Water Quality impacts
- Air Quality impacts
- Biota impacts
- Visual impacts, and
- Traffic impacts

8. **Project Alternatives**

Perhaps the most egregious problem with the EIS is its treatment of alternatives. The Alternatives section is the heart of an EIS. As required by Forty Questions, Number 5b: 9

> The degree of analysis devoted to each alternative in the EIS is to be substantially similar to that devoted to the "proposed action." Section 1502.14 is titled "Alternatives including the proposed action" to reflect such comparable treatment. Section 1502.14(b) specifically requires "substantial treatment" in the EIS of each alternative including the proposed action. This regulation does not dictate an amount of information to be provided, but rather, prescribes a level of treatment, which may in turn require varying amounts of information, to enable a reviewer to evaluate and compare alternatives.

This principle has been clearly violated in the case of the Soledad Canyon Sand and Gravel Mining EIS. The analysis of the proposed action (Section 3.1 of the EIS) is 381 pages in length. The analysis of the seven alternatives (Section 3.2 of the EIS) is 27 pages in length, which equates to an average of four pages of analysis for each of the alternatives. 9

We would request preparation of an EIS which contains a true analysis of alternatives, including alternatives which have been designed to reduce and to avoid project impacts. We would also ask for analysis of an alternative which provides for non-mining development on the site, consistent with the existing M-2 Heavy Manufacturing zoning and land use designation; an alternative which does not include off-site water development; an alternative which includes provision of a roadway for on-site hauling; and other off-site alternatives such as the Little Rock site.

9. **Post-Hoc Rationalization**

As currently written the EIS would appear to present a post-hoc rationalization for a decision which has already been taken. As noted on page S-2 of the EIS, the applicant has already entered into contracts with the BLM to mine the federally owned mineral on the site. "Pursuant to these Federal contracts, the Proposed Action includes plans to mine a total of 83 million tons of material and produce and sell approximately 56.1 million tons of sand and gravel, also known as Portland cement concrete sand and gravel (PCC aggregates), over a 20-year period." These factors are argued to be key to the identification of the Agency's Preferred Alternative (see pages 2-56 to 2-58). Thus, the EIS would appear to violate 40 CFR 1502.2(g) which states: 10

> Environmental impact statements shall serve as a means of assessing the environmental impact of proposed agency actions, rather than justifying decisions already made.

Statements such as the one on page 2-51, that at "this time, BLM has not designated one or more Agency Preferred Alternative(s)," would appear to be disingenuous, and are not sufficient to eliminate an apparent prima facia case that the DEIS is an example of improper post hoc rationalization. 10

10. The Cumulative Impact Analysis Is Inadequate

The requirements for cumulative impact analysis are specified in 40 CFR 1508.8. There are a number of problems with the existing cumulative analysis:

- The analysis of cumulative water resources, water quality, air quality, and biota impacts is more qualitative than quantitative. Since 40 CFR 1508.7 defines a cumulative impact as an "impact on the environment which results from the incremental impact of the action when added to other past, present, and reasonably foreseeable future actions, a more quantitative approach is required. The EIS analysis (as well as the EIR analysis for the project) suffers from analytic defects which were well defined in the *Kings County Farm Bureau v. City of Hanford* California Environmental Quality Act case. (See Attachment B). 11

- The cumulative noise analysis does not consider the cumulative impacts of truck noise from multiple projects in the area. (See Attachment B).

- The cumulative traffic analysis does not properly account for the Passenger Car Equivalents (PCE) of truck trips generated by cumulative projects. (See Attachment A). In addition, a number of projects on the cumulative project's list were not included in the analysis of cumulative traffic impacts. (See Attachment G).

11. Cost-Benefit Analysis

NEPA does not require that a federal agency prepare a cost-benefit analysis as a part of an EIS. However, if a cost-benefit analysis is prepared, it must be included or incorporated by reference in the EIS to aid in evaluating the proposed action (40 CFR 1502.23). Although the EIS does not include a true cost-benefit analysis, it does include a discussion of the economic impacts of project approval and rejection. This discussion is incomplete in that it does not properly consider impacts to the City of Santa Clarita and its residents (see Attachment B). This discussion should be either eliminated, or replaced with a true cost-benefit analysis which considers the true social cost of the proposed project. 12

The Severity of the Defects in the Document

We believe the EIS is so seriously defective, that it must be almost completely rewritten. We would therefore request that the document be recirculated to afford review and comment, once the serious defects in the analysis have been corrected.

In addition, the EIS for the project is so fatally flawed that it calls into question the ability and intent of the project sponsor to conduct a mining operation which minimizes impacts to the environment and the surrounding community. The findings of our review are similar in this respect to the 1994 findings of the State of Ohio Hazardous Waste Facility Board regarding TMC's parent company, Southdown's, application for a hazardous waste burning program at their large industrial waste landfill in Ohio. On page 66 of it's Opinion and Final Orders in Case No. 91-NF-0700, the State of Ohio Hazardous Waste Facility Board, after cataloging the defects in Southdown's Risk Assessment, stated:

> The above, when considered in its totality, leads the Board to the finding and determination that Applicant's evidence submitted in support of its application is *not* competent, *not* credible; and does *not* provide a reasonable assurance of trustworthiness in Applicant to employ and/or follow fundamental scientific and engineering principles and practices in the construction, operation and management of its facility. *(Emphasis in the original)*

13

Further, the Board on page 67 of its Opinion concluded:

> Good engineering solutions require internal consistencies in the values of parameters used in the calculation. Such was not present in the evidence submitted by the Applicant. But further, the concerns of this Board go beyond the internal inconsistencies and violations of fundamental engineering assumptions and scientific law which were found in the risk assessments. For, not only is Applicant's evidence not competent or credible, in several instances, identified *supra*, it could be surmised that Applicant intended for the information to be misleading.

Not only did the Ohio Hazardous Waste Facility Board express concerns about Southdown's analysis, but Southdown is currently being sued by the Greene Environmental Coalition, which asserts that Southdown has not only violated the Clean Water Act, but that Southdown sold the contaminated landfill to two asset-less corporations in a Fraudulent Conveyance in an effort to avoid responsibility for implementing a court ordered remediation plan. (Case No. C-3-93-270, United States District Court, Southern District of Ohio, Western Division.)

We would hope that the BLM's decision-makers would look at the degree to which the project sponsor has appeared to have made a good faith effort at providing an analysis of project impacts,

as well as the prior history of the applicant and its parent company, when considering the advisability of the project. Given the potential impacts of the project on the environment, the inadequacy of the analysis performed to date, and strong local opposition to the project, we would urge disapproval of the project. 13

In Conclusion

Again, thank you for the opportunity to comment on the proposed Soledad Canyon Sand and Gravel Mining Project. Please note that due to the size of the TMC proposal and the complexity of the DEIS, the City held a community strategy workshop on June 16 on the project to assist our citizens in understanding the contents of the environmental documents and the nature of the project. At the workshop, the City collected comments on the environmental documentation and the project which our citizens submitted at the conclusion of the workshop. We will transmit these comments and concerns to you, since they are applicable to the DEIS as well as the DEIR, since the DEIS is in essence a cut and paste minor reorganization of the DEIR. The City firmly believes that public comment on documents of this type is important to ensuring the accuracy and relevance and we know that the BLM shares our belief and desire to encourage public participation in the review process.

Thank you for your consideration. If you have any questions, please contact Lisa Hardy, Associate Planner, or Enrique Diaz, Assistant Planner II at (661) 255-4330.

Sincerely,

Jeffrey Lambert, AICP
Director of Planning and Building Services

MEMORANDUM

To: Jeffrey Lambert, AICP
Director of Planning and Building Services
City of Santa Clarita

From: Lisa Hardy, Associate Planner
Enrique Diaz, Assistant Planner II

Subject: EIS REVIEW - SOLEDAD CANYON SAND AND GRAVEL MINING PROJECT

Date: August 18, 1999

Thank you for the opportunity to respond to the Draft Environmental Impact Statement (Draft EIS) prepared for the Soledad Canyon Sand and Gravel Mining Project proposed by Transit Mixed Concrete Company. As stated in the Draft EIS, the proposal involves surface mining of 83 million tons of material on a 460-acre site just outside the eastern boundary of the City of Santa Clarita. In addition, concrete processing is proposed to occur on a 40-acre area. Both the surface mining and concrete processing operations are proposed to extend over a 20-year period.

The City recognizes that the area is designated as a "Regionally Significant Construction Aggregate Resource Area." However, the size and scale of this project, with the associated environmental consequences, are daunting. In short, the project will have a significant impact on the Santa Clarita Valley's natural landscape, further urbanizing and industrializing a Valley known for its suburban and rural character. From information provided in the Draft EIS, the City finds that operations associated with the proposed project will have an adverse and irreversible impact on the Valley's environmental resources and visual character and could degrade the quality of life enjoyed by residents throughout the Canyon Country area.

Land Use

The Land Use Section of the Draft EIS concludes that no land use impacts would result from project implementation as the site is appropriately zoned for mining activity and would be located adjacent to an existing mining facility. The City finds that this evaluation falls short in its discussion of the City of Santa Clarita's land use characteristics near the project site and believes that land use impacts would occur. The following sections should be considered in the preparation of the Final EIS for this project. 1

Project's Relationship to the City of Santa Clarita

Although the site is located outside the City of Santa Clarita's jurisdiction, the Draft EIS fails to acknowledge the significance of the City's geographic proximity and relationship to the site. Various sections of the Draft EIS indicate that it is not necessary, nor appropriate, to involve the City of Santa Clarita in the planning process for this project. In addition, the Setting discussion of the Land Use Section fails to acknowledge the community of Canyon Country, which extends throughout the eastern portion of the City of Santa Clarita.

It is important to note that the City of Santa Clarita, the largest populated area in the Valley with 143,836 residents, is located approximately two miles from the project site. The current eastern boundary of the City of Santa Clarita extends along the centerline of the Antelope Valley Freeway to approximately Shadow Pines Boulevard and Soledad Canyon Road to the north. South of the Antelope Valley Freeway, the City encompasses the Sand Canyon and Oak Springs Canyon areas.

Six annexations along the City's eastern boundary have been completed since 1990. The most notable, Pinetree, includes 2,330 single-family homes on a 1,038-acre site north of Soledad Canyon Road. This 15-year-old neighborhood, with 7,223 residents, would be the most adversely affected residential area within the City of Santa Clarita. Other annexations along the eastern edge of the City include American Beauty (299 single-family homes), Prime West (179 single-family homes), Hunters Green (73 single-family homes with two golf courses), Oak Springs Canyon (35 single-family homes), and Morton Stanley (75 single-family homes). Proposed annexations north and adjacent to Pinetree include Thompson Ranch (1,126 projected single-family homes) and California Canyons (204 single-family homes). A-1

The location and timing of annexations in the Canyon Country area is indicative of a strong development trend in the Valley. In other words, throughout the 1990s, the City's boundary has continued to move east toward the proposed project site. In addition, the City anticipates resubmitting a proposal for a sphere of influence (SOI) to the Local Agency Formation Commission that will extend beyond the current City boundary. A future SOI would likely include the proposed TMC site.

Regardless of whether the project site becomes part of the City of Santa Clarita, the City has a vested interest in the operations that occur on the site. The City seeks to ensure that the proposed mining operations do not adversely affect the City's residential population or drastically change the visual and operational character of the area. Regardless of jurisdiction, the EIS should provide a more comprehensive discussion regarding the character of the Santa Clarita Valley and the land use characteristics of the City of Santa Clarita, especially along its eastern boundary.

Land Use Conflicts

The proposed project site is included in the City's General Plan Land Use planning area. The City's General Plan designates the southern portion of the project site as Residential Estate (RE). The General Plan states that the RE designation "is a category created to ensure the continuation of existing agricultural farming and ranching activities and to ensure the rural and country character of certain portions of the planning area are maintained" (General Plan, L-43). North of the Antelope Valley Freeway, the General Plan calls for a combination of residential densities including Residential Low (RL – 2.2 dwelling units per acre) and Residential Suburban (RS – 5.0 dwelling units per acre). Mining operations within the RE area would conflict with the City's General Plan and potentially affect nearby areas slated for residential development.

The two predominant land uses in the project area include a variety of residential developments and mining operations. Residential uses and industrial uses are at opposite ends of the land use spectrum and, when located in proximity to one another, can result in land use conflicts. The Draft EIS downplays the serious health and safety effects that industrial operations can have on nearby residences, stating that the further encroachment of residential uses would adversely affect the realization of the site's maximum potential to produce aggregate. In short, the Draft EIS appears to conclude that existing and planned residential developments would present a nuisance to project operations. The intensity and scale of the mining operations in proximity to residential developments and important environmental features is not considered in the determination of land use compatibility. Land uses in proximity to the site include:

A-2

- Established City of Santa Clarita communities (Pinetree) to the northwest;
- Existing mobile home/RV park ¼ mile southwest of the project site;
- Established rural community of Agua Dulce to the northeast;
- Shadow Pine development (499 single-family lots) to the northwest;
- Tract Map No. 87459 (637 units) to the northwest;
- Proposed Bee Canyon Mobile Home Park (650 units) adjacent to the proposed project site;
- Rio Dulce development (622 lots) to the northeast;
- Angeles National Forest to the south; and
- Santa Clara River (SEA No. 23), which extends through the site for approximately 2,000 feet.

The Draft EIS concludes that mining operations at the proposed location would be appropriate as six other mining operations are currently located in the area. And although the project would certainly be compatible with the established mining facilities, its implementation would only contribute to a cumulative change in the existing rural land use character, further exacerbating the problems that result from a mixture of residential and industrial uses.

The approval of this large-scale surface mining operation may also pave the way for the approval of future mining projects in the Santa Clarita Valley. The Draft EIS indicates that three (3) applications are on file with the County of Los Angeles. With the approval of TMC's current

proposal, the area will become predominantly industrial, overshadowing the existing and planned residential communities in the area. With future mining proposals, approval of the TMC project would likely be used to (1) support arguments of land use compatibility, and (2) establish that there is a trend toward industrial uses in this area of the Santa Clarita Valley, regardless of the high residential population within a three-to-four mile radius of the area. **A-2**

Aesthetics/Visual Resources

Although not in the City, the project, as proposed, will have significant visual impacts resulting from the proposed grading. These visual/grading impacts are significant and will leave a permanent scar on the area. The following existing and proposed land uses have views of the proposed TMC site.

- The Antelope Valley Freeway (Highway 14) located north and northwest of the project site is defined as a secondary priority study route for scenic highways in the Santa Clarita Area Plan prepared by Los Angeles County. It also marks a gateway into the Santa Clarita Valley and the City of Santa Clarita, which may be drastically changed with the 200-foot reduction of a ridgeline and the filling and smoothing of ravines. This scenic vista must be preserved, as indicated in Section 3.1.10.1 (Visual Qualities, page 3-240), "ridgelines should be preserved." The surface mining operation, as proposed, would fail to satisfy this goal.

- The Angeles National Forest is located south of the project site. The area hiker or adventurer will have a direct view of the proposed mining operations, potentially without screening to the south. In addition, Metrolink commuters will have full, unscreened views of the site for over one continuous minute. **A-3**

- There are several existing and proposed residential developments directly to the north, northwest and northeast of the project site, including neighborhoods within the City of Santa Clarita. The Draft EIS only provides viewshed photo simulations from inside a vehicle, the Antelope Valley Freeway, and Soledad Canyon Road. The analysis fails to include photo simulations from residential areas, the Angeles National Forest, the Santa Clara River, and locations along the Metrolink rail corridor. During site visits, City staff found that the project site would be highly visible from the City of Santa Clarita as well as other residential communities in the vicinity of the project.

The Draft EIS assumes that no significant visual impact would occur from views in Santa Clarita, without providing a photo-simulated analysis from the City. The Visual Qualities Section should be expanded to include a photo analysis of the aforementioned viewsheds.

The transformation of the secondary ridgeline will be glaringly obvious to users of the Antelope Valley Freeway. This will especially be noticeable during the filling of the North Fines Storage Area (NFSA) as haul trucks will transform the north-facing side of the ridge into a solid, filled-in ravine, contrasting to the surrounding terrain. Section 3.1.10.2 (Visual Qualities, page 3-257)

makes the assumption that, "Many drivers, when they are concentrating on the road in front of them, are not as aware of other surroundings (including landform)." While this statement can be true for the occasional driver unfamiliar with the area, the same can't be said of the daily commuter making approximately five (5) weekly round trips from the Greater Los Angeles area to the Antelope Valley and vice versa. The fact that this subjective remark is used as a measure of significance and intended to justify a major alteration of a secondary ridgeline is unacceptable and unprofessional and should be removed from the environmental analysis.

Section 3.1.10.2 (Visual Qualities, page 3-274) states that, "the site will blend into the surrounding terrain in a manner consistent with other disturbances," which assumes that adding to an existing visual impact is acceptable and does not require mitigation. While the City acknowledges that there is some hillside degradation in the project area, the applicant should not assume that existing conditions justify further damage to a significant scenic region. The Draft EIS further indicates plans to reclaim the proposed TMC site, while not specifying a monitoring agency to ensure how the process will be completed. The City of Santa Clarita recommends that, aside from issuing a bond for the land reclamation, the applicant must also hire an independent monitoring agency to monitor the reclamation process. **A-3**

Figure 3.1.10-5, South Side of Site at Proposed Entrance to Mine Facility, is an example of a viewshed from a motorist's perspective on Soledad Canyon Road. While the intent of this photograph is to demonstrate the view from inside a vehicle, it does not represent the full visual perspective of the driver or passenger. Photo simulations should also be provided without obstructions in the picture (i.e. rear-view mirror) to allow for a better assessment of the visual impacts.

Public Health and Safety

While the City understands that restricted access and compliance with the regulations and requirements of OSHA, MSHA and the County Uniform Fire Code will help to reduce potential on-site hazards, it does not eliminate all risks associated with the project operations. Regular use of explosives, operation of large combustible equipment, on-site fuel storage, and major earth moving operations throughout the 500-acre site will increase the number of public hazards in the area.

A-4

Section 3.1.13.1 (Public Health) of the Draft EIS identifies several health and safety hazards including:

- Potential for fuel spills or exposure to other hazardous materials;
- Storage of two (2) 6,000 – 10,000 gallon above-ground tanks;
- On-site blasting to occur twice a week during Phase I and four times a week during Phase II;
- Potential for a brush, equipment or electrical fire; and
- Proximity to open space, recreationalists, mobile home parks, etc.

The Public Health Section of the Draft EIS states that, "Mining operations may require occasional blasting onsite" (page 3-333). The project proposes to conduct blasting twice a week for the first 10 years of the project, increasing this to four times a week during the latter 10 years. This translates to 104 blasting events per year, or 1,040 blastings over the first 10-year period. This doubles to 208 blasting events per year during Phase II, or 2,080 blastings over the course of this 10-year period. The Public Health Section fails to provide any quantitative analysis of the number and frequency of blasting events proposed as part of the project, referring only to these activities as "occasional." Even the simple calculations provided above do not appear in the analysis of public health impacts.

A-4

Although nearby residential communities are briefly mentioned in the Setting section of the Public Health analysis, no further consideration or reference to sensitive receptors is made in the evaluation of public health impacts. Will the facility have an evacuation plan in the event of an emergency? How does TMC propose to inform nearby residential populations and ensure the safe evacuation from the area?

All industrial operations, especially those involving explosives and major processing functions, carry with them some potential for public hazard. The fact that there are extensive regulations, safety procedures and employee training requirements indicates the level of risk associated with this industry. Given the nature and size of the proposed operation, the City believes that the Draft EIS improperly concluded that, "No potential unavoidable adverse impacts will remain after mitigation" (page 3-335). The City finds this statement to be presumptuous and unsupported.

Traffic and Circulation

Project operations would occur over a 20-year period and involve daily materials transport to areas throughout Los Angeles and the Antelope Valley. The project will rely solely on the segment of the Antelope Valley Freeway extending through the Santa Clarita Valley to execute daily transportation operations. Although traffic volumes do not trigger the Los Angeles County threshold for significance, the Draft EIS should acknowledge that the addition of heavy, oversized equipment and haul trucks on a major freeway and local roads over a 20-year period will result in significant adverse impacts. Daily Phase I operations will involve 75 ready-mixed concrete trucks, seven cement/fly ash trucks, and 265 aggregate trucks that will interface with passenger vehicles on Soledad Canyon Road and the Antelope Valley Freeway. During Phase II, the number of aggregate trucks will increase to 500. The Draft EIS does state that, "The majority of traffic generated by the Project will be heavy trucks," (page 3-308), however, this is only in reference to the access road. No mitigation is provided for project-related traffic traveling on the Antelope Valley Freeway.

A-5

The segment of the Antelope Valley Freeway that extends through the Santa Clarita Valley serves as the critical link between the Antelope Valley and the Greater Los Angeles area. During peak morning and evening hours, the Antelope Valley Freeway is heavily congested with commuters traveling between the Antelope Valley and locations throughout the Greater Los Angeles area. Transportation operations associated with the proposed project would exacerbate poor traffic

conditions along this major transportation corridor during peak hours, thus affecting regional mobility between the Antelope Valley, Santa Clarita Valley and the San Fernando Valley.

The County of Los Angeles has designated Soledad Canyon Road as a major highway in the *North Portion County of Los Angeles Highway Plan*. Soledad Canyon Road also serves as an alternative route through the Santa Clarita Valley when the Antelope Valley Freeway is congested. Since TMC will be generating additional traffic in the area, especially on Soledad Canyon Road, they should provide full public improvements including additional lanes meeting the County of Los Angeles Major Highway requirements.

Daily materials transport activities have the potential to: (1) change vehicle composition on the Antelope Valley Freeway; (2) create traffic hazards due to vehicles traveling at different speeds; (3) impede motorist visibility due to oversized equipment and trucks; and (4) result in motorist injury and vehicle damage due to loose gravel and rocks which typically fly off trucks. In short, the introduction of additional haul trucks and oversized equipment on a major state freeway has the potential to cause traffic delays and safety hazards. Will all haul trucks be covered? How will TMC ensure compliance with contract transportation services?

In addition to vehicle interface conflicts, on-site blasting and other grading operations at the 460-acre project site could also affect roadway conditions on the Antelope Valley Freeway. Noise, vibration, dust and possible light/glare impacts resulting from these operations will distract or impair motorists, thus creating a potential roadway hazard. The Draft EIS fails to identify such hazards or to provide for appropriate mitigation to eliminate or minimize these hazards. How does TMC propose to minimize off-site effects and maintain roadway conditions for motorists along the Antelope Valley Freeway during major on-site operations? **A-5**

The Draft EIS states that "95 percent of Project traffic would travel to the Antelope Valley Freeway via Soledad Canyon Road" (page 3-298). Although the quantitative analysis of project-related traffic found that volumes would be insignificant, the interface of passenger and large commercial vehicles warrants mitigation measures to avoid roadway conflicts. Table 3.1.11-5, Related Projects, confirms that land uses in the project vicinity are divided between residential uses and mining operations. Therefore, the City recommends that the applicant assume a "worst case" scenario and install the traffic signal at the Soledad Canyon Road/Antelope Valley Freeway Ramps intersection as part of Phase I of project implementation. This will ensure that a higher level of roadway protection is provided for both passenger and commercial vehicles transitioning from Soledad Canyon Road to the freeway and vice versa.

Mitigation Measure TI is internally inconsistent. It states that "mitigation measures are required for the Soledad Canyon Road/Antelope Valley Freeway NB and SB ramps intersection, and the east approach of Soledad Canyon Road to the Bee Canyon Mobile Home Park's most easterly access road that were determined to have significant cumulative impacts." However, the same paragraph also states that it is recommended County Public Works and Caltrans "determine if and when the mitigations are required." This statement invalidates the first statement, thus making this mitigation measure unenforceable. Where significant impacts are identified, defined and

measurable measures must be provided to ensure impacts are reduced to a less-than-significant level.

The Draft EIS also indicates that the Santa Clarita Valley, in addition to the Greater Los Angeles area, will be a major market for materials produced from the proposed TMC facility. However, there is no discussion of haul routes or potential impacts to roadways within the City of Santa Clarita and other unincorporated areas throughout the Santa Clarita Valley. The traffic analysis should be expanded to include a qualitative evaluation of anticipated roadways and buyer locations throughout the Santa Clarita Valley to be used by TMC. This evaluation should consider whether heavy commercial vehicles would become a nuisance or pose a hazard to sensitive land uses in proximity to designated roadways. **A-5**

Air Quality

The Draft EIS identifies numerous emission generators – heavy equipment, conveyor systems, rock and sand processing, concrete plant operations, on-site truck travel, off-site truck travel, and scraper travel. It is understandable, then, that the air quality analysis in the Draft EIS concludes that even with the most aggressive mitigation measures in place, the project will exceed the accepted levels of pollutant emissions. However, the EIS then goes to argue that significant emission levels will not affect even the closest residential receptor as the pollutants will remain over project site. Yet the Draft EIS does not provide a discussion of the effect high winds could have on dispersing these pollutants to nearby receptors and the region at large. Given that this portion of the Santa Clarita Valley is regularly a high wind advisory area, the City believes that the Air Quality Section must include a comprehensive analysis of wind patterns and appropriate mitigation measures to containing these pollutants on the project site.

Will TMC shut down mining operations during periods of high wind? What wind velocity thresholds would be used to determine when to stop specific surface mining operations (i.e. blasting), or the entire operation? Who would monitor operations to ensure that off-site air quality impacts do not occur? How does TMC propose to protect surrounding residential populations from high emission levels? **A-6**

The discussion of sensitive receptors on pages 3-163 to 3-164 with regard to air quality impacts is summed up in five sentences. This discussion fails to provide the number of affected residences or any descriptors regarding residential types, means of access, neighborhood orientation, recreational areas, etc. Given that long-term pollutant exposure to neighboring residences poses the largest public health threat, this discussion is clearly inadequate. Later on page 3-180, it is concluded that "Because of the extreme distances from sensitive receptors, no nuisance complaints are anticipated" with regard to fugitive dust. This statement is not supported and does not differentiate between the residences ¼-mile from the site, or the community of Agua Dulce located three miles from the site. Given the project's intensity and size, it is unclear whether three miles would serve as an adequate buffer to reduce potential air quality impacts. Therefore, this evaluation should be expanded to clearly depict the existing uses of the area and how topography and wind patterns could affect pollutant exposure.

In sum, project operations will degrade the air quality of the Santa Clarita Valley over a 20-year period, creating a local and a regional impact. As no further mitigation is available to effectively reduce emission levels, the City strongly encourages TMC to reduce the scope of work. Reduced production levels may bring the project into compliance with established air quality standards. **A-6**

Noise & Vibration

Sensitive receptors located in the immediate project area include: the River's End Mobile Home/RV Park adjacent to the site; established single-family residential communities located within two miles of the site; sensitive habitat/wildlife; and the proposed Bee Canyon Mobile Home Park (if approved, this development would be adjacent to the project site). Section 3.1.5.1 states that "few sensitive receptors are located in this area" (page 3-123). The Draft EIS should specifically identify all sensitive receptors and present findings which show the projected level of noise and vibration-related disturbances. In addition, Figure 3.1.5-2 should be revised to include dwellings to the northeast on Agua Dulce Canyon Road, the community of Agua Dulce, the City of Santa Clarita, and residential developments located north of the Antelope Valley Freeway.

Although TMC proposes to comply with all Los Angeles County and federal noise regulations, the project will result in increased noise levels throughout the area with an increase in industrial activities. These activities will include blasting and operation of haul trucks, on-site extraction equipment and the batch plant. The Draft EIS concludes that the mitigation measures will reduce noise impacts to a less-than-significant level. However, residents as far away as Santa Clarita and Agua Dulce have complained of the noise currently generated from existing mining operations near the project site. For this reason, the Draft EIS should further analyze the site's relationship to sensitive noise receptors and how topography may affect decibel levels and sound travel distances. This should include an analysis of the current mining operations, surveys from nearby residents, and an evaluation of noise and vibration impacts to the natural habitat. **A-7**

The trucking operations associated with this project are proposed occur on a 24-hour basis, seven days a week. Although this may be effective to reduce air quality impacts, noise generated from heavy haul trucks will be significant, beginning as early as 5:00 a.m. Although less impact on traffic may occur at this hour, there is greater potential for noise conflicts with nearby residents. How does TMC propose to respond to complaints regarding early morning operations and the related noise impacts? Who will respond to the resident complaints? Will TMC alter operations if a significant number of complaints are received? The City finds that the Draft EIS fails to consider these potential noise-related problems. How does TMC propose to address these issues?

Although the Draft EIS presents some measures to reduce significant noise levels to adjacent sensitive receptors, the analysis does not significantly address the site-specific characteristics. Topographic features, climatic conditions, and locations of adjacent land uses each affect noise levels off the project site. The Draft EIS makes a comparison to a TMC mining facility in Azusa, claiming that no significant noise impacts are produced by mining operations at this particular facility. However, the mining facility in Asuza is located in a remote area not in proximity to

sensitive noise receptors. Furthermore, the Azusa site is located below-grade, entirely contained in a large pit; therefore, the majority of the noise is contained within the project site. The Soledad Canyon facility would be located within a mountainous area with various canyons and valleys having the capability to amplify and carry the noise produced by the mining operations. The Draft EIS should provide a more detailed analysis of the site's characteristics and its potential to exacerbate noise impacts resulting from project operations. **A-7**

In Section 3.1.5.1 (page 3-130), the community of Agua Dulce is identified as a sensitive noise receptor, however, there is no reference to the City of Santa Clarita. Please explain why the City is excluded from the analysis of noise and vibration impacts.

Cultural Resources

With the exception of LAN 1847H, the cultural resources analysis concludes that no additional historic or paleontological features are located on the 500-acre site. Agua Dulce officials have indicated that there may be a grave site of a Franciscan missionary just outside the project site to the southwest. They believe the grave dates back to the first contact with the indigenous population of the Santa Clarita Valley. At the Agua Dulce Town Council meeting of March 10, 1999, a TMC representative responded to this information by stating, "If necessary, we will do the archeology." The City requests that the project applicant work with Agua Dulce officials to further investigate this possible finding. **A-8**

The Draft EIS should also include a mitigation measure to serve as a mechanism for the protection of unknown/unidentified cultural resources in the event that a historic or paleontological resource is found on the site during mining operations.

Geology

The geotechnical analysis in the Draft EIS contains numerous assumptions regarding slope stability, minimum strength characteristics, and minimum relative compaction requirements. The City requests that the factors and rationale for these assumptions be provided to support the evaluation of geological impacts associated with project implementation.

Specifically, please provide the slope stability analysis, including the perimeters used in the calculations for the fines storage areas, proposed fill slopes and proposed cut slopes. It is recommended in the Draft EIS that the outer 10 feet of the proposed fill slopes be constructed with a soil material having minimum strength characteristics of cohesion equal to 175 psf and angle of internal friction equal to 35 degree *OR* some other alternative soil strength combination that will result in the minimum factor of safety of 1.5. Please describe the other alternative soil strength combinations being considered that will result in the 1.5 minimum safety factor. What slope angle (horizontal? vertical?) was used to perform this analysis? What is Los Angeles County's minimum relative compaction requirement for the fill slopes? **A-9**

Also, what is TMC's future plan for the abandoned silt ponds and the existing south silt pile?

Biological Resources

The proposed mining operations could adversely affect the Santa Clara River and the wildlife which depends on it. Whether on-site or in proximity to the project, the habitat of the area will be affected with the introduction of a large-scale surface mining operation. The Draft EIS makes several references to "inaccessible" areas of the site in regards to the habitat analysis. In reference to areas difficult to inspect, the Draft EIS indicates that, "inaccessible areas were scanned with binoculars." The majority of the site is sloped, rugged terrain, hence what amount of the site required a binocular inspection during the biota analysis? Is this amount a significant portion of the project? Are binocular surveys an accepted form of site habitat analysis? The vegetation surveys must include accurate data and analysis for those "inaccessible areas."

Figure 3.1.8-2 indicates that the project site encompasses a portion of the study area for the unarmored threespine stickleback. Because the species was not observed on site, Table 3.1.8-2 indicates there is no "Potential for Occurrence Onsite." However, the species is common to the area and could be directly affected by the project. How does TMC propose to protect the species?

The Draft EIS states that, "a large population of slender horned spineflower (1,000 + individuals, *Dodecahema leptoceras*), a state and federally-listed endangered species, was observed on benches within the alluvial wash in Bee Canyon well outside the project area." The Draft EIS fails to indicate the distance from the project site, which is directly adjacent to Bee Canyon. In addition, the Draft EIS assumes that this state and federally-listed endangered species will not be affected, when due to the proximity to the site there appears to be a potential for an impact. Although outside the project area, the Draft EIS must further analyze potential impacts to the slender horned spineflower. Does the North Fines Storage area (NFSA) operations present a danger to the species? The applicant should address this in the Draft EIS.

A-10

The Draft EIS states that, "no significant impacts will occur to the wildlife movement corridors." Although no mining operations will occur in the river corridor, the Draft EIS should assess potential impacts to sensitive habitat/wildlife based on noise and vibration from increased truck traffic and mining operations. How does TMC propose to address this issue? Although the Draft EIS (page 3-233) states that noise levels will be below 65 dBA in the riparian habitat, the project will introduce additional noise that is currently not present. In addition "stray lighting" could create an impact since the majority of wildlife migrates during the nighttime hours. The use of low-intensity lighting and directional shielding will help to reduce stray light; nevertheless, the project will introduce lights which are currently not present on the site's habitat.

The Draft EIS concludes that sensitive wildlife including the San Diego coast horned lizard, coast patch-nosed snake, coastal rosy boa, and coastal western whiptail were not observed on the site, therefore, "no significant impact on this species is anticipated." However, it appears that a high potential for these animals is possible based on the site's "suitable habitat." The Draft EIS analysis makes too many assumptions that no significant impacts will occur to sensitive wildlife because none or very few were observed during site visits. In Table 3.1.8-1 (Threatened,

Endangered, and Candidate Wildlife Species that Potentially Occur Onsite and in Neighboring Offsite Habitats), survey results contain "no comments" for a majority of the species listed. Given that the analysis is based in large part on the "binocular surveys" and assumptions that only those species found on-site are affected, a more detailed survey should be performed to analyze all areas affected by the project, including those outside the project boundary. A-10

Water Quality/Stormwater Management

The City of Santa Clarita is located downstream from the project site; however, this information is not mentioned in the analysis of water quality. The City finds the analysis of runoff characterization incomplete. How will runoff from the project affect water quality, runoff and flooding in the City? How does TMC plan to monitor runoff downstream? What is the characterization of material leaving the site?

The Draft EIS mentions that subsurface flow will be diverted. Is there a study or plan available that states why this is required as part of project implementation? How will this be accomplished? What mitigation techniques does TMC plan to apply to reduce the negative impact on the ecosystem and/or runoff downstream? The City requests a copy of the Stormwater Pollution Prevention Program (SWPPP). A-11

Water Resources

The project will require several hundred acre-feet of water per year, a significant amount to commit each year over a 20-year period. There have been continual questions by various agencies including the Newhall County Water District, some members of the Castaic Lake Water District, and members of the public about the availability of water for the Santa Clarita Valley. This may be an area of the project that has not been adequately addressed. A-12

Recycling Program

The project appears to represent a Federal subsidy of the production of virgin aggregate. This will stifle the potential for a recycled construction and demolition market (C&D) in the City of Santa Clarita. If virgin material is produced locally for a much lower price than recycled material, how will that affect the potential for recycling programs encouraged by the State? Further, the California Integrated Waste Management Board has identified C&D waste as a priority waste stream and encourages recycling markets for these products. The project, as proposed, contradicts with the State's policies regarding recycled material.

The Draft EIS notes that 0.5 million tons of fines material will be shipped off-site within the first three years of project operation. How much will be shipped per year? What is/are the destinations? Please note that the City is opposed to adding this material to local landfills. A-13

Recreation (Trails)

The City of Santa Clarita has identified the Santa Clara River in its proposed River Plan which includes recreational amenities and a multi-use river trail. The entire length of the river is also included in the State recreational trails system and the County's Master Plan of regional trails. The proposed TMC site is a non-compatible use with the proposed recreational plan for the Santa Clara River. The Santa Clara River extends approximately 2,000 feet through the proposed site. How does TMC propose to co-exist with future recreational activities associated with the Santa Clara River while conducting heavy industrial mining operations?

Soledad Canyon Road is currently the public access route for the Santa Clarita Recreational Corridor. This adopted State of California recreational corridor is the only east-west connection in the Los Angeles County area from the Pacific Crest Trail to the California State Bike-Centennial Trail in Ventura. This trail corridor is the primary route connecting Santa Clarita Valley's recreational users to California's interior regions from Oregon to Mexico and the beach areas from Cresent City to National City.

The expanded volume of heavy transportation equipment along this two-lane road with unimproved side panels will significantly degrade the public's ability to utilize this recreational right-of-way. Additional traffic will create substantial safety and health hazards for recreationalists.

The City recommends that project mitigation include land acquisition for an off-site trail alignment and construction of a multi-use recreational trail to bypass the area affected by project-related traffic. The trail bypass should be developed through public participation meetings and coordination with representatives from the U.S. Forest Service, State of California Recreational Trails Committee, California Trails and Greenways Foundation, Los Angeles County Parks Department, the City of Santa Clarita, and the town of Acton.

A-14

Cumulative Impacts

With approval of TMC's project, a precedent will be set for the establishment of future mining projects in the area. Cumulatively, the TMC site, with existing and proposed mining in the area, will further contribute to growing land use incompatibilities. Contrary to Section 3.1.15 (Cumulative Impacts), which states that only a "small number of sensitive receptors" exist in the area, the Draft EIS fails to justify the appropriateness of the TMC proposal and further ignores many of the contributing negative factors.

The proposed project requires further analysis due to its potential to set a trend for other mining proposals in the area. The Draft EIS should address this by providing a comprehensive table of all mining projects in the immediate project area and the region which are ongoing or are being processed at the county, state or federal level to fully assess the potential cumulative impacts.

Furthermore, the Draft EIS continuously makes reference to cumulative impacts attributed to residential and commercial projects as opposed to the proposed mining operations. The Draft EIS

A-15

states that, "Cumulative residential projects have the potential for inducing growth within neighborhood areas and encouraging land uses that may not be compatible with mineral extraction uses. Such incompatible land uses would result in significant cumulative impacts." However, the Draft EIS fails to consider the opposite position. For the existing sensitive uses, land use incompatibility would result from approval of TMC's proposed project. A-15

Alternatives to the Project

The Draft EIS briefly discusses six sites that were eliminated from further analysis prior to the preparation of the Draft EIS. All alternatives to the project considered in the Draft EIS are variations to the proposed project at the proposed location. Therefore, the option for the decision-making body to recommend an alternative site is not provided.

The Draft EIS states that all other sites considered for this project proved to be cost prohibitive, making the Santa Clarita Valley site the only economically-feasible location for TMC's mining operations to occur. What were the thresholds/criteria used to determine the infeasibility of alternative sites? Who establishes these thresholds – TMC, a governmental agency, or a private third party? Did the applicant prepare a feasibility study or a major investment study prior to the preparation of the Draft EIS?

It appears that the decision to exclude alternative sites was based on a monetary basis, rather than a comprehensive cost-benefit analysis which considers the qualitative, as well as quantitative, effects of project implementation at a variety of sites. The spirit of a cost-benefit analysis is to consider the direct and indirect effects of a project and evaluate what is gained from project benefits to what must be foregone in order to achieve it. For this project, a cost-benefit analysis would enable decision-makers to weigh the negative effects of surface mining on a population of approximately 150,000 with the added transportation cost to be incurred by TMC in traveling to an alternative site. A-16

In defining the Reduced Quantity Mining Concept Alternative, the Draft EIS states that "the objective of this reduced quantity analysis is to examine a reasonable alternative to the Project that would feasiblely attain most of the Project's objectives but which would avoid or reduce significant environmental effects" (page 3-409). Earlier, however, the Draft EIS states, the Reduced Quantity Mining Concept Alternative is not considered to be the most viable alternative because it fails to meet most of the TMC Project objectives and is not economically feasible (page 2-58). These statements directly conflict with one another and indicate that alternative mining proposals which reduce the scope of work will automatically be deemed infeasible as they compromise the project objectives.

One of the project objectives is to mine the project site to produce 56.1 million tons of PCC aggregates. All alternatives are required to meet this production output threshold to achieve the project objective. The Reduced Quantity Mining Concept Alternative, then, is set up to fail.

The impacts associated with the alternatives considered in the 'Alternatives To Project' section are weighed against the proposed project. The City recommends that the applicant reevaluate the beneficial and adverse impacts associated with each alternative following the revision of the environmental analysis for the proposed project. The City believes that many of the environmental effects associated with the project alternatives will fall into the "less than" category when balanced against a more complete analysis of the proposed project. A-16

Concluding Statements

In general, the City finds that the Draft EIS understates the range of impacts associated with the proposed Soledad Canyon Sand and Gravel Mining Project and is, therefore, inadequate. As indicated throughout this letter, the City has noted the exclusion of the City of Santa Clarita in several sections of the Draft EIS. The City finds that this is a major deficiency in the environmental analysis and recommends that appropriate references and analysis be added to the Final EIS.

The City of Santa Clarita is committed to the protection of the environment, the prevention of land use conflicts, and a high quality of life for Valley residents. The project, as proposed, has potential to affect the full range of environmental factors of public concern and compromise the City's aggressive efforts to maintain the City's livable qualities. The City encourages the Transit Mixed Concrete Company to explore alternative means of (or locations to) obtain needed mineral resources without devastating the natural landscape or altering the land use character of established residential communities.

APPENDIX B
REVIEW OF THE
THE EIS BY DR. SUSAN O'CARROLL,
WILLDAN ASSOCIATES

WILLDAN ASSOCIATES

MEMORANDUM

TO: JEFFREY LAMBERT, AICP
DIRECTOR OF PLANNING AND BUILDING SERVICES
CITY OF SANTA CLARITA

FROM: SUSAN O'CARROLL, Ph.D

DATE: JUNE 1, 1999

SUBJECT: REVIEW OF DRAFT EIS
SOLEDAD CANYON SAND AND GRAVEL MINING PROJECT

As requested, I have reviewed the EIS for the proposed Transit Mixed Concrete Sand and Gravel Mining Project in Soledad Canyon. The following memo details my findings regarding defects in the document.

Project Description

- Page 1-3 to 1-4 - The project objectives have been framed in a way which inappropriately limits the range of alternatives considered in the EIS. As noted in 40 CFR 1502.14 of NEPA:

> (The alternatives section) is the heart of the environmental impact statement. Based on the information and analysis presented in the sections on the Affected Environment (Section 1502.15) and the Environmental Consequences (Section 1502.16), it should present the environmental impacts of the proposal and the alternatives in comparative form, thus sharply defining the issues and providing a clear basis for choice among options by the decisionmaker and the public.

Given that NEPA encourages analysis of a full range of alternatives, including alternatives not within the jurisdiction of the lead agency, the no action alternative and the agency's preferred alternative (40 CFR 1502.14), framing the project objectives in such a way as to limit the range of alternatives considered, would appear to violate the spirit of NEPA. In particular, the focus on providing construction materials "primarily for the Santa Clarita Valley and the greater Los

B-1

Angeles area" and mining the site so as to "produce 56.1 million tons of PCC aggregates and provide $28 million in royalties to the Federal Government," has hindered consideration of project alternatives which would lessen potential environmental impacts.

CFR 40 1502.13 merely described the purpose and need section of an EIS as follows: "The statement shall briefly specify the underlying purpose and need to which the agency is responding in proposing the alternatives including the proposed action." No where does NEPA indicate that the purpose and need section should be used to prejudice the analysis in favor of the project or to provide a forum to arguing for the project. The EIS's use of the project applicant's contract with the BLM to mine 56.1 million tons of PCC aggregates and provide $28 million in royalties, as a way to limit the range of alternatives considered, would appear to be a case of post-hoc rationalization, in violation of 40 CFR 1502.2(g). The EIS analysis should consider a range of reduced quantity mining concept alternatives which are designed to reduce water resources, visual and traffic impacts of the project. In addition, the EIS should consider an alternative *use* on the site, consistent with the existing zoning and land use designation. B-1

- Page1-13 to 1-14 - of the EIS discusses the potential economic impacts of the project. This type of discussion is inappropriate in an EIS, since the discussion is written in a way which argues for the project and since it is not a true cost-benefit analysis per 40 CFR 1502.23. An EIS is intended as an impartial analysis of the potential environmental impacts of a project, not as a marketing tool for a project. Either this discussion should be removed from the document, or a more complete cost-benefit analysis, including discussion and analysis of "unquantified environmental impacts, values, and amenities" as well as all "important qualitative considerations," pursuant to 40 CFR 1502.23 should be included. Such an analysis would consider the potential economic effects of the project on the residential market in the Santa Clarita Valley and on the attractiveness of the area as a site for movie production. We would note that the movie industry has a much higher multiplier effect than a sand and gravel mining operation. B-2

- Page 2-13 - Since the project is clearly designed for mining of 64 million tons of aggregate production, this level of production should be the level analyzed in the EIS, since it would appear that the additional production is reasonably foreseeable.

  The EIS's evaluation should be based on this higher level of production. In addition, the EIS needs to make clear the consequences of both levels of production. For example, how will Cut 4 be affected by both levels of production? Will slope stability be different with or without the additional production? How will visual impacts be different, with and without the additional production? B-3

  What is the potential affect on the Reclamation Plan and the applicant's responsibility for reclamation with and without the additional production? On page 2-27 it states:

> The Project area is scheduled to be reclaimed after TMC's Federal Contracts with the BLM expire. Based on the assumption that BLM does not contract out future mining, final reclamation will occur. In the future, if BLM determines that additional mining is feasible, County, state, and federal approvals would be required, as would modification to this final Reclamation Plan.

This statement would appear to indicate that TMC will not be responsible for final reclamation if additional contracting for mining on the site is under consideration upon completion of TMC's contract. Any potential for the delay of final reclamation of the site should be identified as a significant impact and should be evaluated in the EIS and mitigation for such an impact should be provided. The existing mining operation has been idle and un-reclaimed since 1986. This has had a significant visual impact on the area. This situation should not be repeated. B-3

- Page 2-16 - The description of the project schedule is inadequate. The schedule should detail the timing of pre-production, Phase I and Phase II activities so as to enable accurate independent review of the analysis of potential project impacts, such as traffic.

  Is the 2019 completion year still valid? If not, the potential for impacts may be understated. For example, the analysis of pavement impacts is based on when the County last improved the roadway to be used by the project. If Phase II of the project occurs later than what was assumed in the analysis, the timing of the pavement mitigation will be inappropriate, and unmitigated impacts will result. A delay in the completion year may require updating of portions of the EIS and mitigations based on the timing of project completion. B-4

- Page 2-26 - It is unclear why use of the facility as a County of Los Angeles Sediment Placement Site (SPS) won't result in additional truck trips to and from the site. Use of the facility as an SPS is part of the project, and the potential environmental effects of this use, rather than SPS use on another site, must be addressed in the EIS. In addition, if approval is required for use of the facility as an SPS, this should be listed in Table 1.1-1. B-5

- The Revegetation Plan for the project should be included as a technical appendix to the EIS. Omission of this plan precludes meaningful peer review and comment on this key project mitigation. B-6

- Similarly, the full Reclamation Plan for the project should be included as a technical appendix to the EIS. Omission of this plan similarly precludes meaningful peer review and comment on this key project mitigation. B-7

- Since a number of measures to reduce project impacts have been included in the project description, rather than specified as project mitigations, a draft of the mitigation component for the Record of Decision should be included as a technical appendix to the EIS, otherwise a meaningful peer review of the Conditions of B-8

Approval aimed at ensuring that the stated design features will, in fact, occur is precluded. The need for peer review is further indicated by the weak wording in the description of measures which have been included in the project description. This weak wording leave the reviewer with the impression that the actions are recommendations, rather than requirements. For example, on page 2-41 it states: " TMC is responsible for horticultural monitoring. The monitoring should be conducted by a trained professional with expertise in native plant horticulture." The word "should" is too weak; the word "shall" is a more appropriate guarantee of action. B-8

- Pages 1-44 to 1-45 - It would appear that the Financial Assurance Performance Bond is inadequate to meet both federal and state requirements. As noted on page 1-45 of the EIS, federal regulations require that a performance bond amounting to 20 percent of the contract value be deposited with BLM. The current bond is based on only the Phase I contract value. Unless there are separate contracts for Phases I and II, or there are clear performance-based provisions for termination of the contract following Phase I, the bond should be based on the full contract amount.

  As noted on page 1-45 of the EIS, State financial assurance guidelines indicate that a financial assurance should be "in an amount sufficient to reclaim, pursuant to the lead agency approved reclamation plan, lands disturbed since January, 1976; lands to be disturbed in the next year; and lands not reclaimed successfully pursuant to the approved reclamation plan." It would appear that the amount of the bond posted is sufficient to comply with only one of these conditions, reclamation of lands to be disturbed in the next year (i.e. year 1), a year in which no mining activity will occur. B-9

  Potential project impacts, such as visual and biotic impacts, mitigated through the Reclamation Plan, should be considered significant unmitigated impacts, unless a bond sufficient to provide for reclamation of the lands disturbed since January, 1976 and lands not reclaimed successfully pursuant to the approved Reclamation Plan is also provided.

- The Project Description, as well as the discussion of Water Resources (3.1.2.1) does a very poor job of making clear that water resources to support the project "are to be developed from three wells located in the area southwest of Area B with on-demand pumping and an above ground pipeline to the facilities site." Although this is stated on page 1-25 and several other places in the document, the analysis leaves the reader with the impression that water extraction will occur on-site. The ownership of the land from which water will be extracted needs to be made clear, as well as the nature of the contractual relationship for water use. More importantly, the potential environmental impacts associated with the construction and operation of the wells and pipeline needs to be specifically and clearly addressed in the EIS. B-10

- In a number of places throughout the document, the EIS states that the project site has been mined for much of the past 30 years (page 1-1), or for two decades (page 1-28). These statements give the reader an inaccurate perception that the B-11

proposed project merely constitutes a continuation of existing use. This is incorrect. No mining has occurred on the site since 1986. Since that time, there has been a major change in land use in the area, which has become increasingly residential. These statements should be modified to make clear to the reader that no mining has occurred on the site for the past 13 years. B-11

Geotechnical

This section of the EIS has been reviewed by Doug Santo, a geologist, who has detailed the technical deficiencies in the analysis in a separate memo. For this reason, my comments on the geotechnical discussion are limited to the following:

- Page 3-17 - The nature of the potential hazards which would occur if something were built on the abandon silt ponds should be explained. B-12

- Page 3-17 - Since part of the existing south silt pile is located on the project site, any hazards associated with the silt pile must be addressed in the EIS, whether or not the TMC project will directly affect the silt pile. The project will result in activity on the site, and thus increased risk associated with silt pile-related hazards. Unless mitigated, these hazard impacts associated with the silt pile should be classified as significant unmitigated project impacts. B-13

- Page 3-17 - Will the County Conditional Use Permit (CUP) conditions that ruled out other types of uses in siltation pond areas remain in effect or be transferred to the TMC project? If not, there is a potential for unmitigated impacts. B-14

- Page 3-24 - The document indicates that the results of the Preliminary Environmental Site Assessment and soils testing conducted by West Coast Environmental (1997a, 1997b) indicated the potential for hazardous materials or hazardous waste to be associated with the site. The discussion concludes that this is an adverse, but not significant impact, but does not provide any evidence to support this conclusion. Without proper provision of data in support of the conclusion in the EIS, hazardous materials conditions should be identified as significant. Although the discussion indicates that known areas of contaminated soils will be removed and properly disposed, and that suspect areas will be tested, these measures are not included as mitigations. Unless these measures are included as mitigations or another mechanism to ensure enforcement is provided, potential hazardous materials impacts must be classified as significant unmitigated impacts. B-15

Water Resources

This section of the EIS has been reviewed by Doug Santo, a geologist, who has detailed the technical deficiencies in the analysis in a separate memo. For this reason, my comments on the water resources discussion are limited to the following:

- Pages 3-61 to 3-63 - The thresholds of significance for criteria 1 and 2 are too high; impacts will result at much lower levels. Criteria 1 indicates that impacts will be considered significant if: "use of water by the Project substantially affects water resource availability for municipal, agricultural, industrial, private, or recreational uses." Any project induced alterations in ability to serve other water clients in the area should be considered significant.

  Criteria 2 indicates that impacts will be considered significant if: "use of water by the Project reduces or depletes water resources in such a manner that sensitive ecological habitats cannot be maintained." At the point that sensitive habitats can not be maintained, the biological resource impact will be total. This is too high a threshold. A lower threshold which provides for recognition of a diminution in water available to sensitive habitats in time to allow time for recharge to maintain proper water levels for habitat maintenance, is necessary. Otherwise, there is the potential for significant biological resource impacts, after implementation of the specified water resource mitigation measures. B-16

- A discussion of the effect of cumulative development in the area should be included in this section, as well as in Section 3.1.4. Because of the potential for other mining projects in the area, a quantitative analysis of the effects of cumulative projects on water resources should be included in the EIS. B-17

Flooding

This section of the EIS has been reviewed by Elroy Kiepke, a City Engineer, who has detailed the technical deficiencies in the analysis is a separate memo. For this reason, my comments on the flooding discussion are limited to the following:

- Mitigation measure F3 provides for maintenance and cleaning of erosion control facilities and desilting/debris basins during project operations. What happens at the conclusion of the project? What provisions have been made for on-going maintenance of these facilities? What will be the long-term impact of the project if these facilities are not maintained? Any unmitigated long-term impacts would be significant project impacts and should be identified as such. B-18

Water Quality

This section of the EIS has been reviewed by Elroy Kiepke, a City Engineer, who has detailed the technical deficiencies in the analysis is a separate memo and by the California Regional Water Quality Control Board (letter dated April 20, 1999). For this reason, my comments on the water quality discussion are limited to the following:

- This section of the EIS needs to have a significance criterion which addresses the potential for water quality changes to impact the unarmored threespine stickleback. B-19

- A discussion of the effect of cumulative development in the area should be included in this section, as well as in Section 3.1.4. Because of the potential for other mining B-20

projects in the area, a quantitative analysis of the effects of cumulative projects on water quality should be included in the EIS. B-20

- Page 3-115 - The EIS indicates that low concentrations of salt may be toxic to plants, but does not contain an analysis of the degree to which the application of salt will result in a significant impact on biological resources on the project site. This type of analysis needs to be included in the EIS. As described, impacts are potentially significant. The EIS fails to address this potentially significant biological resource impact. B-21

- Page 3-115 - The EIS indicates that "Lignin sulfonates may cause aesthetic problems in surface water because of discoloration." This is a potentially significant aesthetic impact of the project, which is not addressed in the aesthetics analysis (Section 3.1.10). Given the statement contained in the EIS, it would appear that the project would have a significant unmitigated aesthetic impact, which is not addressed in the analysis. B-22

Noise

This section of the EIS has been reviewed by Hans Giroux, a noise and air quality specialist, who has detailed the technical deficiencies in the analysis is a separate memo. For this reason, my comments on the noise discussion are limited to the following:

- Page 3-137 - As noted in the EIS, the "projects blasting ground vibrations will range from barely perceptible (at Capra Road residence), to distinctly perceptible (at River's End Trailer Park), to strongly perceptible (if Bee Canyon Mobile Home Park is built). On-going strongly perceptible blasting over a twenty year period is a significant project impact. A public awareness program to make people aware of something which is self-evident does not mitigate the impact of blasting on sensitive receptors in the area. This should be classified as a significant unmitigatible impact. B-23

- Page 2-21 - of the Project Description indicates that "excavation activities will take place 6 days a week between the hours of 5:00 a.m. and 10:00 p.m but generally will not exceed 14 hours per day." The project noise analysis should be based on a worst-case hours of operation scenario. B-24

- Mitigation N2 - As worded, this mitigation does not mandate additional acoustical analysis or the construction of berms, it merely says that noise impacts could be reduced through these measures. Therefore, the mitigation does not mitigate project impacts. Impacts remain significant. The measure must be re-worded to require additional acoustical analysis prior to beginning Cut 3, and to require the construction by the mine operator of any required berms, or other noise mitigations. B-25

- Mitigation N3 - The EIS should also analyze the potential impacts of any mitigation measures. Construction of soundwalls or berms adjacent to affected Bee Canyon lots could result in significant aesthetic impacts. These impacts must be analyzed in the Soledad Canyon Sand and Gravel Mining Project EIS. B-26

- As noted on page 3-326 of the EIS, a Noise Impact Management Corridor runs northeast to southwest approximately parallel with the Antelope Valley Freeway. The project's consistency with corridor policies and regulations should be addressed in this section of the EIS. B-27

Public Services

- The EIS should address the potential for the project to result in greater highway / roadway maintenance costs associated with the spillage and leakage of sand and gravel onto local roadways during transport. B-28

Air Quality

This section of the EIS has been reviewed by Hans Giroux, a noise and air quality specialist, who has detailed the technical deficiencies in the analysis is a separate memo. For this reason, my comments on the noise discussion are limited to the following:

- The air quality mitigation measures are not written in a way which will facilitate mitigation monitoring. This is detailed more fully under the subheading Mitigation Measures below. B-29

- Page 3-189-190 - The EIS argues that since Phase 2 project emissions amount to only about 6.7 percent of the PM-10 emissions attributable to Mineral Processes in the South Coast Air Basin, the project is consistent with the AQMP. However, there has been no showing that the project represents 6.7 percent or more of the Mineral Processes projected for the South Coast Basin during that time period. Since the project would fulfill annual approximately 10 percent of the 1994 aggregate demand for Los Angeles County, and Los Angeles County is only one of the six counties contained in the South Coast Basin, and aggregate production is not the only mineral process in the South Coast Basin, it would appear that a fair argument can be made that the project represents a disproportionate amount of the air emissions budgeted for Mineral Processes and thus violates the AQMP. This would be a significant unmitigated project impact. B-30

Biota

This section of the EIS has been reviewed by Frank Hovore, a local biologist, who has detailed the technical deficiencies in the analysis is a separate memo. For this reason, my comments on the noise discussion are limited to the following:

- The biological resources analysis is based on studies which are largely over five years old. As detailed more fully in Mr. Hovore's comments, since these studies have been prepared there have been substantial changes in both the circumstances in the area and the designation of additional special status species. This constitutes substantial new information which is not considered in the EIS. The EIS analysis must be updated. B-31

- Figures 3.1.8-3 and 3.1.8-4 - should show the location of the wells and pipeline required by the project. The location of the three blueline streams should be clearly indicated on these figures. B-32

- Page 3-228 - Use of the word "substantial" in the wording of thresholds of significance sets the thresholds too high. It should be eliminated from the wording of the significance thresholds and the potential for project impacts should be reassessed using the revised thresholds. B-33

- Page 3-231 - As noted on page 3-83 of the EIS, two of the project's desilting/debris basins (Basins A and F) will be constructed in blue line streams. This is not discussed in the biota section of the EIS.

  The discussion of the impact of project on these blueline streams is inadequate. The statements on page 3-231 are conclusionary in nature. There are no facts or analysis contained in the EIS to support the contention that the following impacts are less than significant:

  - impacts to two blueline streams resulting from construction of Basins A and F;
  - impacts on the north-central channel draining to Been Canyon resulting from the construction of the NFSA;
  - and impacts to the southwestern channel resulting from Cut 3. B-34

  The statement that alteration of these channels will be subject to acquisition of the appropriate permits from the Corps and the CDFG is an example of improper deferral of mitigation. No evidence is provided to show that impacts can be mitigated, nor is the possible form such mitigation might take discussed. Without such a discussion, impacts to blueline streams are significant and unmitigated.

- There is no discussion of the potential impact of palliatives on vegetation on the project site. As previously noted, the EIS acknowledges the toxic nature of low levels of salt on plants. This potential impact must be addressed. B-35

- The EIS must analyze the impact to biological resources associated with the construction of the project's water wells and pipeline. B-36

- Page 3-232 to 233 - Once the noise analysis is corrected to address the comments of Hans Giroux, the project's potential noise impacts on sensitive wildlife should be reassessed. B-37

Cultural and Paleontological Resources

- The EIS preparers appear unaware of CEQA mitigation requirements for impacts to historical resources. The discussion and mitigation measures should be redone to address the requirements of Section 15126.4(b) et. seq. of the CEQA Guidelines. B-38

Both the CEQA and NEPA documentation for this project should be consistent with CEQA cultural resource mitigation requirements. B-38

Visual Qualities

- The analysis of visual impacts is totally inadequate. It mainly compares current land forms with the land forms which will exist in 20 years following restoration. The analysis largely fails to address the visual impacts associated with 20 years of ongoing mining on the site. The visual impacts associated with on-going mining are clearly significant. This conclusion is evident when one looks at the amount of activity that will be visible, based on Figures 3.1.10-8, 9, 10, 11, and 12. Impacts will be even greater than imagined in reviewing these figures, since they depict final contours, and do not include the benches and working roadways which would be visible (see admission on page 3-257). The EIS fails to adequately acknowledge or describe these significant adverse impacts. These are significant unmitigated impacts of the project. B-39

  The analysis must be redone to include an analysis of the effects of on-going mining on the site, by cut. The analysis must include a detailed discussion of the timing of the on-going restoration and the number of months, per view, that mining activities will be visible.

- Page 3-259 - The EIS indicates that revegetation will occur starting every growing season after mining activity in a particular area has ceased. The EIS must explain what is meant by a "particular area." Does this refer to a cut, or portion thereof? This term is very important to a reader seeking to understand how long cuts will remain exposed and the degree to which on-going revegetation will reduce visual impacts. Mitigation Measure VQ1 suffers from this same problem and must be further detailed to explain the timing of revegetation. B-40

- Page 3-259 - The EIS indicates that "because little topsoil in the areas will be disturbed, resoiling is not expected." It is unclear how wholesale mining can fail to disturb topsoil. This needs to be explained in more detail. B-41

- As previously noted, the EIS indicates that "Lignin sulfonates may cause aesthetic problems in surface water because of discoloration." This is a potentially significant aesthetic impact of the project, which is not addressed in the aesthetics analysis. Given the statement contained in the EIS, it would appear that the project would have a significant unmitigated aesthetic impact, which is not addressed in the analysis. An analysis of this potentially significant project impact must be added to the EIS. B-42

Traffic

This section of the EIS has been reviewed by Edward Cline, a traffic engineer, who has detailed the technical deficiencies in the traffic analysis in a separate memo, and by Tom

Kirk, a civil engineer, who has detailed the technical deficiencies in the pavement analysis in a separate memo. For this reason, I have not included comments on the traffic analysis.

Land Use

This section of the EIS has been reviewed by Lisa Hardy and Enrique Diaz of the City's Planning Department, who have detailed the technical deficiencies in the Land Use Section in a memo which is included as Attachment H. For this reason, I have not included comments on the land use analysis.

Public Health and Safety

- The EIS fails to address the potential increase in Valley Fever associated with grading on the project site. San Joaquin Valley Fever (Coccidioidomycosis) is a disease caused by a fungus *(Coccidioides immitis)* that is a common inhabitant of soil in desert and dry grassland areas of the arid and semi-arid portions of the southwestern United States from Texas west to California. The fungus generally enters the body through the lungs, carried on dust particles or spores. The incidence of reported cases of Valley Fever more than doubled in Los Angeles County in 1992, rising to 1.1 cases per 100,000 individuals, compared to an average incidence of 0.4 reported cases per 100,000 individuals the previous nine years (County of Los Angeles, Department of Health Services [DHS], 1992). Reported cases remained at this level in 1993 (County of Los Angeles, DHS, 1993), with the largest number of cases in both years occurring in the San Fernando Health District, an area that includes the Antelope, Santa Clarita and northern San Fernando Valleys. There was a total of 95 cases reported in each year for all of Los Angeles County. The number of cases reported in 1994 rose to 171 due to media attention to the Simi Valley "epidemic" following the January 17, 1994, earthquake which heightened awareness of both the public and the medical community to the disease. Since that time in Los Angeles County, the number of San Joaquin Valley Fever cases has tripled. The increase in reported cases in Los Angeles County parallels the trend reported for all of southern California and is probably related to recent climatic conditions. Abundant winter rainfall provides for heavier growth of the fungus, while subsequent summer drought conditions allow the spores to become friable and easily disposed by wind, construction and other activities. Project grading may have the potential to increase the incidence of Valley Fever in the area. This potential should be addressed in the EIS. B-43

Mitigation Measures

- Throughout the document, the mitigation measures are very poorly framed and are therefore, arguably unenforceable. It should be clear from the wording of the mitigation how the measure will be enforced, who will be responsible for implementing the mitigation measure, who will be responsible for enforcement, and the timing of the mitigation measure. Due to the need to the need for the project to comply with both CEQA and NEPA, mitigation measures should meet CEQA standards. In addition, mitigation measures should be framed as mandates, not B-44

recommendations. For this reason, the word "should" must be replaced with "shall," wherever it occurs in a mitigation.

A reading of Section 3.1.5 of the EIS demonstrates the problems with the mitigation measures as currently worded. For example, Mitigation Measure N1 contains the needed elements for a mitigation measure; Mitigation Measure N2 does not. As previously noted, this measure states what could reduce impacts, but provides no mandate that the required actions will occur. B-44

The specification of the air quality mitigations is particularly problematic. These mitigations are more an impact narrative, than specification of clear, implementable and enforceable mitigation measures. Mixing impact narrative with mitigations will make it more difficult to monitor and enforce the measures, since it becomes difficult to separate the required action from the conclusionary statement about the measures efficacy.

- The full Reclamation Plan should be provided in mitigation measure form and repeated in Section 3.1.18. B-45

Cumulative Impacts

Since the project must comply with both CEQA and NEPA, the analysis must, at a minimum meet CEQA cumulative impact standards. The cumulative impact analysis is inadequate:

- The cumulative analysis of water resource impacts displays the same errors which resulted in the Court invalidating the EIS in *Kings County Farm Bureau v. City of Hanford* (221 Cal.App.Ed 692). The EIS for the project does not contain a quantification of the water resource impacts of the cumulative projects on the cumulative project list. As the Court noted in *Kings County Farm Bureau*:

  > Absent some date indicating the volume of ground water used by all such projects, it is impossible to evaluate whether the impacts associated with the use of ground water are significant and whether such impacts will indeed be mitigated by the water conservation efforts upon which the EIS relies. (221 Cal.App.3d at 728-729).

  As with *Kings County Farm Bureau*, the EIS "merely assume[s] whatever impacts such projects may have will be mitigated by existing and planned water conservation efforts of governmental agencies in the area." The Court has held that this constitutes an invalid EIS. B-46

  The cumulative water quality, air quality, and biota analyses suffer from this same fatal defect.

- The cumulative noise analysis does not properly consider the cumulative impacts of truck noise from multiple projects in the area. B-47

- The cumulative traffic analysis does not properly account for the Passenger Car Equivalents (PCE) of truck trips generated by cumulative projects. B-48

- The cumulative analysis of visual impacts suffers from the same problem as the analysis of project visual impacts: it does not adequately consider the effect on on-going mining operations associated with cumulative projects on the visual character of the area. B-49

Alternatives

- As previously noted, the specification of the project's purpose and need has improperly constrained the analysis of alternatives. Once the impact analyses are corrected, we would ask that several reduced project alternatives, which are designed to lessen impacts, be included in the document. We would also ask for analysis of an alternative which provides for non-mining development on the site, consistent with the existing M-2 zoning and land use designation; an alternative which does not include off-site water development; an alternative which includes provision of a roadway for on-site hauling; and an off-site alternative like the Little Rock area. B-50

Editorial Comments

- The technical appendices are difficult to follow. There are appendices to some of the appendices, which have similar letter assignments as the main appendices. For this reason, it is difficult to find the referenced appendices. A consistent non-repetitive naming scheme for the technical appendices and their respective appendices should be developed. B-51

APPENDIX C
REVIEW OF THE GEOTECHNICAL AND WATER RESOURCES ANALYSIS
BY DOUG SANTO, CEG, CHG, WILLDAN ASSOCIATES

WILLDAN ASSOCIATES

MEMORANDUM

TO: Jeffrey Lambert, AICP
Director of Planning and Building Services
City of Santa Clarita

FROM: Doug Santo
Manager Geology/Geotechnical Division

DATE: June 7, 1999

SUBJECT: Engineering Geology and Hydrogeology Review
EIS - Soledad Canyon Sand and Gravel Mining Project

Mr. Lambert -

This presents our engineering geology and hydrogeology review of select portions of the Draft EIS for the Soledad Canyon Sand and Gravel Mining Project. As part of this work, we reviewed the following sections:

Section 1.1 to 1.4 inclusive
Section 3.1.1 to 3.1.2 inclusive

We have the following seven comments regarding seismicity, liquefaction, compressible/collapsible soil, slope stability, and hydrogeology. We believe the EIS has not fully evaluated potential impacts associated with these geologic hazards and conditions.

COMMENTS

1. Section 3.1.1.1 Setting, Seismicity: This section provides information on regional faults including maximum magnitudes, distance to the site, calculated ground motion from earthquakes, etc. The information is summarized in Table 3.1.1-1. C-1

   Two types of procedures are commonly used to evaluate site-specific ground motion, deterministic seismic hazard analysis (DSHA) and probabilistic seismic hazard analysis (PSHA). Deterministic procedures are used in the EIS. Both procedures rely on a comprehensive database of seismic characteristics for faults. The most widely accepted database was published by the California Division of Mines and Geology (CDMG) in 1996 as Open File Report 96-08 (OFR 96-08). The report presents a consensus opinion from

the local scientific community regarding earthquake parameters that contribute to seismic hazard. Page 3-14 of the EIS states:

> *Updated fault parameter information was obtained from Open File Report 96-08 published by the CDMG...*

Comparison of Table 3.1.1-1 from the EIS with similar data from OFR 96-08 shows significant discrepancies. Of the 10 faults listed in the table, nine show incorrect maximum earthquake magnitudes. Eight of the nine are lower than reported in OFR 96-08. The variation in magnitude is as high as 9%. Table 3.1.1-1 indicates the earthquake magnitudes listed are "Maximum Probable Magnitudes." The EIS does not define this term. Since the early 90's, the term "Maximum Probable" has been used in local practice to denote a probabilistically derived *ground motion,* not magnitude, equivalent to the Peak Ground Acceleration specified in Section 1629.2 of the 1994 Uniform Building Code (UBC) and 1995 L.A. County Building Code. The 1997 Uniform Building Code has the same definition. The codes define this ground motion as having a 10% probability of exceedance in 50 years. **We do not know how Maximum Probable Magnitude is used in the EIS, but it implies maximum earthquake events listed in OFR 96-08 were downgraded to a lower level event. We know of no accepted procedure or technique to downgrade maximum earthquake magnitude. In fact, when using deterministic procedures, the earthquake magnitude for any fault should be a maximum value (CDMG SP 117, 1997).** C-1

Another deviation from generally accepted procedures involves the calculation of site specific ground motion resulting from maximum earthquake events. Independent verification of the ground motion values listed in Table 3.1.1-1 using the 1994 Campbell and Bozorgnia attenuation relationship for Hard Rock sites indicates analyses in the EIS are based on mean, or 50th percentile, attenuation curves. Current practice in Southern California for DSHA and PSHA is to use mean plus one standard deviation, or 84th percentile, attenuation curves (CDMG SP 117, 1997; CDMG OFR 96-08, 1996). **The use of mean curves results in an under-prediction of site specific ground motion between 30% to 40%.**

Another question regarding the calculation of site specific ground motion presented in the EIS concerns site classification. The site is classified as Hard Rock for the purposes of the Campbell and Bozorgnia attenuation relationship. Hard Rock is typically considered igneous or metamorphic rock. Most of the site is underlain by Oligocene age non-marine sedimentary rock consisting of coarse fanglomerates. This material has been assigned to the Vasquez and Tick Canyon Formations. Earth materials in the upper 100 feet below ground surface are generally considered when performing a site classification. Recent attenuation relationships classify earth materials based on average shear wave velocity in this interval. This procedure was adopted in the 1997 UBC. The 1997 UBC has three classifications for rock including:

Hard Rock	$(\bar{v}_s > 5{,}000\,ft./\text{sec.})$
Rock	$(2{,}500\,ft./\text{sec.} < \bar{v}_s \leq 5{,}000\,ft./\text{sec.})$
Very Dense Soil/Soft Rock	$(1{,}200\,ft./\text{sec.} < \bar{v}_s \leq 2{,}500\,ft./\text{sec.})$

No information is provided in the EIS regarding shear wave velocities for bedrock units. Our experience in the area suggests the Vasquez and Tick Canyon Formations fall in the category for Rock with average shear wave velocities in the upper 100 feet below ground surface between 2,500 to 5,000 ft/sec. This is equivalent to a UBC type S_B, Boore, Joyner and Fumal type B, and a 1994 UBC type S_1. **Using a comparison of site classifications prepared by Ken Campbell (1996), the site should classify as a 1994 Campbell and Bozorgnia type Soft Rock. The EIS classifies the site as Hard Rock. This results in a further under-prediction of site specific ground motion between 13% to 18%.** C-1

Finally, ground motions calculated in the EIS are reduced by a factor of 0.65 in accordance with the notion of "Repeatable High Ground Acceleration." Repeatable high ground acceleration was developed in the 70's to account for the observation that the majority of the cyclic energy received during an earthquake has a lower amplitude than peak acceleration. This concept has generally fallen from favor, and is no longer used, at least in the calculation of peak acceleration for input to dynamic analysis procedures in the 1997 UBC, liquefaction analyses, dynamic settlement analyses, etc.

The combined affect of the discrepancies discussed above result in a final under-prediction of ground motion on site by 70%. This discrepancy affects other portions of the seismic hazard analysis such as evaluation of secondary effects of seismic activity including seismically-induced ground failure, liquefaction, and certain types of slope stability analyses. For instance, ground motion input has a large affect on the potential for liquefaction, which in later portions of the EIS has been determined to have a non-significant impact.

2. Section 3.1.1.2 Impacts, Liquefaction: The EIS identifies three areas on site prone to liquefaction, including the sand stockpile, the silt ponds and the Santa Clara River bottom.

Sand Stockpile - The sand stockpile will apparently be removed or compacted during grading for facility improvements, so no impacts are associated with it. C-2

Silt Ponds - The EIS states:

> *...The silt ponds in Area B are diked by a compacted road berm that will prevent spreading or flow of material into the Santa Clara River in the event of a strong ground motion or vibration. No project improvements are planned for the silt ponds, and no structures will be built on them; therefore, no associated liquefaction impacts are anticipated.*

No information is provided on the quantity, configuration and engineering characteristics of earth materials in the silt pond. No information on groundwater elevation is provided. No liquefaction or lateral spreading analysis is provided. No description of the compacted road berm is provided. There is insufficient information in the EIS to evaluate whether the road berm will prevent spreading or flow of material into the Santa Clara River. Figure 3.1.1-5 in the EIS shows the silt ponds are located in the central portion of Area B and cover roughly 1/6 of the total open space. Area B is to be leased for water and facilities development. No description of the proposed development is provided. The statement above indicates no project improvements are planned for the silt ponds and no structures will be built on them. While no improvements will be built on the ponds, facilities development will apparently take place around them, and may be potentially impacted by seismically induced ground failure. The potential impacts of seismically-induced ground failure to facilities development in Area B have not been evaluated. C-2

Santa Clara River Bottom - No analysis has apparently been performed to evaluate the potential impacts to proposed facilities development in Area B of liquefaction or other seismically-induced ground failure of materials in the Santa Clara River bottom.

No analysis has been provided regarding the potential for lateral spreading resulting from earthquake ground motion.

3. Section 3.1.1.2 Environmental Effects, Compressible/Collapsible Soil Potential: No analyses of the potential impacts of these hazards is provided in the EIS, though the majority of Area B may be subject to them. It is not clear why the CUP for the Curtis Mining operation would render such analyses unnecessary or result in a determination of no significant adverse impacts. C-3

4. Section 3.1.1.2 Environmental Effects, Slope Stability Potential; Section 3.1.1.3 Mitigation Measures: Slope stability analyses have been completed for the site. Some proposed slopes apparently have adequate factors of safety against failure while others will require mitigation. Fill generated during mining operations will be placed in slope areas at 75% relative compaction. This essentially means the soil will be dumped and spread in the fill area without compactive effort. Apparently both static and pseudo static analyses have been completed. Analyses of this type require detailed engineering geology and geotechnical engineering input. For instance, to perform a slope stability analysis the following information is required: C-4

- A topographic base map of the slope area showing existing, temporary, and final conditions.
- A geologic map of the slope area.
- A geologic cross section of the slope area showing interpreted subsurface conditions, and existing, temporary, and final slope configurations.

- Subsurface exploration in the slope area upon which the cross section is based.
- Laboratory testing to determine the engineering characteristics of the various earth materials, especially fill soils at 75% relative compaction, including wet density and strength.
- Ground motion estimates from the seismic hazard analysis.

C-4

The analysis itself may include several cases depending on site conditions and slope configurations. The EIS references many reports by Hilltop, ESI, and STE, presumably documenting the stability analyses. These documents were not provided for review. Without these documents, we can not perform a detailed review and cannot assess whether the potential impacts have been properly identified, thoroughly analyzed, or adequately mitigated.

5. Section 3.1.2.2 Environmental Effects, Projected Water Use in Relation to Resource Availability: The amount of groundwater withdrawal by the project considered to have a significant impact is not quantitatively defined. The amount may change depending on rainfall, aquifer storage, and the season of the year. The EIS admits that during periods of prolonged drought, Project extractions could have a significant impact on downstream flow. Because of this condition, the three factors require careful consideration.

First, the total volume of groundwater in storage is estimated by the EIS at 757 acre-feet, with 123 acre-feet downstream of the Old Lang Gaging Station. However, only the southwest corner of the project is located in the Santa Clara River Channel. This portion of the channel is a meander swing and, for the purposes of drawdown estimation from pumping, is likely hydraulically isolated from downstream portions of the river channel. That is, pumping wells located within the project boundary would not tap groundwater resources located a significant distance downstream. For this discussion, a significant distance downstream may be taken as the horse shoe bend in the river channel roughly 2,000 feet south of the south project boundary. No discussion regarding locations of pumping wells is provided. No hydrogeologic cross sections were apparently completed within the project boundaries, except for a portion of Section OG (Figure 3.1.2-5). No hydrogeologic cross sections are included in the EIS for review.

C-5

When water is released from a saturated material, the material releases only part of the total volume stored in its pores. The volume of water taken into or released from storage in an unconfined aquifer, per unit change in head, per unit area, is defined as the *Storage Coefficient*. No information is provided in the EIS regarding the storage coefficient for the aquifer. In general, storage coefficient varies widely depending on material type. In sand and gravel aquifers it is generally between 15% to 30% (Driscoll, 1986). To calculate the total volume of groundwater in the aquifer available to pumping, the total volume estimate given in the EIS should be multiplied by 0.15 to 0.30.

Based on the above, the amount of aquifer storage seems largely overestimated. If aquifer storage is lower than estimated, it would increase the frequency with which project groundwater withdrawal may impact downstream flow and habitat. We believe aquifer storage has not been fully evaluated. C-5

6. Section 3.1.2.2 Environmental Effects, Aquifer Storage and Effects of Pumping During Wet Season:

The EIS states:

> *...During the wet season, it is anticipated that TMC's use of water will be wholly replaced by inflow to the aquifer (composed of a combination of subsurface underflow from upstream and infiltration of rainwater). The downstream flow will normally continue with a reduction in surface flows from 35 to 65 acre-feet per month (depending on project phase), and there should be no significant reduction of available water in storage in the alluvial aquifer during the wet season...*

And later: C-6

> *...The above assumes no net drawdown of water stored in the aquifer...*

The statements above are based on a 21-year average of monthly surface water flow at the Old Lang Gaging Station between the water years 1949-50 to 1969-70. The Old Lang records are in Table 3.1.2-4. Comparison of the average monthly flow versus TMC water use and downstream surface flow after pumping are in an unnumbered table on page 3-67. First glance of the table on page 3-67 would tend to support the above conclusions. However, analysis of the records in Table 3.1.2-4 is not so clear. For instance, analysis of the two-year period between 1963-64 to 1964-65 shows that if Phase II operations were ongoing during this interval, the groundwater withdrawals from the project would have resulted in a loss of surface flow during seven months the first year and all 12 months the second year. The cumulative affect of this could last many months into the third year depending on rainfall conditions. During this time, drawdown in the aquifer would be significant and would affect underflow in the river to a large degree. Insufficient information is presented in the EIS to fully evaluate drawdown and potential affects on underflow and downstream conditions.

7. Section 3.1.2.2 Environmental Effects, Geologic Impacts: The EIS concludes no significant impact from settlement due to groundwater withdrawal because the unconfined alluvial aquifer has been subject to repeated cycles of drought and wetting. While this is a true statement, it does not necessarily support the conclusion. Groundwater withdrawal and associated lowering of the water table may be much greater than the area has previously experienced, based on the limited analysis presented above. We believe the potential for settlement from groundwater withdrawal has not been fully evaluated. C-7

CLOSURE

This review was performed in accordance with generally accepted professional engineering geology and hydrogeology principles and practice in Southern California at the present time. We make no other warranty either express or implied. The above comments are based on review of work by other consultants. No subsurface exploration or laboratory testing was performed.

We appreciate the opportunity to be of service. Please call if you have questions or would like to discuss this review in more detail.

Respectfully submitted,

WILLDAN ASSOCIATES

Douglas S. Santo, CEG 1866, CHG 450
Manager
Geology/Geotechnical Division

APPENDIX D
REVIEW OF THE
WATER QUALITY ANALYSIS
BY ELROY KIEPKE, REGISTERED CIVIL ENGINEER,
WILLDAN ASSOCIATES

WILLDAN ASSOCIATES

MEMORANDUM

TO: JEFFREY LAMBERT, AICP
DIRECTOR OF PLANNING AND BUILDING SERVICES
CITY OF SANTA CLARITA

FROM: ELROY KIEPKE

DATE: MAY 26, 1999

SUBJECT: EIS REVIEW-SOLEDAD CANYON SAND AND GRAVEL MINING PROJECT

As requested, I have reviewed the EIS for the Transit Mix Concrete Mining application in Soledad Canyon. The following issues appear to be inadequately addressed in the EIS.

The plan proposes a program of inspections on a monthly, quarterly and annual basis. During the dry season, the monthly inspections are adequate, however, during the rainy season, periods of extended rains can lead to system failures which will go undetected if the monthly inspections are strictly adhered to. This will result in significant unmitigated impacts. The SWPPP, as written, will not mitigate impacts to a level which is less-than-significant. Construction Activity permits are required to make inspections of sedimentation facilities after every storm event and every 24-hours during prolonged storm events. D-1

The monthly inspection form is inadequate. It does not provide guidance to the inspector regarding the operation of the desilting basin, the drainage systems that feed the basins and other components of the erosion control system. As a result foreseeable problems may go unnoticed. This will lead to greater-than-design sedimentation loads, which will reduce the capacity and effectiveness of the sediment basins. This will result in significant unmitigated impacts. The SWPPP, as written, will not mitigate impacts to a level which is less-than-significant. D-2

The plan identifies a series of desilting basins to treat sediments discharged from the facility. The plans do not identify how the basins will be sized nor are there any details of the proposed basins in the EIS document. It is, therefore, not possible to determine if the basins constitute adequate mitigation. The EIS thus fails as an information document, since this omission precludes meaningful review and comment. D-3

The Water Quality Section, page 3-109, mentions that sandbags will be placed on the benches and roads across the longitudinal flow lines, as necessary, for temporary drainage control. This proposal is not practical and will not be implemented at an operating aggregate mine. This D-4

mitigation is inadequate and significant unmitigated impacts will result. Without staged controls on drainage, the desilting basins which have not been adequately described to provide opportunity for meaningful review, become the sole and last line of defense. At a minimum, the project should incorporate permanent drainage devices to support the desilting basins.

The Water Quality Section, page 3-109, mentions the capacity of drainage facilities are designed to retain debris of a 50-year storm event and allow for a delayed release for lower intensity higher frequency storms. The outlet is to be designed for a 40-hour release time. This will require a complex and intricate outlet structure. No details have been provided which indicate anything other than a CMP standpipe with torch cut holes. Thus, it would appear that the facilities, as described, do not meet the mitigation standard. Significant unmitigated impacts will result. D-5

The desilting basins are the main protection proposed for this site. The site will have large disturbed areas exposed in the mining operation and in the North Fines Storage areas. These disturbed areas will generate large volumes of silt to the basins. The plan does not establish the maintenance schedule for these facilities. Every cubic yard of material deposited in the basins will reduce the storage capacity for the basin and it will reduce the retention time for all storms. Since the mitigation does not include a maintenance schedule or standards, the potential for significant impact remains. D-6

The SWPPP indicates that vehicle maintenance operations will take place under the elements. No special Best Management Practices (BMP's) are identified to address the potential pollution that will result. Therefore significant unmitigated impacts will result. Soil contaminated by oil or hydraulic fluid leaks must be cleaned up immediately. The preferred practice would be to perform the required maintenance inside of a structure in an area that will not expose the pollutants to weather. Unless appropriate mitigation measures are added, significant unmitigated impacts will result. D-7

APPENDIX E
REVIEW OF THE
NOISE AND AIR QUALITY ANALYSES
BY HANS GIROUX,
GIROUX & ASSOCIATES

(based on review of the EIR - the same comments are applicable to the EIS)

Giroux & Associates
Environmental Consultants

MEMO

TO: Jeffrey Lambert; Dir. of Planning & Bldg.
City of Santa Clarita

FROM: Hans D. Giroux; Giroux & Associates Hans Giroux

RE: Soledad Canyon Sand & Gravel Mining Project DEIR

DATE: June 30, 1999

At the request of Dr. Susan O'Carroll of Willdan Associates, we prepared a peer review of the DEIR in the technical areas of air quality and noise. While we did not discover any "fatal flaws" in the materials we reviewed, there are a number of technical issues that merit re-analysis or a clarifying response.

Based upon our experience in CEQA document preparation and analysis, we believe that the alternatives analysis has purposely been artificially structured to force this project to be environmentally preferred. Hauling aggregate by rail from this location would eliminate truck hauling impacts over a large distance on congested Santa Clarita area roads. Rail hauling from a more remote location would eliminate both the traffic impacts to air pollution and noise, as well as local dust and noise nuisance impacts within the project vicinity. Both alternatives are erroneously downplayed as having equal impacts to the project.

The cumulative project analysis is woefully deficient. The DEIR states that each new aggregate project will mitigate its own impacts. Nowhere is there any acknowledgement of a non-mitigable, multiple-project cumulative impact. We would stress that the cumulative analysis is critical in light of the Kings County (1990) decision. Mr. Willis can address this question in more detail. Our technical findings are detailed on the attached pages. Please call me with any questions.

17744 Sky Park Circle, Suite 210, Irvine, California 92614 - Phone (949) 851-8609 - Fax (949) 851-8612

NOISE

Page 3-124, Proximate Receptor Noise Levels. Noise/land use compatibility standards for roadway sources are expressed as CNELs. How were the 15-minute readings (LEQ) converted to CNELs? E-1

Page 3-126, Agua Dulce Noise Levels. Again, how were short-term readings related to 24-hour CNELs? E-2

Page 3-128, Significance Criteria. The Los Angeles County Noise Ordinance (Section 12.08 of the County Code; i.e., "Noise Control") is missing from the discussion. The County noise ordinance standard is stated as being "65 dBA CNEL." This is incorrect. Please see Section 12.08.390 of the County Code for the correct significance criteria. Revise the noise analysis in light of the correct criteria. E-3

Page 3-142, Off-site Vehicle Travel. Requiring a project to double the volumes on a roadway to create a significant impact would allow any one project to generate 75,000 ADT on SR-14 and still not have a significant noise impact because there are already 76,000 ADT on the freeway. The next project could add 150,000 ADT and not have a significant noise impact. Two or three more projects later, there could be a million cars a day on the Antelope Freeway, and nobody has caused a significant impact by this fallacious line of reasoning. E-4

Page 3-146, Cumulative Impacts. Trucking activity noise impacts from multiple projects appear to not have been discussed. E-5

Page 3-146, Alternatives. Replacement of truck haul noise impacts by rail transport has not been considered.

AIR QUALITY

Page 3-154, Table 3.1.7-1. This table is out-of-date and contains several factual errors. E-6

Page 3-155, Table 3.1.7-2. This table is out-of-date and should be updated. E-7

Page 3-156, Air Quality Management Planning. The tiered structure of the AQMP refers to previous plans. The adopted 1994 AQMP does not contain this tiered system of measures. E-8

Page 3-159, Air Toxics Assessment. The fact that quarries and processing plants are not subject to SCAQMD Rule 1401 is not a sufficient basis to conclude that "no toxic air contaminants are associated with the project" as stated. Particulates from quarries and processing plants may contain asbestiform materials, crystalline silica and crustal metals such as copper, nickel, mercury, etc. All three materials are toxic air contaminants (TACs). The EIR fails to acknowledge the possible existence of such TACs, and provides no impact analysis/health risk assessment to support any finding of insignificance. This exclusion of an air toxics impact assessment is a fatal flaw in the air quality impact analysis. E-9

Page 3-160, Significance Criteria. These standards should be restated to be consistent with the most current CEQA Guidelines Appendix G requirements. E-10

Page 3-161, Construction Fugitive Dust. The assumption that six pieces of heavy equipment and a water truck would never operate outside a 1.05-acre area during an entire month is not believable. Six pieces of heavy equipment operating within a 220' X 220' area without ever moving outside that boundary for an entire month would produce numerous collisions. This assumption fails the "straight face test" and needs to be revised. E-11

Page 3-161, Construction Fugitive Dust. This discussion fails to include any reference to San Joaquin Valley Fever whose spores may be disseminated during surface disturbance during construction and subsequent quarrying operations. Spores of molds and other fungi released from the soil may also trigger asthma or other allergic responses. E-12

Page 3-165 and 3-170, Tables 3.1.7-5 and -8. These calculations do not include PM-10 generated from material dropped from haul trucks, blown off by wind erosion during transport, and from turbulence generated by large haul trucks moving at a high rate of speed on winding roads such as Soledad Canyon Road. E-13

Page 3-176, Mitigation. High truck speeds during 24-hour per day hauling cause <u>increased</u> emissions once speeds exceed approximately 45 mph. Nocturnal hauling of itself would have a greater impact. Its air pollution benefit comes from decreased competition with background traffic, not from hauling fleet pollution efficiency. E-14

Page 3-182, Mitigation. Tarping of aggregate hauling trucks would substantially reduce dust emissions and prevent innumerable broken/chipped windshields, paint jobs and other damage. Rocks thrown by E-15

aggregate haul trucks often cross the center divider, or they are shot backward from the tires of a subsequent vehicle with attendant collateral damage. Tarping 500 project haul trucks per day would reduce dust emissions and ejected material from 156,000 loaded haul trucks per year. E-15

Page 3-183, Air Dispersion Modeling. SCAQMD Rule 1303 states that a facility shall be denied a permit to operate if the project causes a "significant change" in off-site ambient concentrations. Since the project clearly would cause a significant change, how will this issue be resolved; i.e., will the project not move forward because of a likely inability to comply with SCAQMD requirements? E-16

Page 3-184, AQMP Consistency. SCAQMD Regulation XIII also requires that projects provide emissions offsets in appropriate amounts for specified pollutants. When will TMC obtain such offsets, and are they available in sufficient quantities to meet Reg. XIII standards? E-17

Page 3-186, Cumulative Analysis. Various other nearby sand and gravel projects are in multiple stages of planning and permitting. There is not a cumulative project impact analysis that meets CEQA requirements within the air quality analysis. Is this required analysis missing, or is it elsewhere in the document? E-18

Page 3-186, Alternatives. Was rail haul to eliminate 500 two-way (1,000 total) daily truck trips considered? With rail haul, are alternate sites viable for aggregate production? E-19

APPENDIX F
REVIEW OF THE
BIOTA ANALYSIS
BY FRANK HOVORE,
FH&A

(based on review of the EIR - the same comments are applicable to the EIS)

FH & A

(661) 250 - 8311; fax 298 - 7579; e-mail: fthovore@smartlink.net

Frank Hovore & Associates
14734 Sundance Place
Santa Clarita, CA 91351-1542

30 June 1999

To: Jeffery Lambert, Director of Planning and Building, City of Santa Clarita

From: Frank T. Hovore, Principal Biologist, FH&A

Regarding: Comments on the DEIR Biota Section and supporting documents, Transit Mixed sand and gravel mining project, Soledad Canyon, L.A. County, CA

I am an independent environmental consultant with nearly 30 years of direct experience working on biological assessments and management issues within the Santa Clarita Valley. Through my consulting company, Frank Hovore & Associates, I have conducted EIR level field studies and produced biological impacts assessments for dozens of land use proposals within the Santa Clarita Valley, and for public works projects by local, state and federal agencies. I maintain an up-to-date and comprehensive database for regional biological issues, and routinely interact with local environmental groups. As former Natural Areas Administrator for the County of Los Angeles, Department of Parks and Recreation, I directly supervised operations, maintenance and resources management for Natural Areas parks and sanctuaries within the region, including Placerita Canyon, Vasquez Rocks, Devil's Punchbowl, and 8 high desert wildlife sanctuaries. Additionally, I am an active member of Los Angeles County Department of Regional Planning's Significant Ecological Areas Technical Advisory Committee (SEATAC), which annually reviews numerous development-related biota reports and constraints analyses in the site vicinity. I feel that my knowledge of biological issues relative to the proposed Transit Mixed mining proposal adequately qualifies me to comment upon the project DEIR Biota section, Habitat Protection Plan, and supporting biological studies.

The Transit Mixed Concrete Company sand and gravel mining project proposes to mine 56 million cubic tons of materials from a 460 acre ridgeline parcel adjacent to the Santa Clara River, at the western end of Soledad Canyon, in Los Angeles County, but only one mile of the eastern boundary of the City of Santa Clarita. Processing operations will be located on a contiguous additional 40 acre parcel, encompassing an approximately 1/4 mile reach of the Santa Clara River. Careful review of the biological documentation for this project found it to contain significant omissions, errors of fact, misassumptions, and technical inadequacies. These are addressed within the following discussions and comments.

Potentially significant biological impacts arising from this project include: physical alteration and removal of canyon, slope and ridgeline habitats; construction of debris basins in all tributary drainages around the property boundary; deposition of fines in Bee Canyon watershed; construction of access roads around the mine periphery; topsoil stockpiling; construction of processing facilities on uplands adjacent to the Santa Clara River; noise, light, dust, and human activity associated with mining and processing activities; increased vehicular traffic on Soledad Canyon Road; disruption of existing migratory pathways and wildlife corridors; subsurface water drawdown within the river basin; and introduction of toxic or polluting materials into subsurface and surface hydrological systems.

The DEIR (Section 3.1.8.4, p. 224 et seq.) bases its assessment of impacts and significance primarily upon biological studies conducted on the site by the Chambers Group (and subcontractors). The biotic analysis finds the following issues of significance:

- removal of 187 acres of natural vegetation, including 183 acres of "coastal sage scrub-semi-desert chaparral;"
- loss of small populations of agency-listed sensitive plant species;
- loss of 187 acres of general wildlife habitat;
- "stray" lighting impacts to adjacent wildlife habitat areas;
- reduction or loss of habitat quality and extent for the unarmored threespine stickleback (UTS) within the Santa Clara River;

DEIR Section 3.1.8.5 (p. 3-230) suggests mitigation measures which, if implemented, "will reduce the identified impacts to a less-than-significant level." The DEIR also states that there will be no significant unavoidable adverse impacts to natural resources remaining after mitigation.

A review of the information and assertions of the DEIR and supporting field studies concludes that: (a) the baseline data, methodologies and assumptions of the DEIR consultants were fundamentally flawed; (b) their analyses substantially underestimated the spectrum of sensitive resources within the impacts area; (c) the potential significance of impacts analyzed were substantially understated; (d) the project has the potential to generate additional significant biological impacts not considered within the DEIR; and (e) some of the suggested mitigation measures cannot fully mitigate biological resource impacts to levels of less-than-significant. Detailed reviews of these issues are provided in the following discussions.

Impacts to wildlife (general): the DEIR finds the loss of 187 acres of wildlife habitat on the project site "adverse and significant because there will be a substantial loss of wildlife diversity" (p. 3-226, pgh. 2). Mitigation for this loss will be accomplished by reclamation and revegetation of disturbed habitat. The DEIR assumes that because the site is contiguous with the Angeles National Forest and other open space habitat, "more mobile species" will escape into adjacent areas, and "reinvasion of wildlife into the reclaimed project habitat from outlying areas is likely to occur." The DEIR concludes that impacts to wildlife are adverse but less-than-significant following reclamation of mined areas.

Most wildlife species on the property are smaller taxa with lower rates of individual mobility (such as reptiles, rodents, arthropods), and in such groups virtually all individuals and their habitat within the areas of direct mining impacts will be extirpated by the extraction processes. This eventually could amount to an almost complete loss of biological diversity for the area of impacts, which has correctly been identified as a significant adverse impact of the project. Further, the mined soils upon which the re-vegetation would be performed will lack the natural features of a native substrate, and the biological diversity of re-vegetated areas at most will be a minor fraction of that which was lost (see discussion of vegetation impacts, below). Recontouring the surface will mimic natural slopes and grades where proposed, but the mining spoils will largely consist of raw, subsurface minerals, lacking the accumulated organic matter of native topsoils. There is no guarantee that such soils will permit natural revegetation of the mined areas, or that the retorted planting program proposed for reclamation (consisting of less than 30% of the existing species diversity) will suffice to attract or support native wildlife. The revegetation program proposed to mitigate direct habitat losses cannot reduce general impacts to wildlife to a level of less than significant.

F-1

The mitigation contention that reclaimed habitat would be re-invaded by native species is simplistic and unsound, failing to consider any of the ecological variables affecting the assumption. Wildlife recolonization from adjacent open space will be governed not only by the mobility and movement propensity of the affected species, but also by the diversity of substrate values, microhabitat types present, and plant diversity on the reclaimed areas. According to the recovery plan (Section 1.5 et seq.), the cut mineral base will be terrace-graded to minimize erosion, then revegetated with materials gathered from the site prior to commencement of mining. There is no mention of soil preparation, or creating a diverse matrix of soil characteristics such as presently exists on the site, or over recontouring the mined areas to simulate natural habitat conformation. The intended use of topsoil in site preparation (Section 1.5.2.2) appears to be contradicted for slope and quarry sites by the description in Section 1.5.1.2, which states: "all slopes will be serrated with 4- by 4-foot steps. The horizontal portion of each bench will be sloped slightly downward, from front to back, to promote water collection and absorption and minimize erosion." Thus, all new habitat areas to be reclaimed will consist of ledges of exposed parent material, most surfaces of which would not hold topsoil applications. Steps do not mimic natural relief features, lack ecological complexity, and have 4 foot high vertical faces, presenting a difficult surface profile for upslope movement by lower mobility wildlife species.

The homogeneity of the terrace configuration, combined with the lack of normal soil characteristics, will severely retard growth rates and species diversity within the revegetation areas, resulting in a very limited array of forage values, larval host plants, shelter sites, niche structure, and other features of a natural environment. Limited ecological opportunities will act as a filter against recolonization of the site from adjacent areas, where habitat values naturally are superior. Only those species which are capable of living in highly disturbed, low diversity habitat types would be capable of establishing themselves on such substrates. Many such ecological generalists are non-native or aggressive native taxa, and their presence would further inhibit colonization by more specialized or sensitive species.

F-1

Additionally, exposed mining substrates usually are denser and rockier than natural topsoils, having not been broken by roots and water penetration, and so are less suitable for burrowing or tunneling species such as reptiles and rodents, which are essential to the recovery of faunal diversity. The project proposes to reclaim areas incrementally as mining progresses, so the rate of recovery will be slowed even further by the presence of on-going disturbances on adjacent portions of the project site.

The loss of wildlife habitat is a direct impact for the animals present, and it is not only habitat that will be lost, but the individuals themselves of most species. The assumption that wildlife values will be recovered, and species diversity regained, via "reclamation" of habitat by revegetating the site over 20 years time or longer has not been demonstrably proven by the applicant. Replanting barren mining spoils areas only starts a very lengthy recovery process, and itself does not re-create habitat biologically or ecologically. The existing site habitats are comprised of many hundreds of species of plants and animals, along with a wide diversity of non-living components, supporting and competing with one another in an almost infinite web of interactions. The biological diversity index of any such site is determined by the total species present, factored with the range of ecological opportunities available (such as microclimates, topographical relief, soil matrices, etc.). The recently re-vegetated mining soils would only have a diversity index relative to the plant species seeded or planted-in, or about the same as a new garden or yard. There is no assurance that the reclaimed site will ever return to anything approximating the original floral, faunal or ecological diversity, or ever again support sensitive species of plants and wildlife. Performance standards for this type of mitigation proposal must include baseline

data for the site prior to disturbance, with contingency plans and responses for failure to restore species diversity and habitat structure. Impacts to wildlife on the site remain unmitigated, significant and adverse. F-1

Impacts to wildlife along the riparian corridor: The DEIR identifies preserving downstream habitats along the Santa Clara River as the "greatest offsite concern" (p. 3-228, pgh. 2). It further states that "increased [project] disturbance could disrupt diurnal wildlife activities such as foraging, predator avoidance, and courtship," and "Increased noise levels in the riparian areas may greatly impact nesting and foraging behavior of smaller birds." The report concludes, however, that noise levels will not exceed 65 dBA in the riparian habitat, and that such levels would be potentially adverse, but not significant. However, in the following subsection ("Sensitive wildlife - riparian birds), it is stated that combined noise levels from the project are expected to exceed 65 dBA within the riparian corridor, but that sensitive bird species analyzed are known to inhabit areas that are impacted by roadway noise up to 70 dBA [data not referenced]. It also notes that blasting "will be limited to levels normally acceptable at residential receptors, and does not represent a significant effect by itself."

The "*Draft Comprehensive Species Management Plant for the Least Bell's Vireo*" (San Diego Assoc. of Governments [SANDAG], 1990), carefully analyzed noise effects on smaller songbirds, with emphasis on the vireo. That report states, " Proposed activities which produce essentially continuous noise levels above 60 dBA within habitat areas may affect the suitability of such areas for use by least Bell's vireo for nesting." It adds that "such proposed activities must include either appropriate mitigation measures to reduce noise levels in the affected area or mitigation in the form of provision for replacement proportional to the area affected." The U.S. Fish & Wildlife Service (07 March 1997), in a biological opinion relative to proposed activities in willow riparian areas in Riverside County, stated, "The Service has used 60 dBA hourly as a practical threshold above which significant impacts to the vireo might occur... ." F-2

Brattstrom and Bondello (1983, *Effects of off-road vehicle noise on desert vertebrates*, in Webb and Wilshire, *Environmental effects of off-road vehicles*) cite focused studies of the effects of vehicle noise of both long and short duration on lizards, amphibians and rodents, in which serious and in some instances, permanent damage to the hearing and behavior functioning of these animals occurred. While these studies are not directly comparable with the noise issues of the project, they strongly suggest that any activity which produces chronic levels of noise (i.e., long-term or persistent for several hours) above 65 dBA, or which periodically produces very loud noises of shorter duration (above 110 dBA), could adversely affect wildlife species within the zone of direct noise impacts. For the proposed project, the estimated zones of noise levels of 75 dBA extend outward to a distance of 400 feet; 67 dBA to 1,000 feet, and 65 dBA to 1,250 feet or more. This means that the potential zone in which significant adverse physiological impacts to wildlife may occur would extend for nearly one-quarter mile around the project noise source areas. The entire reach of the riparian corridor lying within the zone of 65 dBA or greater for chronic noise levels will very likely be render unsuitable resident or breeding habitat for songbirds and other disturbance-sensitive wildlife, including listed species such as southwestern willow flycatcher, summer tanager, and yellow warbler.

The direct impacts of blasting noise adjacent to sensitive species habitats is not as clearly determinable from literature sources, but the SANDAG report does state that, "Very loud noises (greater than 110 dBA) can cause physical damage to the auditory system of most vertebrates." It is reasonable to assume that blasting will at the very least disturb noise-sensitive species residing or breeding in nearby natural areas, and may have the potential to cause significant neurological damage to some species. Whether or not continuous mining

noise would directly affect nesting success for sensitive species in adjacent riparian areas is difficult to ascertain because of distance and masking factors; however, where effects of adjacent land uses on least Bell's vireo reproductive success at three sites in San Diego County have been documented (SANDAG report, p. 71, Table 20), vireo nesting and success levels were both 0% at sites adjacent to sand mine operations (which typically are quieter than gravel mines, and do not include blasting).

F-2

Thus, the contentions of the Chambers report clearly are at odds with the conclusions of widely accepted noise impact studies, and there is at least a moderate to high potential for project noise to adversely impact sensitive wildlife species within the riparian corridor (and on upland sites as well). The DEIR evaluation of noise impacts to sensitive bird species and other wildlife fails to recognize accepted levels of significance, and does not address the potential for significant impacts to sensitive habitats and wildlife arising from the projected noise levels of mining activities and associated traffic. In short, the DEIR has neither adequately evaluated nor mitigated the potential for significant adverse biological impacts resulting from either chronic or short-term project noise.

Impacts to natural vegetation formations: DEIR Section 3.1.8.4, Onsite Impacts, General Vegetation (p. 3-225), assesses the importance of impacts to natural communities by comparing the acreage of the site, by habitat type, to like acreage of open space within the surrounding National Forest. Although the percentage of loss, relative to surrounding forest areas, appears to be minor, the report correctly concluded that the "loss of natural vegetation is considered a potentially significant adverse impact," and refers to Mitigation measure B1 (p. 3-229). This measure concludes that the "impacts associated with the loss of natural vegetation communities and wildlife habitat in the Project area are less than significant with implementation of the Reclamation Plan."

As was noted in the preceding discussion, the mitigation reclamation plan does not in fact replace or directly restore the biological values which will be lost, and at most proposes to reseed or plant a minor fraction of the original floral diversity. The performance standards (Sec. 1.5.2.7) indicate that the mitigation will be considered successful if species diversity is "at least 45 percent of the existing community" after five years. According to appendix F1 of the DEIR, the overall site contains 107 native plant species, 69 of which were recorded in the "Baseline vegetation survey" (Table F3-4); the proposed seeding and container stock revegetation program (Table 1.5.3, 1.5.4, 1.5.5) contains a total of 20 species (counting only one of two subspecies of California buckwheat), which equals only 29% of the baseline species diversity, and 19% of the overall existing diversity. The proposed performance standard success criteria requires a return to at least 45% of the lost diversity, approximately 15% less than will be reintroduced to the reclamation areas. Perhaps the prescription assumes that the remaining species diversity shall somehow self-recover, as there is no further measure proposed to increase plant species diversity.

F-3

The lack of other essential ecological components on mined areas and spoils will not approximate natural topographical or edaphic diversity, and the long-term pattern of use and disturbance likely will preclude many of the more sensitive species lost from recolonizing from adjacent lands or adventitiously. The text (p.1-59) states that "some species [proposed for introduction] are not native to the Project site locality but are used in he seed mixes because these species do well in new or disturbed soil, stabilize the soil, or in some way improve the soil. These species will eventually be outcompeted by the local native species and are not considered invasive." Interestingly, the two species included in the seed mix as "not native" both do in fact occur on the site (although one, *Lupinus bicolor*, was not included in the plant species list, App. F1), and are native to the site. The persons preparing the plant species palette appear to have not been fully familiar with the flora of the site, nor with the stated species diversity success criteria for the revegetation

effort. The reclamation program proposed as a project impact mitigation measure will not adequately replace lost floral diversity, nor restore or recover lost habitat values for wildlife; the impact identified in the report as "significant and adverse" would remain so even with the implementation of Measure B1.

Note: the reclamation effort lacks specifications and assignment of responsibility for much of the requisite tasks. For instance, the DEIR states that seed collection or procurement will be done, but does not identify who will perform these services; it further states that plants for revegetation will be grown "by persons with experience in native plant propagation," but again does not identify who these persons might be, or establish a contractual obligation for the task. Such vague assignment of responsibility to unspecified entities is repeated several times within the reclamation program, without providing any contractual guarantees or identifying persons possessing the necessary expertise. Since it has been abundantly demonstrated herein that the preparers of the document lacked expertise and specific knowledge of the resources present, there is no reason to assume that they would either be capable of properly performing these tasks, or assigning them to another entity. This DEIR should not be accepted without these types of obligations first having been assigned to specific entities with proven knowledge and expertise for the tasks, and with the appropriate contractual and financial bonding in place (as is required by the state Mining and Reclamation Act). F-3

Impacts to wildlife movement corridors: Section 3.1.8.4 (p. 3-226, pgh. 3) states: "Some increase in the frequency of roadkills may occur with the increase in vehicular traffic on Soledad Canyon Road. However, the majority of the Project traffic will occur during the day, and most wildlife movement in the vicinity of the site would occur during the night." This section further asserts that because the mining activity will be north of Soledad Canyon Road, it will not impact the Santa Clara River corridor nor disrupt movement within its tributary systems. The DEIR then concludes that there would be no significant adverse impacts to wildlife movement corridors.

The Santa Clara River arguably is the single most important wildlife movement corridor, and habitat linkage zone in this part of the state. Terrestrial wildlife movement originating in the Sierra Nevada, Owens Valley, Antelope Valley and eastern California desert ranges, San Gabriel range, and San Bernardino Mountains historically would be "funneled" westward through the Acton - Agua Dulce passage by the configuration of the major fault zones and mountain ranges; once within the Santa Clara River basin, species can move northward through Tejon pass to the Central Valley, southwest through the Simi and Santa Susanna hills, or directly west to the coast along the river channel. The importance of the Santa Clara River drainage within this region-wide linkage is obvious, and the importance of such a linkage to native wildlife population dispersal and genetic interchange is equally obvious. While the development of the Santa Clarita Valley has largely obstructed terrestrial movement zones through that area, the Santa Clara River basin remains as a relatively clear passage route, and it must be remembered that the river and its tributary streams comprise a natural habitat and dispersal zone for freshwater aquatic flora and fauna, including several agency-listed species of fish. F-4

Any action which broadly obstructs such passage, increases levels of disturbance along the river route, or significantly increases vehicular traffic along Soledad Canyon Road has the potential to generate significant and adverse impacts to the corridor. The proposed project would extend across the central portion of the ridgeline from the Antelope Valley Freeway to the river (separated only by Soledad Canyon Road and existing mining operations), and thus would effectively obstruct terrestrial east - west movement along this route; proposed processing facilities would situate light, noise, dust, traffic, and other human activities adjacent to the river channel. Any of these actions has the potential to substantially disturb

or disrupt wildlife use of the river channel, and interfere with normal passage through the area by species which are sensitive to human disturbance. Any action which substantially interferes with wildlife movement or corridors, or reduces natural habitat values along such routes, would be considered a significant adverse impact under CEQA, but the DEIR failed to recognize this issue, and proposes no mitigation for such actions.

Increased vehicular traffic on Soledad Canyon Road will incrementally increase the number of roadkills along the haul route, and contrary to the stated opinion of the DEIR, the likelihood of sensitive species being run over on the road is as great during the day as during the night. Of the 15 reptile species listed from the site in the DEIR (table, p. F2-2), for example, seven species are exclusively diurnal, while seven others may be active either day or night, depending upon weather conditions and temperature. Thus, virtually all of the reptile fauna of the area would be susceptible to vehicular traffic during the proposed hours of operation. Three of these reptile species (San Diego horned lizard, coastal western whiptail, rosy boa) are considered sensitive by resource agencies. Likewise, 9 of the 18 mammal species (excluding bats) llsted in the DEIR are wholly or occasionally active diurnally. Therefore, increased vehicular traffic clearly poses an incrementally increased threat to wildlife crossing Soledad Canyon Road, and to sensitive species known to occur within the zone of impacts. The DEIR dismisses the importance of vehicular traffic impacts upon wildlife, and offers no mitigation. The only practical mitigation for such impacts would be by avoidance, which can be accomplished by not increasing vehicular traffic. F-4

Impacts to the riparian habitat: The riparian corridor which passes through the project site and on downstream to the mouth of Soledad Canyon (at the confluence with Bee Canyon) contains mature formations of southern willow scrub and southern cottonwood - willow riparian woodland, both considered highest inventory resources by the California Dept. of Fish & Game. These formations appear to require not only consistent surface and subsurface water supplies throughout the growing season annually, but also may require shelter from the strong, desiccating Santa Ana winds that sweep through the Agua Dulce pass. The predominant wind flows during late Summer, Fall and Winter, particularly during "La Niña" seasons, are east - west, from the Great Basin and Antelope Valley toward the coast. The cottonwood component within the existing riparian formations along this portion of the river becomes less dense, and attains a lower stature in the open, less sheltered portions of the drainage, both upstream and downstream of the project site.

Cottonwood trees also are less tolerant of inundation than are willows, and so tend to grow on alluvial terraces rather than within the flow alignment; conversely, they may die if downcutting occurs within the reach, stranding their root systems above the altered level of flow. Actions which raise or lower in-channel flows may adversely affect cottonwood formations. F-5

Potential changes in the hydrology of the river attributable to, or incrementally influenced by, the proposed groundwater drafting could result in a general dieback of riparian woodland habitats within and downstream of the project site. Removal of the existing slope contours adjacent to the river channel could increase direct wind effects within this habitat type. The combination of lowered water availability and increased drying effects could significantly reduce riparian habitat extent, cover and species values, and perhaps also lower seedling recruitment rates (by aseasonally reducing surface flows) within the riparian formations. Clearly, any such effects would constitute significant, adverse impacts to sensitive riparian resources, but were given no discussion within the DEIR.

Impacts to sensitive plant species: The DEIR (Section 3.1.8.3, tables 3.1.8-1, 3.1.8-2) considers the following agency-listed sensitive plant species as potentially F-6

occurring within the proposed mining area zone of impacts: Peirson's morning-glory, slender mariposa lily and Plummer's mariposa lily. These species apparently will be significantly adversely affected by the placement of fines and construction of debris basins (Section 3.1.8.5, B2), impacts for which the proposed mitigation consists of seed collection and incorporation within the revegetation plan. The state and federally endangered slender-horned spineflower occurs on alluvial terraces in Bee Canyon, below the fines deposition site, but aside from noting its presence, the DEIR provides no discussion regarding potential project impacts.

According to the DEIR, the sensitive plant species directly affected by fines placement and construction activities occur on the site only in small populations. If true, this is despite the fact that apparently suitable habitat exists over most of the slopes and ridgelines, and that all of these species produce and disperse seeds annually. In point of fact, the two mariposa lily species and the morning-glory (like most native taxa) have specific requisites for seed germination, population maintenance and persistence, which is why they do not occur in large populations locally or scattered over all of the subjectively suitable habitat present. Ecological conditions necessary for many such species include specific soil types and chemistries, particular frequencies and timing of wildfire or other substrate disturbance, and in some cases, drought or heavy rainfall. Thus, their populations may expand and contract annually or episodically, and in any given season they may appear widespread or narrowly localized. Inclusion of the seeds of such species within broadcast vegetation plans in no way ensures that any of them will germinate or the species will establish viable, self-perpetuating populations.

Unless it can be proven before the fact that the revegetation strategy proposed for these sensitive plant species has a clear probability of success, the impacts to them remain unmitigated, significant and adverse, as stated in the DEIR.

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Additionally, the aforementioned population of slender-horned spineflower located on the alluvial terraces in Bee Canyon is directly below the proposed fines deposition site, and may be adversely affected by secondary impacts associated with that material. Surface runoff from the fines deposition site will carry un-natural loads of silt into the Bee Canyon drainage, and has the potential to deposit it within the spineflower habitat. Winds in excess of 50 mph frequently sweep through upper Bee Canyon, particularly during Santa Ana conditions, and the normal daily movement of air through the Agua Dulce pass is from the direction of the fines site downward through Bee Canyon. West - east winds rarely exceed 10 mph, and occur much less frequently than do the normal east - west downslope airflows. During periods of high winds, dust plumes of loose material from the mining and fines deposit may be blown down into the spineflower habitat, and smaller amounts may be continuously carried aerially down into the Bee Canyon alluvial plain.

The spineflower population appears to be confined to specific substrate types on the alluvial terraces, with well-developed cryptogamic crusts present, sandy, moderately fine surface granules, and a suite of associated species present. Even minor substrate changes within the seeding area of the spineflower could alter habitat values or germination rates for the species, possibly reducing population extent and/or viability. The DEIR provides no analysis of the probabilities of such impacts occurring, and states that because the population is "well away from the Project's impact zone," there would be no direct impacts to the species. However, there is no assurance that the fines deposit will not leach into the alluvial plain of Bee Canyon, or that fines will not be carried aerially into the spineflower population. Any action which has the potential to degrade or alter habitat values for an endangered species clearly would be significant and adverse under CEQA, must be considered within the project documentation, and could require formal consultation and mitigation under the statutory provisions of the state and federal Endangered Species acts.

Impacts to sensitive wildlife species: The discussions of agency-listed sensitive wildlife species in the DEIR and the supporting field surveys substantially underestimate the faunal diversity of the site and surrounding ecosystems. Neither the references cited nor the field work conducted are adequate to perform a proper assessment of sensitive wildlife potentially present on the site, or to determine impacts to same. Moreover, the determinations of "Potential for Occurrence Onsite" given in Table 3.1.8-2 are inconsistent with findings presented elsewhere in the technical appendices or report. If the underlying assumptions and considerations upon which the sensitive species list was compiled are flawed to the extent that numerous species are overlooked or incorrectly evaluated, then subsequent determinations of project significance will be similarly flawed, and the need for mitigation will be underestimated.

If the persons responsible for the development of the baseline data upon which the DEIR fieldwork and research were based lacked direct knowledge of the types of resources likely to be present, they could not adequately investigate potential effects, evaluate the significance of same, nor properly mitigate impacts. In the discussion which follow, it will be amply demonstrated that the preparers of the biological section of the DEIR did not understand the basic resources of the site, and failed to conduct proper surveys for sensitive species.

The list of sensitive species considered as potentially occurring within the survey area boundaries was based upon three parameters (p. 3-213, pgh. 4): (a) "the site falls entirely or partially within its known distributional range, and/or (b) the habitats generally associated with the species occur on, or in the vicinity of, the Project area." Probability of occurrence was assessed for each species onsite and in the "neighboring offsite riparian habitats associated with the Santa Clara River." The determination of species to be considered appears to have overlooked standard local resources and references (for example: the Los Angeles County Breeding Bird Atlas data base; the Los Angeles County Natural Areas sensitive species lists for nearby Vasquez Rocks and Placerita Canyon Natural Areas; the Los Angeles County Natural History Museum collections database; environmental documents prepared for Hunter's Green Golf Course in Sand Canyon, Bee Canyon Trailer Park project, and numerous Significant Ecological Areas Technical Advisory Committee biota reports for properties along the Santa Clara River).

Because of this fundamental informational shortfall in the beginning of the evaluation process, assumptions of probable occurrence— based upon "historical records" for species within the site vicinity— fail to include most essential data resources. As a result, low ratings of potential occurrence were given to many species which in fact have been historically or recently recorded from similar habitat types within the general vicinity of the site. The following are examples of species which were improperly evaluated and incorrectly rated in the DEIR sensitive species table and discussions.

- **Santa Ana sucker, unarmored three-spine stickleback, arroyo chub** (all sensitive fish species) - **DEIR ratings:** Potential occurrence onsite: **none** (for all three species); potential occurrence in neighboring habitats: **known to occur.**

  All three of these fish occur seasonally throughout the reach of the Santa Clara River encompassed by the project boundaries, and in permanent surface water habitats downstream and upstream of the site. The DEIR assessment of onsite occurrence is completely erroneous, as all three species are present onsite whenever surface flows are continuous in this portion of the river. FH&A biologists found stickleback and arroyo chub in abundance in the river above and below the boundaries of project Area B in

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early June, 1999. Project impacts to these species are treated separately in a Habitat Protection Plan, which is discussed separately below.

- **Coast horned lizard, coastal western whiptail lizard, coastal rosy boa,** and **coastal patch-nosed snake - DEIR ratings**: Potential occurrence onsite: **moderate, moderate, moderate,** and **low-moderate** respectively; potential occurrence nearby: **high, moderate, moderate,** and **low** respectively.

  Separate "reconnaissance-level" surveys were conducted for these species and their habitat within the project zone of potential impacts (Chambers Group, 1995) on 30 March, 1995. This survey consisted of inspecting and evaluating those areas within the project site "with the most potential to support sensitive reptiles... (rocky outcrops, sandy drainages, and newly disturbed areas such as from fires...). No sensitive reptiles were observed during the survey, and assessments of potential occurrence were therefore based upon subjective evaluation of habitats. That no sensitive reptile species was observed during the surveys likely would be attributable to the fact that none of these species would be active above ground in March except under ideal survey conditions, which would include clear skies, low winds, and higher diurnal temperatures than were recorded. As difficult as these species are to located in the field under optimal conditions, finding them at the wrong time of year, under conditions which included cool (68 - 75°F), gusty winds would be highly unlikely. The value of the survey findings, in terms of species observations, is minimal at best.

  Prior to commencing the surveys, "documentation relevant to the project area was reviewed," but not including Schoenherr, 1976, *The herpetofauna of the San Gabriel Mountains*, which lists hundreds of localities for lizards and snakes from this area, and should be the single most important reference for such surveys. In point of fact, of the 24 references listed in the survey report bibliography, only 10 directly pertain to the species or subspecies being investigated (two of these are general field guides), and only 8 are actually cited in the text. L.A. County Natural Areas files contain records for all 4 species from the Santa Clara River basin, Soledad Canyon and tributaries, Sand Canyon, Placerita Canyon.

- The report findings on the **coastal western whiptail** state that it is found in a variety of natural community types, and "could be found in most of the habitat types onsite...," but then considers it to have only a moderate potential to occur onsite, apparently based upon failure to observe it during the survey. This species typically is common in open coastal sage scrub, chaparral, and alluvial scrub locally, and the project's own focused survey for Pacific pond turtle (Goodman, 1994, not referenced in the survey report bibliography) lists the whiptail as "common" in the survey area. By the report's own occurrence rating definitions, the potential for this species to occur on the site should be considered "high," not moderate.

  Mitigation measure B3, intended to reduce impacts to the whiptail, states that potential impacts to the species "would be reduced to nonsignificant with the implementation of the Reclamation Plan. This species is often associated with disturbed sites, and the Project would not represent a permanent loss of its habitat." All individuals of this species within the zone of direct project impacts will be lost or displaced by the activities, and there is no assurance that it will persist on the site, other than the unsupported assumptions of the report preparers.

- The potential for **coast horned lizard** (= San Diego horned lizard at the subspecies level, depending upon locality) to occur on the site is rated low to moderate, based

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upon the limited distribution of "sandy, friable soils in which the species can burrow," and the lack of observed "rodent burrows, which horned lizards use for shelter, or harvester ant mounds" at any of the survey locations. The conclusion given is "With the lack of an abundance of prey species [= harvester ants], the coast horned lizard is not expected to be resident onsite." FH&A biologists have encountered coast horned lizards within alluvial scrub, coastal sage scrub, chamise chaparral, manzanita chaparral, scrub oak savannah, coast live oak savannah, and yellow pine forest on the northern flank of the San Gabriel Mountains. It occurs most commonly on loose, sandy soils, but also occurs on compacted granitics and fine loamy soils, where it uses leaf duff, large rocks, and other topographical features as shelter sites.

The timing of the survey also may have been too early to determine the presence or abundance of red harvester ants, as this species typically closes its nest during the cooler months. Harvester ants are an important component of the diet of horned lizards, but they can subsist on other invertebrate species when ants are uncommon or dormant. At the time of the surveys, terrestrial arthropod activity is at a seasonal minimum, and therefore it would not be possible to accurately assess "the abundance of prey species" present, or the potential for horned lizards to be resident onsite.

The surveys for this species focused subjectively upon assumed suitable substrates and microhabitat areas, rather than consider the project site as an ecological whole, and therefore substantially underestimated the habitat value of the property for this species. And, at the time of year in which the surveys were conducted, adult lizards would not have been present above ground.

All level areas and low-gradient slopes with intact habitat over the entire project site should be considered potential habitat for coast horned lizard, and the occurrence rating for this species on the site should be considered "high," not moderate.

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- Statements regarding the presence or absence of **rosy boa** and **patch-nosed snake** on the property are similarly overly simplistic as regards habitat preferences and distribution. The only areas considered have a moderate potential to support these two snake species are characterized as "ravines on the southwest edge of the project that contain rocky outcrops and may serve as shelter sites... ." Both species are typically found throughout coastal sage scrub and chaparral habitats locally, favoring rockier slopes and canyons, but also being found on barren ridgelines (rosy boa), canyon and coast live oak woodlands (both species), and rocky alluvial - riparian habitat (patch-nosed snake). Both species have been taken in Placerita Canyon, along Bear Divide road, and in Soledad Canyon, near Russ, immediately east of the project site. Based upon these occurrences and habitat values present, the potential for these two snake species to occur on the site should be considered "high," not moderate.

  The survey report states that " it is questionable whether the ranges of the three aforementioned sensitive species [whiptail, boa, patch-nosed snake] do in fact include the project site." "If these subspecies do occur onsite, it is likely that they (1) occur in small numbers, (2) are at the northernmost part of their coastal range, or (3) are in fact not the sensitive coastal subspecies but more common desert subspecies." These three issues are given in support of the report's overall conclusion that these species, if present, "likely occur in low numbers and would not be considered part of a viable population. Implementation of the proposed mining and gravel activity is therefore not likely to have a significant impact on the continued existence of these four sensitive reptile species." The first part of this conclusion demonstrates a fundamental

misunderstanding of population dynamics and viability, while the second part is not supported by data or valid field observations.

The issue (1) of population numbers is irrelevant, as these species occur in whatever densities a given habitat can support, and within natural ecosystems their overall number fluctuates according to seasonal abundance of prey species, weather conditions, habitat perturbation (fire, slope failures, etc.), and other environmental variables affecting site carrying capacity. As long as the habitat under discussion has not previously been significantly altered from its original condition, the relative abundances of species naturally-occurring therein does not render them common or rare in any statutory sense, and is irrelevant to CEQA document discussions.

The statement that low numbers of individuals on a given site "would not be considered part of a viable population" fails to define what constitutes a viable species population and does not explain why low densities of individuals would be considered "un-viable." The implication is that these species are much commoner outside the project zone than on the property, which may or may not be the case. Certainly no such information has been given within the report, nor is there anything to suggest that the report preparers have such information or possess sufficient expertise as to make such a determination *a priori*. Many species, particularly predatory animals, live in dispersed densities, coming together to mate or aggregate seasonally, but otherwise maintaining large individual territories or home ranges and not interacting except during dispersal movement. What density of individuals of rosy boa or horned lizard must be present for the report preparers to consider them part of a viable population was not specified. The persistent presence of these species within the site vicinity and in suitable habitats across the northern flank of the San Gabriel Mountains demonstrates that they yet maintain a viable population in terms of long-term sustainability, and individuals occupying any portion thereof would be considered a part of that viable population.

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That the subspecies may be at the northernmost part of their range (2) is likewise of little importance in terms of statutory issues. Population segments at the periphery of a species' overall range often exhibit greater genetic variation and adaptive breadth than do more central population segments, possessing greater ability to colonize atypical habitats or persist under atypical conditions, and so may be critical to the maintenance of the species during times of general environmental stress.

Determination of subspecies (3) can only be made by examination of specimens in the field. However, the only one of the four species for which this would be at issue locally is the whiptail, which does show some phenotype intermediacy in the zone between Placerita Canyon and Vasquez Rocks. The U.S. Fish and Wildlife Service regards all subspecies of rosy boa as Federal Species of Concern, and both the *frontale* (California horned lizard) and *blainvillii* (San Diego horned lizard) subtaxa of the coastal horned lizard are Federal and State Species of Concern, and California Fully Protected Species. The nearest record for the desert (Mojave) subspecies of patch-nosed snake is from the desert slope of the San Gabriel range, east of Acton, while specimens from Placerita, Sand and Soledad Canyons clearly represented the coastal (*virgultea*) subspecies. Therefore, the taxonomic issue raised in the report is not relevant to three of the four taxa.

Furthermore, all of these species, along with virtually all other sensitive terrestrial species which might be present on the site, move across and through habitat areas which are not "typical" as part of their foraging patterns, territorial, seasonal, or populational movement and dispersal. Such movement may be essential to the maintenance of genetic diversity within local meta-populations and to relieve density-

related population stress. Confining the determination of suitable habitat for these species to narrow ravines around the margin of the overall project site (see report Fig. 1) fails to recognize their basic ecological and biological needs, and completely fails to provide any measure of protection for the species or their habitats.

- Focused surveys for **southwestern (Pacific) pond turtle** (Goodman, 1994) failed to find the species within the project area or the 1.5 mile reach of the river surveyed (from slightly east of the site boundary to near River's End trailer park). The DEIR potential onsite occurrence rating: **none**; potential for occurrence in neighboring habitats: **low**. This species was observed in 1998 in Agua Dulce Canyon (immediately east of the project site) and in Bear Canyon (the Santa Clara River tributary closest to the project site), and should be considered extant in those localities. Like other aquatic species, the pond turtle travels up and down creeks and rivers as part of its normal dispersal and distribution, and periodically or regularly would be present in the reach of the river within the project boundary and within the zone of potential impacts. The potential for this species to occur on the site should be considered "high." The DEIR makes no provision for the protection of this species, which would be adversely affected by changes in surface hydrology, water quality, siltation, light, and noise.

- **San Bernardino ring-necked snake** is another sensitive reptile species incorrectly given occurrence ratings of **none** and **low-moderate** for the site and neighboring habitats. This secretive species occurs relatively commonly throughout mesic riparian habitats along the Santa Clara River and in many tributary drainages. The potential for it to occur within the reach of the river passing through the site is at least "moderate", and its potential to occur in neighboring riparian and mesic canyon habitats should be considered "high." The DEIR makes no provision for the protection of this species, which would be adversely affected by changes in surface hydrology and siltation.

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Discussions of these species within the DEIR text (Section 3.1.8.3, pg. 3-217 et seq.) contain similarly limited ecological and distributional information, having been written primarily from the flawed accounts in the field surveys. Other species which were rated incorrectly within the Table 3.1.8-2 occurrence assessments include the following (with notations of correct status):

- **least Bell's vireo** (State and Federal Endangered) - moderate (migrant) - moderate: this species annually migrates through the riparian corridor of the Santa Clara River, nesting along the river as near as the junction of the river and the I-5 Freeway. The DEIR acknowledges the possible presence of this species locally, but dismisses impacts by stating that it would not be found within the sand and gravel extraction area. This clearly fails to include the potential for riparian habitat degradation due to hydrological impacts or changes in direct exposure to winds, dust and other off-site mining impacts. River corridors are essential seasonal resources for such "riparian-obligate" species, and losses in habitat extent or quality could constitute a significant impact to this taxon.

- **willow flycatcher** (State and Federal Endangered) - high - high: The southwestern subspecies of willow flycatcher was dismissed within the DEIR with the following statements (p. 3-223): "Suitable nesting habitat for this species does occur in the surrounding riparian habitat along the Santa Clara River. However, no individuals of this species were seen during the surveys, and this species is no longer considered to breed in the region." According to the Los Angeles County Museum of Natural History's L.A. County Breeding Bird Atlas surveys, southwestern willow flycatcher nested and bred successfully within the Santa Clara River willow riparian habitat in

1998, immediately upstream of the project site, near the Russ railway site. It is assumed that this species would continue to nest locally if breeding, foraging, and dispersing habitat values persist. The documented presence of this fully listed taxon within the zone of project effects for noise, light, dust, hydrological changes, and direct activity disturbance requires full analysis of potential impacts and proper mitigation for same. The DEIR fails altogether to adequately evaluate the impacts of the project on this Endangered species.

- **California leaf-nosed bat** (FSC, CSC) - high (foraging use) - high; **pale big-eared bat** (FSC, CSC) - high (foraging use) - high; **California mastiff bat** (FSC, CSC) - high (foraging use) - high; **pallid bat** (CSC) - high (foraging use) - high: these bats all have been collected (L.A. Co. Museum records) or observed (Placerita Canyon Nature Center records) within this portion of the Santa Clara River. The DEIR states that "Roosting generally occurs in caves, mines, and rock crevices, none of which occur onsite," and gives no further consideration to impacts to these species. There are at least 4 open mine shafts, railway and roadway tunnels, a narrow natural cave, and numerous crevices in the slopes adjacent to the river channel in the vicinity of the production wells for the project, providing suitable roosting sites for all of these species, and possibly for several other sensitive bat species as well (*Myotis* spp).

  The project has the potential to direct lights, noise, and dust into bat foraging areas over the river channel, as well as to remove 187 acres of natural vegetation from the project site, incrementally lowering the native insect food resources for these species. Premature or more extensive drying of the flowing channel, impacts which may occur as result of increased groundwater drafting, also could significantly lower foraging values for these species during the breeding season, leading to local population declines or extirpation. The DEIR provides no discussion of potential offsite impacts to sensitive bat species.

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- **San Diego black-tailed jackrabbit** (FSC, CSC) - high (occurs in Bee Canyon) - high: This species was considered of low probability of occurrence both onsite and offsite, despite the fact that it specifically has been noted as occurring within Bee Canyon (FH&A, 1992, Biological Assessment, Bee Canyon Mobile Home Park project), and habitat values over most of the more level portions of the mining site are suitable for this species. The issue of which subspecies occurs locally has not been resolved for this taxon, but in such a case, CEQA would require a conservative approach in terms of impact assessment. Direct impacts to this species could occur as a result of the mining operations, as well as indirect effects from light, noise, increased traffic and other human activity. The DEIR provided no discussion of this species, or of potential impacts to it.

Species omitted from the DEIR discussions or supporting field documents

In addition to the species discussed above, no fewer than 17 other agency-listed sensitive species (mostly at the level of FSC and CSC) are known to occur locally. The aggregate of these species and those properly considered by the DEIR greatly increases the potential significance of the project impacts, particularly in the context of CEQA, App. F, XXI(c) wherein significance is found for have impacts which are individually limited, but cumulatively considerable, or for actions which involve the alteration or conversion of biological resources (locally important species or locally important communities) identified as significant within the county or region. The entire Santa Clara River within Los Angeles County has been defined within the county general plan as a Significant Ecological Area (SEA, #23), and therefore all such impacts are considered significant.

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The following species are known to occur within the project site vicinity (= within 5 miles of the mining area), in habitat types similar to those found on the property. All are considered sensitive by state and/or federal agencies, and therefore their potential presence and impacts should have been given full consideration within the DEIR.

- **silvery legless lizard** - occurs locally in loose sandy soils under riparian, oak woodland and chaparral vegetation.
- **San Bernardino mountain kingsnake** - observed in rocky, heavily vegetated habitats throughout the foothills adjacent to the Santa Clara River;
- **two-striped garter snake** - observed within this portion of the Santa Clara River, and in similar riparian habitats in Sand Canyon;
- **prairie falcon** - possibly nests in rocky outcroppings in upper Placerita Canyon and in Vasquez Canyon;
- **long-eared owl** - observed in 1999 (FH&A) in tributary canyon to Soledad Canyon near Robin's Nest park, and in Sand and Placerita Canyons, in association with riparian woodlands;
- **California horned lark** - recorded from Bee Canyon (FH&A, 1992 loc. cit.), in open, sparsely vegetated scrub habitats such as occur over the entire mining site;
- **loggerhead shrike** - this species nested in Bee Canyon in 1999, and could occur anywhere within the project site boundaries;
- **Southern California (ashy) rufous-crowned sparrow** - this species prefers open scrub and chaparral habitats, and frequently moves into areas which have recently burned. Singing males were heard in Bee Canyon and on the slopes above Area B during the nesting season in 1999 (FH&A);
- **Bell's (sage) sparrow** - this species is less common locally than the preceding, but occurs in open, disturbed scrub habitats in nearby Tick Canyon and on steep, xeric scrub slopes above the confluence of Oak Springs Canyon and the Santa Clara River channel;
- **yellow warbler** - a riparian obligate species known to migrate into the Santa Clara River basin during the breeding season. It was recorded as a "probable" nesting species in the vicinity of Lang, immediately west of the site, in May, 1998 (K. Garrett, Breeding Bird Atlas [BBA] data);
- **summer tanager** - this species was recorded as breeding within the mature cottonwood - willow formations near Russ in 1998 (BBA);
- **black-chinned sparrow** - another species which favors open sagebrush scrub, alluvial scrub or chaparral, and has been recorded as possibly nesting within the site vicinity in 1998 (K. Garrett, BBA). Also found nesting in Golden Valley Ranch, south of Placerita Canyon, in coastal sage scrub - chaparral habitats;
- **Brewer's sparrow** - not previously known to breed locally, this species was detected singing and displaying nesting behaviors in sagebrush formations along the Santa Clara River channel near the confluence with Oak Springs Canyon (K. Garrett, 1999, BBA);
- **Lawrence's goldfinch** - although this species generally prefers mature riparian formations, and has been recorded from the site vicinity during the breeding season (1998, BBA), FH&A biologists observed it in June, 1999, in the cottonwood trees along Soledad Canyon Road, within Area B;

F-8

- **southern grasshopper mouse** - trapped in open, xeric scrub habitats along the Santa Clara River channel less than 2 miles east of the project site, and undoubtedly present within the mining area footprint;
- **ringtail** - this agile predator typically occurs within steep-sided, rocky canyons, usually near riparian corridors, and has been observed locally within similar habitats in upper Placerita Canyon;
- **American badger** - this species is wide-ranging throughout the general vicinity of the site, although it generally is not common in any given locality. A single burrow, possibly attributable to this species, was observed on the project ridgeline, near the fines deposition site, by FH&A biologists in 1992, and habitat suitable to this species occurs over the entire mining area.

F-8

Species not known to occur locally, but included in the DEIR discussions

As stated earlier, the biologists responsible for preparing the Biota section of the DEIR clearly lacked first-hand, or even adequate, knowledge of the biological diversity of the site. The flaws in assumptions and methodologies pointed out earlier herein demonstrate that they greatly underestimated the potential for sensitive resources to occur on the site. But perhaps the most striking example of their lack of depth of knowledge may be found in the discussion given to the following sensitive mammal subspecies.

Table 3.1.8-2 "analyzes" the probable occurrence of the **riparian brush rabbit** (*Sylvilagus bachmani riparius*), on the project site, and correctly concludes that there is little probability of it being found thereon. In fact, this subspecies, which was originally described from specimens taken in northern Stanislaus County, is known from a single extant population, in Caswell State Park, San Joaquin County (fide Williams, 1986, *Mammalian species of special concern in California*). It has never been recorded from south of San Joaquin County. That the report preparers chose to include a taxon known only from the northern portion of the Central Valley on their list of species potentially occurring in the vicinity of the site, while ignoring numerous locally common species and giving taxa such as the pond turtle an assessment of "low" potential to occur (even within neighboring suitable habitat), seriously calls into question their professional qualifications to conduct such studies, and is further evidence of their lack of local knowledge and apparent failure to perform routine technical diligence in the preparation of their report.

F-9

Unarmored threespine stickleback protection plan

The project intends to pump unspecified amounts of groundwater from production wells located along the river margin southwest of the property boundary, an action which has the potential to affect seasonal surface water flows in the portion of the channel downstream of the wells, and accelerate seasonal drying upstream of the pumping sites. Additional concerns are excess siltation within the river as a result of runoff flows from the site, and toxic spills or discharges entering the river or its supporting aquifer.

The draft Habitat Protection Plan [HPP] (Chambers Group, 1998) for project impacts to the stickleback (and now, Santa Ana sucker) and their habitat proposes to monitor the quantity and quality of surface flows at 6 stations along the river below the project boundary, with a "control" station located upstream of the site. Conditional monitoring and protection protocols are defined within the HPP document (Section 5.3.1 et seq.), and are briefly summarized as follows:

F-10

- monitoring will commence in dry or normal rainfall years when the section of the river between Bear Creek and the Pole Canyon fault zone dries, but not at all in years with high precipitation and year-round surface flows through the reach;
- monitoring measurements will be taken once each month;
- action levels are based upon stream temperature, mean oxygen levels, rapid or relative decreases in depth compared to the previous measurement;
- action levels in two or more of the average measured parameters not simultaneously observed at the control site will initiate a project response;
- the project will regulate or cease pumping from the alluvium in response to two or more of the action levels being reached.

Additionally, the applicant proposes to coordinate a program of invasive exotic plant (giant reed, *Arundo donax*) removal between the project site and the areas of permanent stickleback habitat downstream of the River's End trailer park.

Runoff reaching the Santa Clara River channel annually results in high-energy flows of varying volumes and duration, ranging from confined, non-scouring flows to out-of-channel scouring and downcutting flows. Following relaxation of these episodic high water flows, waters in the channel clear, temperatures rise, and emergent vegetation appears along the flow margins. At this time, sensitive fish and other benthic organisms use the aquatic system for breeding and movement up- and downstream. It is during these times that new-site colonization or re-establishment can occur, and genetic movement is possible between population segments. Surface waters in this portion of the river dry rather rapidly during the hotter months, however, when evaporation and evapotranspiration rates are highest, and light flows may retreat upstream at a rate of several meters per hour during sustained hot, sunny weather. During this time, stickleback and other aquatic species may retreat with the flows, or be stranded within ponds which remain as general flows subside. Flows usually return to some extent in the evening and night-time, providing an opportunity for stranded fish and other benthic organisms to move upstream or into deeper flow areas.

The proposed HPP will monitor changes in water quantity and quality on a monthly basis, but important changes may occur within a few days time during periods of high evaporation and transpiration. Uncontrolled drawdown of surface waters has the potential to accelerate the drying process, initiate streamflow reductions and drying at an earlier-than-normal seasonal timing, prevent normal night-time recharge of surface flows, and during years of lower-than-normal annual rainfall, keep the seasonally dry portion of the reach permanently dry. Even the most ephemeral of unnatural changes in water quantity or quality can doom whatever species are present. The entire reach of the Santa Clara River through and downstream of the site is occupied endangered fish species habitat, and any aquatic habitat changes outside normal fluctuations would be considered significant and adverse under CEQA, and within the protection provisions of the state and federal Endangered Species acts.

The monthly monitoring schedule proposed in the HPP cannot detect rapid changes in surface hydrology within the river, nor accurately differentiate between project-related and natural changes in the physical parameters measured. Action plans based upon widely-spaced monitoring times cannot adequately protect the aquatic species in the river from rapid fluctuations, and should an adverse, project-related change occur immediately following a monitoring date, it would continue unabated for one month before the next opportunity for detection. Therefore, the monitoring provisions of the proposed HPP for the stickleback and its habitat are inadequate as drafted.

F-10

Summary and conclusions

The DEIR for the Transit Mixed Sand and Gravel Extraction Project in Soledad Canyon fails to identify the full spectrum of potential project-related impacts to biological resources onsite and within the site vicinity:

- the baseline sensitive species and habitat data resources used by the report preparers ignored numerous essential data sources and reports, and as a result overlooked no fewer than 17 species potentially affected by the project;
- report preparers fail to demonstrate reasonable technical knowledge of the site resources and consistently fail to note potential issues of significance for numerous sensitive species;
- supporting field studies conducted by the preparers were timed such that few observations would be possible, and therefore consistently underestimate the diversity of species present and erroneously evaluate habitat values for several sensitive taxa;
- as a result of the improper assumptions regarding species diversity and occurrence, numerous potentially significant adverse impacts are dismissed without discussion, or miscalculated to the extent that either no, or insufficient, mitigations are proposed;
- the report fails to adequately consider noise impacts within the riparian corridor and to sensitive species, dismissing recognized thresholds of significance for adverse effects to wildlife, and providing no mitigation measures for potential impacts;
- the proposed Habitat Protection Plan for Endangered fish and other aquatic resources does not provide adequate measures for determining or monitoring significant adverse project-related effects to surface hydrology;
- the report fails to consider the potential for significant disruption of wildlife use of the movement corridor along the river channel through the site.

F-11

Overall, the basic assumptions of this report fail to meet the normal standards of CEQA for evaluation of impacts to sensitive biological resources, and leave a spectrum of potentially significant adverse impacts without proper discussion or evaluation. As a result, direct and cumulative significant, adverse impacts from this project to habitats, native flora and fauna, wildlife corridor use, and sensitive species on the project site and within the surrounding zone of project effects remain unrecognized, unaddressed, inadequately evaluated, inadequately mitigated, or in some cases, completely unmitigated.

Respectfully submitted,

Frank T. Hovore, Principal Biologist

APPENDIX G
REVIEW OF THE
TRAFFIC ANALYSIS
BY EDWARD CLINE, P.E.,
WILLDAN ASSOCIATES

WILLDAN ASSOCIATES

MEMORANDUM

TO: Jeffrey Lambert, AICP
Director of Planning and Building Services
City of Santa Clarita

FROM: Ed Cline, P.E.
Traffic Engineer
Willdan Associates

DATE: May 28, 1999

SUBJECT: REVIEW OF DRAFT EIS –
SOLEDAD SAND AND GRAVEL MINING PROJECT

REGISTERED PROFESSIONAL ENGINEER EDWARD L. CLINE NO. 21715 Exp. 9-30-01 CIVIL STATE OF CALIFORNIA

REGISTERED PROFESSIONAL ENGINEER EDWARD L. CLINE NO. 535 Exp. 12-31-01 TRAFFIC STATE OF CALIFORNIA

As requested, I have reviewed the traffic and circulation sections of the Draft EIS for a proposed sand and gravel quarry operation on Soledad Canyon Road east of the California Route 14 Freeway. The project as described would involve the processing and removal of up to 56.1 million tons of sand and gravel products over the 20 years proposed life of the project. The project is being proposed in two phases.

The traffic study, which was incorporated into the Draft EIS was performed by Associated Transportation Engineers (ATE) of Santa Barbara, California.

The traffic study examined seven (7) different scenarios. These scenarios ranged from existing (1997) through a build-out of the project, projected for year 2009. The scenarios included a present day (1999) condition which was derived by increasing the 1997 traffic volumes by 1.5 percentage points per year. The build-out scenario included traffic from a list of related projects in the area. This list is presented in Table 3.1.11-5 of the Draft EIS. The projects on this list were reported to be derived from Los Angeles County records. I did not verify the accuracy of this list.

A list of background conditions was developed for each of the seven (7) scenarios. These background conditions were developed by adding the 1.5 percent ambient traffic growth to the traffic generation values associated with the related projects. These values are depicted on Table 3.1.11-6 of the Draft EIS.

Vehicle trip generation values were forecasted for both phases of the proposed project. These values were generated based on the number of trucks needed to haul the product plus the associated employees. Table 3.1.11-9 depicts these trip generation values by phase.

These trips were distributed over the surrounding roadway system using Soledad Canyon Road, Agua Dulce Canyon Road, and California Route 14 Freeway. A substantial majority of the trips (95%) were distributed west toward the project's estimated market area.

The truck portion of the trip generation data was factored up by two (2) to account for the space requirements and operating characteristics of the heavy trucks. This is referred to in the report as "Passenger Car Equivalents" (PCE). The PCEs were used to conduct the capacity analyses of the roadways and intersections evaluated.

A summary of the analyses of the roadway links (mid-block) are presented in Tables 3.1.1-10 and 3.1.11-11 of the document. The intersection analyses are shown on Tables 3.1.11-12 and 3.1.11-13. In addition to the intersection capacity and level of service (LOS) calculations shown in Tables 3.1.11-12 and 3.1.11-13, traffic signal analyses were also conducted at each of the intersections evaluated. A summary of the results of these assessments is shown on Table 3.1.11-14.

Based on the results of the various evaluations and analyses, a list of mitigation measures was developed for the project. They are outlined on pages 3-309 to 3-312 of the Draft EIS.

Based on my review of the traffic study, I have the following comments:

- The raw data trip generation values appear reasonable based on the average amount of sand and gravel product reported to be produced. However, the PCE factor is too low in my opinion. A PCE factor of 2 may be justified where a traditional mix of trucks is involved. A traditional mix would involve up to 85% two-axle trucks with a space and operating characteristic close to twice that of an automobile.

  The particular vehicles envisioned to be used with the sand and gravel operation are three-, four-, and five-axle trucks with significantly greater size and slower operating characteristics than that of the smaller two-axle versions.

  Also, both the Highway Capacity Manual and the AASHTO Design Manual call out various PCEs dependent on roadway characteristics such as grade severity and length. Attached are applicable Tables from these references.

  Overall, it appears that a PCE of <u>at least</u> four (4) may be more appropriate than the two (2) that was used. In fact, it may be appropriate, based on the information provided in the HCM and ASSHTO to select a variable PCE for each roadway, freeway ramp, and freeway main line segment based on the grade, alignment, and length.

  Once a more realistic PCE is agreed upon, the entire study should be revisited. As an example, some of the acceptable volume-to-capacity (V/C) ratios and resultant Levels of Service (LOS) may increase significantly. Also, the signal warrant analyses may show that additional mitigation may be appropriate. At a minimum, it appears that a traffic signal may be justified on Soledad Canyon Road at the project entrance once the larger truck and its appropriate PCE is considered.

G-1

- The intersection capacity analyses were conducted using a methodology called "Intersection Capacity Utilization" (ICU). This methodology is appropriate for signalized intersections. It derives a LOS for the V/C ratio. G-2

  The intersections analyzed are controlled by "Stop" signs. The preferred methodology to test stop-controlled intersection is found in the Highway Capacity Manual (HCM), a Transportation Research Board publication. The HCM procedure derives the intersection LOS from such factors as delay to the "Stop"-sign-controlled traffic and available gaps in the uncontrolled traffic stream.

- An evaluation of Route 14 should have been conducted. Even with the PCE of two (2), it appears by a review of the ICU worksheet for Soledad Canyon Road and Route 14, that Phase II of the project adds 167 new trips per hour to the freeway. The Congestion Management Plan (CMP) requires an analysis for any project adding more than 150 trips per hour to a CMP route. G-3

- The executive summary of the traffic report is somewhat misleading. It reports the gross vehicle trip generation of the project without addressing the PCE issue. Also, an explanation of the PCE process should be added to the project trip generation section of the Draft EIS. G-4

- While we did not verify the Related Project list, we noted that a number of projects listed were not considered in the cumulative traffic analysis. The reason given was that the projects were either operational or were too insignificant to consider.

  We have questions regarding whether the operational projects were producing traffic during the 1997 traffic counts or were they accounted for in the 1.5 percent annual ambient growth which was applied to bring the 1997 counts up to 1999. G-5

  Also, we noted that the PCE factor of 2 was applied to the Cal-Mat project traffic. We believe that the PCE factor for this project should have considered the higher PCE factor as previously discussed. We are intuitively curious why a 1,183 acre mining project (Cal-Mat) would generate significantly fewer daily truck trips than the smaller project being examined with this Draft EIS.

- The pavement management section of the report should be readdressed with the revised PCE factor. G-6

- The "fair-share" assessment of the off-site mitigation costs should also be reassessed using the revised PCE factor. G-7

- In addition, the Congestion Management Plan transportation credit issue should be examined. A project of this magnitude could consume a considerable number of CMP credits without mitigating the loss. G-8

Overall, it appears that the use of an inappropriate PCE with respect to the larger trucks associated with a sand and gravel operation causes the EIS to understate project impacts. With the use of more appropriate PCE factors, additional significant traffic-related project impacts could G-9

be identified. The project could result in significant unmitigated impacts which have not been properly identified in the Draft EIS.

The current mitigation package may be inadequate to reduce the impacts to a less-than-significant level. Consequently, traffic-related project impacts may remain significant after mitigation is applied.

Since the Draft EIS does not adequately address the potential traffic-related project impacts due to the PCE issue, it may fail also to identify a potentially significant impact of the project or provide adequate mitigation for the project.

G-9

TABLE 7-7. PASSENGER-CAR EQUIVALENTS ON EXTENDED GENERAL MULTILANE HIGHWAY SEGMENTS

FACTOR	TYPE OF TERRAIN		
	LEVEL	ROLLING	MOUNTAINOUS
E_T (Trucks and Buses)	1.5	3.0	6.0
E_R (RVs)	1.2	2.0	4.0

highway segment may be classified as a general segment if no grades exceeding 3 percent are longer than ½ mi or grades of 3 percent or less do not exceed 1 mi. Such segments should be categorized as follows:

1. *Level terrain*—Any combination of horizontal and vertical alignment permitting heavy vehicles to maintain approximately the same speed as passenger cars; this generally includes short grades of no more than 1 to 2 percent.
2. *Rolling terrain*—Any combination of horizontal and vertical alignment causing heavy vehicles to reduce their speeds substantially below those of passenger cars, but not causing heavy vehicles to operate at crawl speeds for any significant length of time or at frequent intervals.
3. *Mountainous terrain*—Any combination of horizontal and vertical alignment causing heavy vehicles to operate at crawl speeds for significant distances or at frequent intervals.

For all such general highway segments, values of E_T and E_R are selected from Table 7-7.

Any grade of 3 percent or less that is longer than 1 mi or any grade greater than 3 percent that is longer than ½ mi should be treated as an isolated significant grade. The *upgrade* and *downgrade* must be treated separately because the impact of heavy vehicles varies substantially for these two conditions.

Tables 7-8 and 7-9 give passenger-car equivalents for trucks and buses (E_T) and for RVs (E_R), respectively, on uniform upgrades. Table 7-8 is based on an average weight-to-horsepower ratio of 167 lb/hp, which is typical of the truck population currently found on multilane highways.

When several consecutive grades of different steepness form a composite grade, an average uniform grade is computed and used to enter the tables. The average grade is commonly computed as the total rise from the beginning of the grade divided by the total horizontal distance over which the rise was accomplished.

Consider the following example. Three consecutive upgrades are to be analyzed:

1. 3 percent grade—1,000 ft long,
2. 4 percent grade—2,000 ft long, and
3. 2 percent grade—1,000 ft long.

TABLE 7-8. PASSENGER-CAR EQUIVALENTS FOR TRUCKS AND BUSES ON UNIFORM UPGRADES

GRADE (%)	LENGTH (MI)	E_T[a]								
PERCENT TRUCKS AND BUSES		2	4	5	6	8	10	15	20	25
< 2	All	1.5	1.5	1.5	1.5	1.5	1.5	1.5	1.5	1.5
2	0–¼	1.5	1.5	1.5	1.5	1.5	1.5	1.5	1.5	1.5
	¼–½	1.5	1.5	1.5	1.5	1.5	1.5	1.5	1.5	1.5
	½–¾	1.5	1.5	1.5	1.5	1.5	1.5	1.5	1.5	1.5
	¾–1	2.5	2.0	2.0	2.0	1.5	1.5	1.5	1.5	1.5
	1–1½	4.0	3.0	3.0	3.0	2.5	2.5	2.0	2.0	2.0
	> 1½	4.5	3.5	3.0	3.0	2.5	2.5	2.0	2.0	2.0
3	0–¼	1.5	1.5	1.5	1.5	1.5	1.5	1.5	1.5	1.5
	¼–½	3.0	2.5	2.5	2.0	2.0	2.0	2.0	1.5	1.5
	½–¾	6.0	4.0	4.0	3.5	3.5	3.0	2.5	2.5	2.0
	¾–1	7.5	5.5	5.0	4.5	4.0	4.0	3.5	3.0	3.0
	1–1½	8.0	6.0	5.5	5.0	4.5	4.0	4.0	3.5	3.0
	> 1½	8.5	6.0	5.5	5.0	4.5	4.5	4.0	3.5	3.0
4	0–¼	1.5	1.5	1.5	1.5	1.5	1.5	1.5	1.5	1.5
	¼–½	5.5	4.0	4.0	3.5	3.0	3.0	3.0	2.5	2.5
	½–¾	9.5	7.0	6.5	6.0	5.5	5.0	4.5	4.0	3.5
	¾–1	10.5	8.0	7.0	6.5	6.0	5.5	5.0	4.5	4.0
	> 1	11.0	8.0	7.5	7.0	6.0	6.0	5.0	5.0	4.5
5	0–¼	2.0	2.0	1.5	1.5	1.5	1.5	1.5	1.5	1.5
	¼–⅓	6.0	4.5	4.0	4.0	3.5	3.0	3.0	2.5	2.0
	⅓–½	9.0	7.0	6.0	6.0	5.5	5.0	4.5	4.0	3.5
	½–¾	12.5	9.0	8.5	8.0	7.0	7.0	6.0	6.0	5.0
	¾–1	13.0	9.5	9.0	8.0	7.5	7.0	6.5	6.0	5.5
	> 1	13.0	9.5	9.0	8.0	7.5	7.0	6.5	6.0	5.5
6	0–¼	4.5	3.5	3.0	3.0	3.0	2.5	2.5	2.0	2.0
	¼–⅓	9.0	6.5	6.0	6.0	5.0	5.0	4.0	3.5	3.0
	⅓–½	12.5	9.5	8.5	8.0	7.0	6.5	6.0	6.0	5.5
	½–¾	15.0	11.0	10.0	9.5	9.0	8.0	8.0	7.5	6.5
	¾–1	15.0	11.0	10.0	9.5	9.0	8.5	8.0	7.5	6.5
	> 1	15.0	11.0	10.0	9.5	9.0	8.5	8.0	7.5	6.5

NOTE: If a length of grade falls on a boundary condition, the equivalent from the longer-grade category is used.
[a] Four- or six-lane highways.

TABLE 8-4. ADJUSTMENT FACTORS FOR DIRECTIONAL DISTRIBUTION ON GENERAL TERRAIN SEGMENTS

Directional Distribution	100/0	90/10	80/20	70/30	60/40	50/50
Adjustment Factor, f_d	0.71	0.75	0.83	0.89	0.94	1.00

TABLE 8-5. ADJUSTMENT FACTORS FOR THE COMBINED EFFECT OF NARROW LANES AND RESTRICTED SHOULDER WIDTH, f_w

USABLE[a] SHOULDER WIDTH (FT)	12-FT LANES[b]		11-FT LANES[b]		10-FT LANES[b]		9-FT LANES[b]	
	LOS A–D	LOS E	LOS A–D	LOS E	LOS A–D	LOS E	LOS A–D	LOS E
≥ 6	1.00	1.00	0.93	0.94	0.84	0.87	0.70	0.76
4	0.92	0.97	0.85	0.92	0.77	0.85	0.65	0.74
2	0.81	0.93	0.75	0.88	0.68	0.81	0.57	0.70
0	0.70	0.88	0.65	0.82	0.58	0.75	0.49	0.66

[a] Where shoulder width is different on each side of the roadway, use the average shoulder width.
[b] For analysis of specific grades, use LOS E factors for all speeds less than 45 mph.

impacted, while downgrade vehicles experience far less impact. As a result, level-of-service criteria presented in Table 8-2 are based on the average *upgrade* travel speed. This speed is the average speed of all vehicles traveling up the grade.

Where composite grades are present, the average grade is used in analysis. The average grade is the total rise, in feet, of the composite grade divided by the horizontal length of the grade, in feet, multiplied by 100 to adjust from a decimal to a percentage.

The average upgrade speed at which capacity occurs varies between 25 and 40 mph, depending upon the percent grade, the percentage of no passing zones, and other factors. Because operating conditions at capacity vary for each grade, the finding of capacity is not as straightforward as service flow rate computations for levels-of-service A through D, where speed is established using the criteria of Table 8-2.

Research has found that grades on two-lane highways have a more significant impact on operations than similar grades on multilane highways. Platoons forming behind slow-moving vehicles can be broken up or dissipated only by passing maneuvers using the opposing lane. On two-lane highways, the same geometric features causing platoons to form also tend to restrict passing opportunities as well. It has also been found that most passenger cars, even in the absence of heavy vehicles, are affected by extended grades, and will operate less efficiently than on level terrain. Additional operational problems due to vehicle stalls, accidents, or other incidents are not accounted for in the procedure. The effects of rain, snow, ice, and other negative environmental factors are also not considered.

1. *Relationship between speed and service flow rate on specific grades*—Average upgrade speeds on two-lane highways may be estimated for specific grades of a given percent and length of grade, assuming a level approach to the grade. Two-way service flow rates, SF_i may be calculated for a specific level of service, or correspondingly, for any designated average upgrade speed. The need to provide a climbing lane based on AASHTO's safety warrant is not part of the procedure, but sample calculation 5 illustrates the evaluation of a potential climbing lane.

TABLE 8-6. AVERAGE PASSENGER-CAR EQUIVALENTS FOR TRUCKS, RV'S, AND BUSES ON TWO-LANE HIGHWAYS OVER GENERAL TERRAIN SEGMENTS

VEHICLE TYPE	LEVEL OF SERVICE	TYPE OF TERRAIN		
		LEVEL	ROLLING	MOUNTAINOUS
Trucks, E_T	A	2.0	4.0	7.0
	B and C	2.2	5.0	10.0
	D and E	2.0	5.0	12.0
RV's E_R	A	2.2	3.2	5.0
	B and C	2.5	3.9	5.2
	D and E	1.6	3.3	5.2
Buses, E_B	A	1.8	3.0	5.7
	B and C	2.0	3.4	6.0
	D and E	1.6	2.9	6.5

SOURCE: Ref. 6

The service flow rate for any given average upgrade speed is given by the following relationship:

$$SF_i = 2{,}800 \times (v/c)_i \times f_d \times f_w \times f_g \times f_{HV} \quad (8\text{-}3)$$

where:

SF_i = service flow rate for level-of-service i, or speed i, total vph for both directions, for prevailing roadway and traffic conditions.

$(v/c)_i$ = v/c ratio for level-of-service i or speed i, obtained from Table 8-7;

f_d = adjustment factor for directional distribution, obtained from Table 8-8;

f_w = adjustment factor for narrow lanes and restricted shoulder width, obtained from Table 8-5;

Grade (%)	Length of Grade (km)	Average Upgrade Speed (km/h)							
		90	85	80	75	70	65	60	50
0	All	2.2	1.8	1.6	1.5	1.4	1.3	1.3	1.3
3	0.5	3.3	2.6	2.1	1.9	1.8	1.7	1.7	1.6
	1.0	4.6	3.4	2.6	2.3	2.0	1.9	1.9	1.8
	1.5	6.6	4.5	3.2	2.8	2.4	2.2	2.1	2.1
	2.0	10.1	6.0	4.2	3.4	2.9	2.6	2.5	2.4
	2.5	14.1	7.6	5.2	4.1	3.4	3.0	2.9	2.7
	3.0	20.6	9.9	6.2	4.9	4.0	3.6	3.3	3.0
	4.0	59.9	18.7	8.6	6.8	5.5	4.8	4.3	3.7
	5.0	94.4	29.8	11.7	9.1	7.2	6.0	5.3	4.3
	6.0	*	43.6	17.4	12.7	9.3	7.4	6.4	5.1
4	0.5	3.6	2.8	2.4	2.0	1.9	1.8	1.8	1.7
	1.0	5.4	4.0	3.1	2.7	2.3	2.1	2.1	2.0
	1.5	9.8	6.1	4.2	3.4	3.0	2.6	2.5	2.4
	2.0	16.7	9.0	5.8	4.6	3.7	3.3	3.1	2.8
	2.5	25.2	13.5	7.5	5.9	4.6	4.1	3.7	3.4
	3.0	47.7	17.3	9.6	7.5	5.9	5.0	4.5	4.0
	4.0	67.8	34.5	14.8	11.5	8.7	7.3	6.4	5.3
	5.0	*	53.7	22.8	16.8	12.1	9.9	8.5	6.8
	6.0	*	60.2	41.2	27.3	17.6	13.1	11.0	8.5
5	0.5	4.4	3.2	2.5	2.3	2.0	1.9	1.9	1.8
	1.0	7.6	5.0	3.7	3.0	2.7	2.4	2.3	2.3
	1.5	14.3	8.2	5.4	4.3	3.6	3.2	3.0	2.8
	2.0	28.2	13.6	7.8	6.0	4.7	4.2	3.9	3.4
	2.5	46.8	20.3	10.6	8.1	6.1	5.4	4.9	4.2
	3.0	79.9	31.3	15.0	11.1	8.4	7.0	6.2	5.0
	4.0	*	44.8	26.3	19.5	14.5	11.4	9.7	7.3
	5.0	*	*	41.0	31.0	22.7	16.5	13.7	9.8
	6.0	*	*	*	54.6	39.1	23.8	19.0	12.9
6	0.5	4.4	3.7	2.8	2.4	2.2	2.0	2.0	1.9
	1.0	9.7	6.3	4.3	3.6	3.1	2.7	2.6	2.5
	1.5	20.6	11.4	7.0	5.4	4.3	3.8	3.6	3.2
	2.0	47.8	21.0	11.5	8.3	6.2	5.3	4.8	4.2
	2.5	78.6	32.0	16.8	11.8	8.6	7.1	6.3	5.3
	3.0	*	45.5	24.2	17.1	12.8	9.8	8.5	6.6
	4.0	*	*	47.2	33.5	23.7	17.8	14.9	10.5
	5.0	*	*	*	54.1	38.6	27.6	22.4	15.0
	6.0	*	*	*	*	65.0	42.0	33.0	21.3
7	0.5	5.9	4.1	3.1	2.7	2.4	2.2	2.2	2.1
	1.0	12.5	7.9	5.1	4.2	3.6	3.2	4.0	2.8
	1.5	31.6	16.6	8.8	6.7	5.3	4.6	4.2	3.8
	2.0	*	29.8	19.1	11.3	8.1	6.7	6.1	5.1
	2.5	*	46.6	25.2	17.0	11.7	9.4	8.3	6.6
	3.0	*	77.2	39.2	26.3	17.9	14.0	11.9	8.8
	4.0	*	*	53.1	43.0	33.5	27.4	22.7	15.1
	5.0	*	*	*	*	61.6	43.3	34.1	22.0
	6.0	*	*	*	*	*	59.5	43.8	29.0

* Speed not attainable on grade specified.
NOTES: Round "% grade" to next higher integer value.
Interpolated from values in HCM (13).

Table III-23. Passenger car equivalents for specific grades on two-lane rural highways, E and E_o (13).

the abutting lane and proceed without difficulty, although there is evidence that safety is enhanced when vehicles in the traffic stream move at the same speed.

Because highways are normally designed for 20 years or more in the future, there is less likelihood of climbing lanes being justified on multilane facilities than on two-lane roads for several years after construction even though they are deemed desirable for the peak hours of the design year. Where this is the case, there is economic advantage in designing for, but deferring construction of, climbing lanes on multilane facilities. In this situation, grading for the future climbing lane should be provided initially. The necessary additional grading for a climbing lane is small when compared to that required by the overall cross section. If, however, even this additional grading creates a problem, it is acceptable, although not desirable, to use a narrower shoulder adjacent to the climbing lane rather than the full shoulder provided on a normal section.

Although primarily a rural condition, there are instances where climbing lanes will be necessary in urban areas. Climbing lanes are particularly important for freedom of operation on urban freeways where traffic volumes are high in relation to capacity. On older urban freeways and arterial streets with appreciable grades and no climbing lanes, it is a common occurrence for heavy traffic, which may otherwise move well, to queue up on grades.

Trucks. As in the case for two-lane highways discussed earlier in this chapter, the principal determinants of need for climbing lanes are critical lengths of grade, effects of trucks on grades in terms of equivalent passenger cars, service volumes for the desired level of service, and flow rates for the next poorer level of service.

Critical length of grade has been discussed previously in this chapter. It is the length of a particular upgrade which reduces the operating speed of high mass/power trucks 15 km/h below the operating speed of the remaining traffic. The critical length of grade to effect a 15 km/h truck speed reduction is found using Figure III-25C or Figure III-29 which is compared to the length of the particular grade being examined. If the critical length of grade is less than the length of grade being studied consideration of a climbing lane is warranted.

In determining service volume the passenger car equivalent for trucks is a significant factor. It is generally agreed that trucks on multilane facilities have less effect in deterring following vehicles than on two-lane roads. Comparison of passenger car equivalents for the same percent of grade, length of grade, and percent of trucks, between Table III-28 and Table III-23 clearly illustrates the difference in passenger car equivalents of trucks for two-lane and multilane facilities.

In the matter of justifying the cost of providing a climbing lane, a larger volume should be the criterion, as in the case of justifying climbing lanes for two-lane roads, because highway users accept and will tolerate a higher degree of congestion (poorer level of service) on individual grades than over long sections of highway. As a matter of practice, the service volume on an individual grade should not exceed that attained by using the next poorer level of service

Grade (%)	Length (km)	E_T[a]								
	% Trucks and Buses	2	4	5	6	8	10	15	20	25
<2	All	1.5	1.5	1.5	1.5	1.5	1.5	1.5	1.5	1.5
2	0.0 - 0.4	1.5	1.5	1.5	1.5	1.5	1.5	1.5	1.5	1.5
	0.4 - 0.8	1.5	1.5	1.5	1.5	1.5	1.5	1.5	1.5	1.5
	0.8 - 1.2	1.5	1.5	1.5	1.5	1.5	1.5	1.5	1.5	1.5
	1.2 - 1.6	2.5	2.0	2.0	2.0	1.5	1.5	1.5	1.5	1.5
	1.6 - 2.4	4.0	3.0	3.0	3.0	2.5	2.5	2.0	2.0	2.0
	>2.4	4.5	3.5	3.0	3.0	2.5	2.5	2.0	2.0	2.0
3	0.0 - 0.4	1.5	1.5	1.5	1.5	1.5	1.5	1.5	1.5	1.5
	0.4 - 0.8	3.0	2.5	2.5	2.0	2.0	2.0	2.0	1.5	1.5
	0.8 - 1.2	6.0	4.0	4.0	3.5	3.5	3.0	2.5	2.5	2.0
	1.2 - 1.6	7.5	5.5	5.0	4.5	4.0	4.0	3.5	3.0	3.0
	1.6 - 2.4	8.0	6.0	5.5	5.0	4.5	4.0	4.0	3.5	3.0
	>2.4	8.5	6.0	5.5	5.0	4.5	4.5	4.0	3.5	3.0
4	0.0 - 0.4	1.5	1.5	1.5	1.5	1.5	1.5	1.5	1.5	1.5
	0.4 - 0.8	5.5	4.0	4.0	3.5	3.0	3.0	3.0	2.5	2.5
	0.8 - 1.2	9.5	7.0	6.5	6.0	5.5	5.0	4.5	4.0	3.5
	1.2 - 1.6	10.5	8.0	7.0	6.5	6.0	5.5	5.0	4.5	4.0
	>1.6	11.0	8.0	7.5	7.0	6.0	6.0	5.0	5.0	4.5
5	0.0 - 0.4	2.0	2.0	1.5	1.5	1.5	1.5	1.5	1.5	1.5
	0.4 - 0.5	6.0	4.5	4.0	4.0	3.5	3.0	3.0	2.5	2.0
	0.5 - 0.8	9.0	7.0	6.0	6.0	5.5	5.0	4.5	4.0	3.5
	0.8 - 1.2	12.5	9.0	8.5	8.0	7.0	7.0	6.0	6.0	5.0
	1.2 - 1.6	13.0	9.5	9.0	8.0	7.5	7.0	6.5	6.0	5.5
	>1.6	13.0	9.5	9.0	8.0	7.5	7.0	6.5	6.0	5.5
6	0.0 - 0.4	4.5	3.5	3.0	3.0	3.0	2.5	2.5	2.0	2.0
	0.4 - 0.5	9.0	6.5	6.0	6.0	5.0	5.0	4.0	3.5	3.0
	0.5 - 0.8	12.5	9.5	8.5	8.0	7.0	6.5	6.0	6.0	5.5
	0.8 - 1.2	15.0	11.0	10.0	9.5	9.0	8.0	8.0	7.5	6.5
	1.2 - 1.6	15.0	11.0	10.0	9.5	9.0	8.5	8.0	7.5	6.5
	>1.6	15.0	11.0	10.0	9.5	9.0	8.5	8.0	7.5	6.5

NOTE: If a length of grade falls on a boundary condition, the equivalent from the longer-grade category is used. For any grade steeper than the % shown, use the next higher grade category.

[a]Four- or six-lane highways.

Table III-28. Passenger-car equivalents for trucks and buses on uniform upgrades (13).

APPENDIX H
REVIEW OF THE PAVEMENT ANALYSIS BY TOM KIRK, P.E., WILLDAN ASSOCIATES

WILLDAN ASSOCIATES

MEMORANDUM

REGISTERED PROFESSIONAL ENGINEER
THOMAS P. KIRK
No. 31843
CIVIL
STATE OF CALIFORNIA

To: Jeffrey Lambert, AICP
Director of Planning and Building Services
City of Santa Clarita

From: Thomas Kirk, RCE,
Pavement Consulting Engineer

Subject: EIS REVIEW - PAVEMENT IMPACTS FOR SOLEDAD CANYON SAND AND GRAVEL MINING PROJECT

Date: June 8, 1999

The discussion in the EIS of the project's potential pavement impacts consists of one paragraph that contains very limited and poorly founded conclusions. The conclusions are based on an analysis in the technical appendix which is lacking in supporting data. The conclusions are in many instances incorrect. In addition, the analysis does not address the full scope of implications or all of the mitigation measures available. Specific flaws, incongruities, contradictions, shortfalls and all omissions are summarized below:

1. Traffic loading of pavement is obscure since:

   a) Data is not provided to substantiate the statements made in the EIS.

   b) Pertinent information is not brought forward into the body of the EIS from the technical data. H-1

2. The calculations and data for Traffic Index (TI) value are not provided. The limited information leads to many questions, the likely answers to which are fatal to a reasonable assessment of impacts: H-2

   a) Is "2000 TI" for 1999-2008, or 2000-2019 under Phase 1 loading, or something else?

   b) Is "2008 TI" for 2008-2019, or 2000-2019 under Phase 1-Phase 2 loading, or something else?

   c) How many axles do the trucks in Table 3.1.11-9 have?

   d) What is the TI for existing traffic in the 2000 and 2008 TI periods and how was existing traffic loading calculated for these years?

e) What are the truck percentages for future traffic volumes in Table 3.1.11-6?

f) What is the growth rate for 2000 and 2008 TI's?

g) What are the projected impacts of other future quarry projects? Have these future quarry projects been accounted for in the analysis?

h) Where are the worksheets referenced in the Associated Transportation Engineering (ATE) letter of February 19, 1998, to The Chambers Group? They are not in the report.

i) Some of the data for the ATE letter truck volumes is stated in that letter, but it doesn't appear to include existing traffic, growth rates, other future projects, etc. Is this the case?

j) What year was the County's pavement analysis done?

k) What improvements have been made by the County and when were they done?

Without the answers to the above questions, no reasonable pavement analysis can be attempted. The documentation provided in the EIS and its appendixes is insufficient to allow meaningful peer review and comment on the analysis.

H-2

3. Though it is impossible to evaluate the reliability of any information due to the above questions, it is still possible to identify some errors and contradictions:

   a) The ATE letter of 2/19/98 states traffic loading has a TI of 10.5. Subsection 3.1.11.2 of the EIS references a TI of 11.0.

   b) TI values in the ATE letter contradict the truck volume data in the same letter.

H-3

4. The pavement analysis is obscure and apparently flawed:

   a) ATE's letter of February 19, 1998 states that pavement will suffice until 2008. However, the referenced data clearly shows deficient pavement in two segments.

   b) RMA's letter of March 7, 1996 seems to provide for overlay of the two segments referenced in a) above, but it is not stated when the overlay should be performed.

   c) There are two tables in the RMA Group appendix, one labeled Table 1 and the other not labeled. Identical data with different results in the final column are shown. These tables appear to be the basis for all conclusions on the need for pavement restructuring, but as it stands are confusing.

   d) RMA's letter of March 7, 1996 states that the roadway will to be widened with TI increasing to 11. Does this mean TI 11 with other traffic, not including the proposed project? If so, the proposed project should definitely participate in widening the roadway. If not, the TI must be incorrect and is much too low, since TI 11 was used for the pavement analysis by the county in 19??. In any case, participation in the winding is

H-4

never otherwise addressed in the report and would seem an obvious mitigation measure to separate truck traffic from commuter and other passenger traffic. In fact a third lane for acceleration at the roadway entry should be considered.

e) The ATE letter of 2/19/99 potentially contradicts RMA's letter referenced in b) above, requiring the overlay in 2008, rather than much earlier, as would be needed due to the inadequacy of the two substandard segments. No data exists in the report that demonstrates these segments will survive until 2008. On the contrary, the tables attached to RMA's letter clearly show failure in these segments before that time, considering the dramatically increased loading from the proposed project. H-4

f) Actually, the ATE letter is grossly flawed when it states that the only segments needing upgrading are the two sections identified as substandard in an early time frame, but are shown to be upgraded only for the period after 2008. We know that the traffic in Phase 2 is vastly greater and may be an additional TI of 11 on top of the TI for Phase 1. Indications are that the substandard segments will need to be upgraded by 2004, and the entire segment will require upgrading in 2008.

The project impacts will be severe on traffic and pavement. These impacts are understated in the EIS and the mitigations provided will not fully mitigate impacts.

5. The need for widening of the roadway should be attributed in large part to the proposed project. This is a significant project mitigation which is not identified in the EIS, therefore impacts remain significant and unmitigated. For traffic flow and safety reasons, the heavy truck traffic should be kept out of the main passenger traffic lane. H-5

6. An obvious, though unaddressed, mitigation for nearly every concern in the EIS is construction of a private haul road to the vicinity of Bee Canyon. This measure becomes highly efficacious in light of the following:

a) The developer can place his pavement investment for overlay and widening in an onsite roadway and also save on traffic signal costs.

b) The developer's cost will be substantially less than City's open bid process, in that the developer manufactures the materials for the roadway onsite. Hauling and raw material costs should therefore be minimal. A macacam roadway would be an excellent choice in that the developer would only have to pay outside costs for spraying asphalt on the aggregate road bed. H-6

c) The net increased costs may be zero, and provide mitigation of offsite safety, pavement degradation, noise, dust, broken windshields, and reduced traffic flow for the portion of the haul route replaced with this roadway.

d) Future developments could be required to sign a reimbursement agreement for the right to use the same road across the developer's property, thereby mitigating the same concerns for future developments.

7. There is a potentially significant environmental impact not addressed in the EIS, and that is the effect of the occasional dropping of gravel in the roadway. Broken windshields are a serious concern for drivers on high-speed routes near quarries. H-7

8. To ensure that pavement mitigation measures correspond to original intent, a bond should be acquired covering payments linked to actual pavement loading from the site, e.g. tons shipped. This would reconcile these potential problems: H-8

   a) The site shifts to Phase 2 earlier than planned;

   b) The developer folds the operation as insolvent just before the required overlay, but well after the damage to pavement is done.

Los Angeles County
Department of Regional Planning
Director of Planning James E. Hartl, AICP

L-2

August 31, 1999

NOTICE OF VIOLATION

Jack Troinoff
Zeo-tech Corp. dba Jack Spratt Ind.
7110 Vanscoy Avenue
North Hollywood, CA 91605

Inspection File No. EF991713

Dear Mr. Troinoff:

In response to a referral from the State of California Department of Conservation, an inspection was conducted at the lot known as 11520 Soledad Canyon Road, also known as assessor's parcel number 3210 021 302. This inspection disclosed that surface mining activities are being conducted without Regional Planning approval. Such activities may also be violation of the California Surface Mining and Reclamation Act and the Public Resources Code.

This is not a permitted use in the W zone classification and is in violation of the provisions of the Los Angeles County Zoning Ordinance, Section 22.40.020, 22.40.280 and 22.56.1250.

Please consider this an order to comply with the provisions of the Zoning Ordinance within **thirty (30)** days after receipt of this letter. Failure to comply as requested may cause this matter to be referred to the District Attorney with the request that a criminal complaint be filed. Conviction may result in a penalty of up to six months in jail and/or a one thousand dollar fine, each day in violation constituting a separate offense.

Any inquiry regarding this matter may be addressed to the Department of Regional Planning, 320 West Temple Street, Los Angeles, CA 90012; Attention: Zoning Enforcement, telephone (213) 974-6483. To speak directly with the investigator, **Mark E. Buenaluz**, please call Monday through Thursday before 10:00 A.M. Our offices are closed on Fridays.

Very truly yours,

DEPARTMENT OF REGIONAL PLANNING
James E. Hartl, AICP, Director of Planning

Morris J. Litwack

Morris J. Litwack, Section Head
Zoning Enforcement

MJL:MB:tma

cc: Bureau of Land Management
State of California Department of Conservation
Julie Moore, Zoning Permits

23920 Valencia Blvd.
Suite 300
Santa Clarita
California 91355-2196
Website: www.santa-clarita.com

Phone
(661) 259-2489
Fax
(661) 259-8125

L-3

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99 JUN 28 PM 12:50
CALIF. DESERT DISTRICT
RIVERSIDE, CA

City of
Santa Clarita

June 10, 1999

Tim Salt
District Manager, California Desert District
Bureau of Land Management
2800 Cottage Way
Sacramento, CA 95829

Dear Mr. Salt:

This letter is in regards to the Soledad Canyon Sand and Gravel Mining Project proposed by Transit Mixed Concrete Company. Since the release of the Draft EIS for public review and comment in May 1999, an overwhelming number of Santa Clarita Valley residents have expressed concerns related to the environmental impacts associated with this proposal.

At the June 2, 1999, public meeting of the Bureau of Land Management (BLM) a request was made to extend the review and comment period for the Draft EIS to coincide with the Los Angeles County Draft EIR and also hold an additional public meeting due to the low attendance and participation. The City has received many complaints regarding the poor notification for the "public meeting" and is requesting that the BLM extend the review and comment period, host an additional public meeting and respond to all comments to the Draft EIS.

The time extension and additional public meeting would provide further opportunity for the public to comment on the proposal and the potential environmental consequences. Please notify Jeffrey Lambert, Director of Planning and Building Services, at (661) 255-4330, following your decision. Thank you for your cooperation. 1

Sincerely,

Jo Anne Darcy
Mayor

cc: City Councilmembers
U.S. Senator Barbara Boxer
U.S. Senator Diane Feinstein
Representative Buck McKeon
State Senator Pete Knight
Assemblyman George Runner
Richard Grabowski, BLM Director for Energy and Minerals
Mitchell Leverette, BLM Program Lead Geologist
Jeffrey Lambert, Director of Planning & Building Services

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L-4

SAUGUS UNION SCHOOL DISTRICT

24930 Avenue Stanford, Santa Clarita, California 91355 661-294-7500 Fax 661-294-7560

99 OCT 25 PM 2:55
CALIF. DESERT DISTRICT
RIVERSIDE, CA.

TO		INIT	DATE
1	DM		
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	RETURN TO CENTRAL FILES		

October 19, 1999

Mr. Tim Salt
California Desert District
Bureau of Land Management
6221 Box Springs Boulevard
Riverside, California 92507

Dear Mr. Salt:

Saugus Union School District requested an extension of time in order to review the EIR/EIS for the proposed Transit Mixed sand and gravel mining project in Soledad Canyon. Thank you for granting this request. We understand that the Planning Commission and perhaps the Bureau of Land Management as well has required that Transit Mixed Concrete Company rewrite the EIR/EIS for this proposed project.

Staff of Saugus Union School District did review the existing EIR/EIS from the proposed project and believe this project is not in the best interest of the children of Saugus Schools. The Board of Trustees passed the enclosed Resolution No 99-28, which calls on the County of Los Angeles and the Bureau of Land Management to reject the proposed project. 1

Staff of Saugus Schools would review any new EIR/EIS which might be developed in light of recent decision made by the Planning Commission of Los Angeles County and the Bureau of Land Management; but, until that time, the above resolution in opposition to this project stands.

Thank you for your courtesies regarding this project proposal and its timelines.

Sincerely,

Gail Wickstrom, Ed.D.
Superintendent

GW: jm
Enclosure
cc: Michael D. Antonovich, Supervisor
Allan Cameron, Comprehensive Development Consulting
Esther Feldman, Chairperson, Los Angeles County Regional Planning Commission
Robert C. Keller, Chair, City of Santa Clarita Planning Commission
Richard Grabowski, Deputy State Director for Minerals
Howard "Buck" McKeon, Congressman
George Pederson, Los Angeles County Planning Commissioner

BOARD OF TRUSTEES • Eileen Connolly • Rose Koscielny • Gary G. Murr • Jonathan L. Myl • Judy Umeck •
SUPERINTENDENT • Gail Wickstrom, Ed.D.
"QUALITY EDUCATION IN DEPTH FOR ALL STUDENTS"

RESOLUTION NO. 99-28

A RESOLUTION OF THE BOARD OF TRUSTEES OF THE SAUGUS UNION SCHOOL DISTRICT REJECTING THE PROPOSAL BY TRANSIT MIXED CONCRETE COMPANY FOR THE DEVELOPMENT OF THE SOLEDAD CANYON SAND AND GRAVEL MINING PROJECT

Whereas, the Saugus Union Elementary School District is responsible for the public education of nine thousand students in grades kindergarten through six in the Santa Clarita Valley; and

Whereas, the Saugus Union Elementary School District has three schools within eight miles of the proposed Soledad Canyon Sand and Gravel Mining Project of Transit Mixed Concrete Company; and

Whereas, the Saugus Union Elementary School District is very concerned with indoor air quality as well as outdoor air quality and the effects on the health of its students and staff; and

Whereas, about 10% of Saugus Union Elementary School District students are already acutely sensitive to poor air quality; and

Whereas, the impact of the Soledad Canyon Sand and Gravel Mining Project on local schools is not addressed in the Environmental Impact Report (EIR) and Environmental Impact Statement (EIS) for the project; and

Whereas, the EIR/EIS states that up to 92% of the dust produced by the mining would be PM 10; and, since the City of Santa Clarita does not currently meet the PM 10 federal and state air quality standards and is not expected to meet them in the foreseeable future; and

Whereas, the EIR/EIS indicates that the proposed project would cause an average of 700 truck trips daily which would generate ozone; and, since the City of Santa Clarita does not currently meet the ozone federal and state air quality standards and is not expected to meet them until after 2010; and

Whereas, the proposed project would most likely adversely affect air quality and make it more difficult to achieve good air quality in the Santa Clarita Valley where Saugus Schools have children enrolled; and

Whereas, serious concerns have been raised regarding the quality and accuracy of the data presented related to impacts on schools, air quality and health risks from the proposed mining operations; and

Now therefore be it resolved, that the Board of Trustees of the Saugus Union Elementary School District takes an official position to recommend that the County of Los Angeles and the Bureau of Land Management reject the proposal by Transit Mixed Concrete Company for the development of the Soledad Canyon Sand and Gravel Mining Project.

PASSED and ADOPTED THIS 5th day of October, 1999 at a regular meeting, by the following vote, to wit:

AYES: 5 NOES: 0 ABSENT: 0

Attest:

Gail Wickstrom, Superintendent/Secretary
Secretary to the Board of Trustees

Eileen Connolly, President
President of the Board of Trustees

City of
Santa Clarita

23920 Valencia Blvd.
Suite 300
Santa Clarita
California 91355-2196
Website: www.santa-clarita.com

Phone
(661) 259-2489
Fax
(661) 259-8125

L-5

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PALM SPRINGS-SOUTH COAST
RESOURCE AREA

January 4, 2000

Mr. James G. Kenna
Field Manager
Bureau of Land Management
Palm Springs - South Coast Field Office
690 W. Garnet Avenue
North Palm Springs, California 92258

Re: Comments on the Supplement to the Draft Environmental Impact Statement (DEIS) for the Soledad Canyon Sand and Gravel Mining Project OEPC #DEIS 99-57

Dear Mr. Kenna:

Thank you for the opportunity to comment on the Supplement to the Draft Environmental Impact Statement (DEIS) for the Soledad Canyon Sand and Gravel Mining Project proposed by Transit Mixed Concrete. We appreciate the opportunity to work with the Bureau of Land Management (BLM) staff to provide the agency's decisionmakers with a document that accurately describes the potential impacts of the project. This letter reiterates our concerns regarding the defects in the Draft EIS which we feel have not yet been addressed, and explains our concerns with the analysis contained in the Supplement.

Supplement Fails to Address Serious Defects in the DEIS Identified In Our Prior Letter

While we agree with the BLM that a Supplement or a significantly revised DEIS is required for the project, this Supplement fails to address the serious legal inadequacies in the DEIS that we identified in our August 25, 1999, letter to you. Our prior letter identified the following major classes of flaws in the document which have yet to be addressed:

- Our prior letter explained that the DEIS fails to include the necessary information to enable an independent peer review of the many findings and conclusions contained in the DEIS, therefore precluding meaningful public review and comment. The required information that we requested has not been included in the Supplement. 1

- Our prior letter explained that the DEIS contains seriously dated information and relies on inappropriate analytic techniques which render the seismic analysis, the noise analysis, the biological resources assessment, the cultural and palentological resources discussion, the air quality analysis, the traffic analysis, and the pavement analysis inaccurate or invalid. Although the Supplement does contain updated air quality data, there are still serious 2

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problems with the conformity analysis contained in the Supplement, as detailed later in this letter. None of the informational or analytic flaws which we identified in the other sections of the DEIS have been addressed in the Supplement. 2

- Our prior letter detailed significant problems with the description of the proposed action contained in the DEIS. The project description has not been updated in the Supplement to cure the omissions we identified in our letter. 3

- As detailed in our prior letter, the DEIS contains examples of both inaccurate significance criteria and significance criteria which are set too high, resulting in inaccurate and understated significance judgements regarding potential water resource impacts, water quality impacts, biological resource impacts, noise impacts and air quality impacts. Although the Supplement does attempt to correct some of the problems with the air quality analysis (for one of the alternatives), it does not address the serious problems with the significance criteria used in these other impact assessment judgements. 4

- As detailed in our prior letter, the DEIS fails to identify many potentially significant environmental impacts and understates a number of impacts as a result of faulty analysis. Our letter identified 26 classes of missed "potentially significant" impacts which are not addressed in the Supplement. 5

- As detailed in our prior letter, the DEIS fails to meet the mitigation standards as established in 40 C.F.R. 1508.2 and Forty Questions No. 19(a). Our August 25, 1999, letter outlined serious concerns about the adequacy, enforceability and monitorability of the mitigation measures, as currently structured, which have not been addressed in the Supplement. 6

- Our prior letter explained that, given the errors and omissions in the analysis and the deficiencies in the mitigation measures contained in the DEIS, there was clear potential for significant unmitigated impacts in the following areas: geotechnical impacts; water resource impacts; water quality impacts; air quality impacts; biota impacts; visual impacts; and traffic impacts. However, the Supplement fails to contain revised analyses for any of the above issue areas, except air quality. 7

- As detailed in our prior letter, there are a number of problems with the cumulative analysis contained in the DEIS. However, no attempt has been made in the Supplement to correct the defects in the cumulative impact analysis. 8

- As detailed in our prior letter, the DEIS contains a mock cost-benefit analysis which should be either eliminated or corrected to consider impacts to the City 9

of Santa Clarita and its residents. However, the Supplement repeats (on pages 1-2 and 1-3) a portion of this inappropriate argument without adding a consideration of the impacts to the City and its residents. **9**

We continue to believe that the defects in the DEIS are sufficiently severe and such that curing them will require recirculation of a substantially re-written and updated Revised DEIS.

Supplement is an Insufficient Response to Criticism Raised in Our Prior Letter

The Supplement does attempt to address three of our criticisms of the DEIS:

- The inadequacies and inaccuracies in the air quality analysis;
- The serious lacks in the alternatives analysis; and,
- The apparent case of post-hoc rationalization.

However, the changes either introduce additional inaccuracies into the document, or do not fully address our concerns.

Air Quality Analysis

- The air quality analysis for the project and the remaining alternatives similarly needs to be updated. It is questionable to have a document where the air quality analysis for one alternative uses current information and the analysis for the project and remaining alternatives is based on outdated information. **10**

- The conformity analysis contained in the Supplement is questionable. As noted on Page 2-26 of the Supplement, the provisions of 40 CFR 93.158(a) require that:

> . . . one of several conditions be met for an action to be determined to conform. For emissions of ozone or NO_2, Section 93.158(a)(5)(A) states, "The total of direct and indirect emissions for the action is determined and documented by the state agency primarily responsible for the applicable SIP to result in a level of emissions which, together with all other emissions in the nonattainment area, will not exceed the emission budgets in the applicable SIP."

11

The analysis in the Supplement inaccurately assumes that because: (1) the project will produce "1.78 percent of the 2010 PM-10 attributable to Mineral

Processes in the SCAB"; (2) the project is in L.A. County; (3) L.A. County contains A62 percent" of the population in the SCAB; and (4) L.A. County demand is projected at "36 million tons a year;" that (1) demand in the SCAB must be "58 million tons per year;" (2) project production equals "7.25 percent of this estimated demand" but contributes only A1.78 percent of the emissions budget;" and (3) there is therefore consistency.

Rather than prepare an analysis which examines the project's contribution to SCAB emissions as required, based on a true analysis of likely industry output levels in the SCAB due to the operation of existing and proposed mineral processes, the analysis uses a faulty demand/population based calculation, presumably to address the fair argument of an impact which we presented in our prior letter. The analysis is faulty because it: (1) assumes there is a 100% correlation between population and the weight of aggregate produced; (2) that there is no import or export of aggregate produced in the SCAB to or from areas outside the SCAB; (3) that all mineral processes in the District produce emissions in proportion to tonnage at the same rate as the proposed project; and (4) that aggregate is the sole mineral process which needs to be considered in the analysis. Mineral processes are a Group 1 source category according to the AQMP. According to Table 2-4, page III-2-8 of the AQMP, Group 1 sources use industry output as growth factors. There is a category of sources that is population-based, but mineral processes are not part of this Group. Therefore, the analysis should be based on industry output. Table 2-4 would also appear to imply that mining includes all activities covered under SIC codes 10-14. Thus existing and cumulative projects included in these SIC codes should be included in the analysis. We therefore request a proper industry output-based analysis that looks at the effect of the project in combination with all existing and proposed mineral processes within the Air District. **11**

- The information presented in Tables 2.2.4-8 and 2.2.4-9, which is the key to the PM-10 conformity analysis contained in the Supplement, is incorrect. The Supplement to the DEIS states that the SCAQMD average PM-10 emissions in tons per day are from Table A-13 (2010 baseline year, pp. III-A-37 - III-A-39), 1997 AQMP. This is the correct reference to use in comparing TMC 2010 PM-10 emissions to the SCAQMD assumed average annual day emissions in the South Coast Air Basin in 2010. However, the numbers provided on Table 2.2.4-8 are not the numbers on Table A-13 of the AQMP. (Table A-13 of the AQMP is attached. It is available also at: http://www.aqmd.gov/aqmp/97aqmp/.) The numbers in the table are an overstatement of the SCAQMD emissions standards. **12**

These overstated SCAQMD emissions figures are used in Table 2.2.4-9 to calculate the percentage of the SCAQMD daily emissions represented by the

proposed alternative. Table 2.2.4-9 thus grossly understates the share represented by the alternative.

Our **Table 1** below provides a recalculation of the percent of the daily emissions represented by the alternative based on the correct values from Table A-13 of the AQMP. **Table 1** also shows the degree to which the figures presented in the Supplement constitute a gross understatement of the alternative's contribution to 2010 PM-10 emissions. Tables 2.2.4-10 and 2.2.4-11 in the Supplement reflect a similar miscalculation of the project's contribution to VOC and NOx emissions. **12**

Table 1
Degree to which the Supplement Severely Understates the Alternative's Share of SCAQMD 2010 PM-10 Daily Emissions (in tons per day)

SCAQMD Category	TMC Phase 2 /1/	SCAQMD Average /2/	TMC Percent /3/	% in SEIS /4/	SEIS Understated By /5/
Mineral Processes	0.05500	1.07	5.1402%	1.7900%	287%
Entrained Road Dust - Paved	0.03520	192.53	0.0183%	0.0060%	305%
Entrained Road Dust - Unpaved	0.00625	52.44	0.0119%	0.0040%	298%
Heavy-Duty Diesel Trucks	0.00975	6.68	0.1460%	0.0400%	365%
Mobile Equipment	0.01000	8.50	0.1176%	0.0600%	196%
Construction and Demolition	0.07700	60.85	0.1265%	0.0600%	211%
Light Duty Passenger	0.00010	4.25	0.0024%	0.0000%	
Fugitive Windblown Dust	0.01220	54.24	0.0225%	0.0690%	33%

Source:
/1/ From Table 2.2.4-8 of the Supplement to the TMC DEIS
/2/ Correct figures from Table A-13 (2010 baseline year, pp. III-A-37 to A-39 in the 1997 AQMP
/3/ Item 1 divided by Item 2
/4/ From Table 2.2.4-9 of the Supplement to the TMC DEIS
/5/ Item 3 divided by Item 4

The TMC Phase II emissions listed in **Table 1** are those provided in the Supplement. Our table necessarily assumes that emissions levels have been correctly calculated. However, given the apparent errors in the calculation of the alternative's contribution to emissions, we would urge that the actual emissions calculations be verified by an independent reviewer, as part of correcting the analysis contained in the document. **12**

Alternatives Analysis

- Our letter explained why the City felt that the DEIS did not comply with the requirements for an EIS alternative analysis as laid out in Forty Questions, Number 5b. The alternatives discussion contained in the Supplement does not sufficiently cure this defect. As noted in the Supplement (page 1-1 and page 3-1), the alternatives analysis contained in the Supplement does not add any new information, it merely restates the discussion of the alternatives contained in the DEIS in a way which is more comparative in form. There remains a gross disparity in the level of analysis performed for the alternatives and the level of analysis performed for the proposed project. This serious discrepancy in the level of detail is of particular concern, given the identification of one of the alternatives as the preferred alternative, and is a clear violation of the intent of NEPA. **13**

- The addition of the conveyor mitigation to the Reduced NFSA Alternative is not sufficient to result in a DEIS which contains alternatives which have been designed to reduce and avoid project impacts. Our concerns about the range of alternatives considered remain. **14**

- We find it curious that, for the most part, the same mitigation measures apply to the alternatives and to the proposed project. This supports our contention that the alternatives are not designed to be impact reducing. They are really minor variations on the same theme, having similar impacts and requiring the same mitigation measures. Until the defects in the analyses that we have identified have been cured, it will not be possible to design a range of alternatives which comply with NEPA's intent: identification of alternatives which reduce impacts. The document thus fails as a decision-making tool and does not allow for a constructive discussion between the City of Santa Clarita and the BLM regarding possible ways to avoid key impacts, while allowing for a reduced form of the project. Citizens and agencies concerned about impacts are thus left with no option but to advocate denial of the project or any of the alternatives contained in the DEIS. **15**

Post Hoc Rationalization

- It would appear that the BLM has responded to our assertion that the DEIS is a case of post hoc rationalization by identifying an alternative as the preferred alternative. This does not eliminate the apparent prejudice in favor of the proposed project that is evidenced by the 381 pages devoted to analysis of the proposed project. If the preferred alternative is in fact substantively different from the proposed project, it deserves a serious analysis, rather than the limited analysis included in the DEIS and the restatement of the brief analysis include in the Supplement for all issues except air quality. **16**

New Concerns Raised by the Supplement

- The environmental record for the Soledad Canyon Sand and Gravel Mining Project now includes a preferred alternative with a detailed air quality analysis, and weak analysis of all other issue areas. This needs to be corrected. **17**

- The environmental record also includes an out-of-date analysis of the air quality impacts of the proposed project; no attempt has been made to correct the air quality analysis of the proposed project. The analysis of project impacts must be updated. **18**

- Appendix A of the Supplement contains portions of letters from the Department of Conservation. Why are only portions of the letters included?

  The letter from the Department of Conservation dated April 7, 1999, would appear to point out (on page 3) problems with TMC's reclamation plan, consistent with some of our criticisms of the biological resources section of the DEIS. However, a key page of the letter, page 2, has been omitted and the concerns have not been addressed. Why? We would agree with the Department of Conservation that standards for evaluating the revegetation cover and species diversity must be specified and that they should be based on baseline data collected for the reclamation plan and the DEIS. We would argue that there has been no demonstration in the DEIS that adequate baseline data has been collected. Absent provision of adequate baseline data, it is not possible to judge whether the reclamation plan will adequately mitigate biological resource impacts. Impacts must, therefore, be assumed to remain significant. As detailed in our prior letter, there are a number of reasons to believe the plan will not adequately mitigate impacts. **19**

  The letter also points out problems with Table 3.1.8.1 of the DEIS which have not been addressed in the Supplement, and which are consistent with problems with the sensitive species identification noted in our prior letter. These concerns have yet to be addressed.

  We can only assume that missing page 2 of the letter identified other significant problems with the reclamation plan.

In conclusion, the Supplement to the Draft Environmental Impact Statement has done little to address the very serious problems with the DEIS which the City raised in its prior letter. In addition, the air quality analysis contained in the Supplement raises additional concerns regarding the accuracy and the completeness of the environmental analysis of the proposed project and the alternatives. We would therefore urge the BLM to abandon the existing environmental documentation and to prepare a fresh DEIS which adequately addresses the concerns of the City of Santa Clarita. The existing environmental document is a patchwork of outdated and incorrect information and needs to be completely redone. 20

Sincerely,

Jeffrey Lambert, AICP
Director of Planning and Building Services

Attachment

cc: Mayor Jo Anne Darcy and City Councilmembers
U.S. Senator Barbara Boxer
U.S. Senator Diane Feinstein
Representative Buck McKeon
State Senator Pete Knight
Assemblyman George Runner
Vince Bertoni, Planning Manager, City of Santa Clarita
Lisa Hardy, Associate Planner, City of Santa Clarita

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TABLE A-13

Average Annual Day Emissions in the South Coast Air Basin
2010 Baseline Year (Tons per Day)

Source Category	TOG	VOC	CO	NOx	SOx	TSP	PM10
Fuel Combustion							
Agricultural	0.04	0.03	0.00	0.00	0.00	0.01	0.01
Oil and Gas Production	3.99	0.56	1.62	1.84	0.01	0.05	0.05
Petroleum Refining	3.96	1.33	7.11	0.08	0.01	3.83	3.65
Other Manufacturing/Industrial	21.38	3.31	17.90	23.95	0.79	1.84	1.80
Electric Utilities	3.67	0.98	2.56	0.19	0.02	0.47	0.47
Other Service and Commerce	14.08	2.58	27.62	7.27	0.21	1.25	1.25
Residential	3.82	1.55	13.78	30.50	0.37	2.78	2.68
Other	1.53	0.48	4.88	0.58	0.06	0.38	0.38
Fuel Combustion	**52.47**	**10.82**	**75.47**	**64.41**	**1.47**	**10.61**	**10.29**
Waste Burning							
Agricultural Debris	0.02	0.01	0.16	0.00	0.00	0.02	0.02
Range Management	0.75	0.41	4.07	0.00	0.00	0.68	0.60
Forest Management	12.36	6.74	96.94	5.05	0.00	12.68	11.16
Incineration	0.33	0.05	0.21	0.42	0.05	0.27	0.13
Other	0.12	0.06	0.44	0.64	0.05	0.30	0.30
Waste Burning	**13.58**	**7.27**	**101.82**	**6.11**	**0.10**	**13.95**	**12.21**
Solvent Use							
Dry Cleaning	10.54	0.13	0.01	0.03	0.00	0.00	0.00
Degreasing	146.40	81.30	0.00	0.00	0.00	0.00	0.00
Architectural Coating	72.58	67.32	0.00	0.00	0.00	0.00	0.00
Other Surface Coating	93.74	86.83	0.24	0.38	0.03	0.87	0.84
Asphalt Paving	0.55	0.55	0.00	0.00	0.00	0.00	0.00
Printing	7.29	7.29	0.02	0.05	0.00	0.04	0.04
Consumer Products	92.31	91.72	0.00	0.00	0.00	0.00	0.00
Industrial Solvent Use	64.02	22.80	0.00	0.00	0.00	0.00	0.00
Other	9.60	4.49	0.00	0.00	0.00	0.02	0.02
Solvent Use	**497.03**	**362.43**	**0.27**	**0.46**	**0.03**	**0.93**	**0.90**

TABLE A-13
(Continued)

Source Category	TOG	VOC	CO	NOx	SOx	TSP	PM10
Petroleum Process, Storage & Transfer							
Oil and Gas Extraction	19.55	11.70	0.00	0.00	0.00	0.00	0.00
Petroleum Refining	12.50	9.16	4.63	0.01	0.01	3.27	2.46
Petroleum Marketing	69.96	22.81	0.00	0.00	0.00	0.00	0.00
Other	2.68	2.24	0.00	0.02	0.00	0.03	0.03
Petroleum Process, Storage & Transfer	**104.69**	**45.91**	**4.63**	**0.03**	**0.01**	**3.30**	**2.49**
Industrial Processes							
Chemical	27.34	18.86	0.04	0.06	0.00	0.65	0.58
Food and Agricultural	4.98	4.05	0.01	0.06	0.00	11.72	11.44
Mineral Processes	1.90	1.68	0.95	0.03	0.00	1.50	1.07
Metal Processes	0.12	0.08	0.06	0.07	0.03	0.98	0.82
Wood and Paper	0.02	0.02	0.01	0.00	0.00	13.86	9.70
Other	1.87	1.32	0.00	0.00	0.00	0.08	0.05
Industrial Processes	**36.23**	**26.01**	**1.07**	**0.22**	**0.03**	**28.79**	**23.66**
Miscellaneous Processes							
Pesticide Application	12.66	12.66	0.00	0.00	0.00	0.00	0.00
Farming Operations	138.34	11.07	0.00	0.00	0.00	29.87	14.23
Construction and Demolition	0.00	0.00	0.00	0.00	0.00	95.07	60.85
Entrained Road Dust - Paved	0.00	0.00	0.00	0.00	0.00	418.54	192.53
Entrained Road Dust - Unpaved	0.00	0.00	0.00	0.00	0.00	85.97	52.44
Unplanned Fires	0.96	0.67	10.02	0.24	0.00	1.02	1.00
Fugitive Windblown Dust	0.00	0.00	0.00	0.00	0.00	108.49	54.24
Waste Disposal	134.64	2.10	0.00	0.00	0.00	5.61	3.93
Natural Sources	0.00	0.00	0.00	0.00	0.00	0.00	0.00
NOx/SOx RECLAIM	0.00	0.00	0.00	31.76	11.37	0.00	0.00
Other	15.22	7.13	3.07	0.46	0.36	5.79	4.06
Miscellaneous Processes	**301.82**	**33.63**	**13.09**	**32.46**	**11.73**	**750.36**	**383.28**

TABLE A-13
(Concluded)

Source Category	TOG	VOC	CO	NOx	SOx	TSP	PM10
On-Road Vehicles							
Light-Duty Passenger	105.18	96.38	999.08	100.18	2.13	9.08	4.25
Light- and Medium-Duty Trucks	44.28	40.03	527.21	81.30	1.61	4.59	2.14
Heavy-Duty Gas Trucks	6.11	5.56	79.24	22.28	0.42	0.92	0.67
Heavy-Duty Diesel Trucks	17.62	17.12	180.60	153.08	12.49	7.96	6.68
Motorcycles	5.09	4.68	22.55	1.70	0.01	0.11	0.09
Heavy-Duty Diesel - Urban Bus	0.81	0.79	0.76	6.83	0.25	0.06	0.03
Other	0.00	0.00	0.00	0.00	0.00	0.00	0.00
On-Road Vehicles	**179.09**	**164.56**	**1809.44**	**365.37**	**16.91**	**22.72**	**13.86**
Other Mobile							
Off-Road Vehicles	49.48	47.51	256.04	6.39	0.04	1.94	1.92
Commericial Boats	0.51	0.49	2.00	10.22	1.71	0.19	0.18
Trains	1.35	1.31	4.10	25.70	1.28	0.49	0.47
Ships	3.24	3.13	4.09	41.84	32.05	4.10	3.91
Aircraft - Government	3.45	2.94	9.04	3.28	0.12	0.77	0.75
Aircraft - Other	16.57	14.37	93.12	19.99	1.32	0.05	0.05
Mobile Equipment	46.77	45.07	918.49	119.16	3.53	8.85	8.50
Utility Equipment	4.79	4.60	48.06	1.15	0.01	0.17	0.17
Other Mobile	**126.16**	**119.42**	**1334.94**	**227.73**	**40.06**	**16.56**	**15.95**
Stationary and Area Sources	**1005.82**	**486.07**	**196.35**	**103.69**	**13.37**	**807.94**	**432.83**
On-Road Vehicles	**179.09**	**164.56**	**1809.44**	**365.37**	**16.91**	**22.72**	**13.86**
Other Mobile	**126.16**	**119.42**	**1334.94**	**227.73**	**40.06**	**16.56**	**15.95**
Total - All Sources	**1311.07**	**770.05**	**3340.73**	**696.79**	**70.34**	**847.22**	**462.64**

L-6

COUNTY OF LOS ANGELES
DEPARTMENT OF PARKS AND RECREATION

Rodney E. Cooper, Director

January 06, 2000

Post-it® Fax Note 7671	Date 01/10/00	# of pages ▸ 2
To Elena Miranda	From Lois Lowery	
Co./Dept. U.S. Dept. of Interior	Co. L.A. Co. Parks & Rec	
Phone # (760) 251-4810	Phone # (213) 738-2977	
Fax # (760) 251-4899	Fax # (213) 487-0380	

Mr. James G. Kenna, Field Manager
Palm Springs-South Coast Field Office
Bureau of Land Management
P.O. Box 1260
North Palm Springs, California 92258

Dear Mr. Kenna:

SUPPLEMENT TO THE DRAFT ENVIRONMENTAL IMPACT STATEMENT
Soledad Canyon Sand And Gravel Mining Project OEPC #SES99-13

The Supplement to the Draft Environmental Impact Statement (SDEIS) for the subject project has been reviewed and impacts on the Santa a Clara River Trail have not been included in the SDEIS. In our earlier review of the Draft Environmental Impact Report (a California Environmental Quality Act document), we had requested that impacts on the Santa Clara Trail be addressed, (see attached letter dated March 30, 1999). This trail is identified on the Trails Master Plan for the County of Los Angeles and it should be recognized with appropriate dedication and mitigation measures provided. **1**

Thank you for your cooperation. We look forward to reviewing the final environmental document for this project. If you would like to discuss this matter further, please contact Mr. Jim McCarthy, the Trails Coordinator for this department at (213) 738-2972.

Sincerely yours,

Kimel Conway
Chief of Planning

c: Daryl Koutnik, Head
Regional Planning Impact Analysis Section

LL: 010600ii

March 30, 1999

Mr. Kerwin Chih, Acting Section Head
L. A. County, Department of Regional Planning
Impact Analysis Section
320 West Temple Street, Room 1348
Los Angeles, California 90012

Dear Mr. Chic:

SOLEDAD CANYON SAND AND GRAVEL MINING PROJECT
Draft Environmental Impact Report-Review
State Clearinghouse Number 91111066/County Project Number 91-165

Thank you for including the Los Angeles County Department of Parks and Recreation in the environmental review process for the above referenced project. The Draft Environmental Impact Report (EIR) has been reviewed by this department's planning and environmental staff. The County's Santa Clara River Trail is within the southwest corner of Area B. This Area is identified in the project for the processing facilities. It is requested that the final EIR address the following trail impacts:

1. Include a discussion of potential direct, indirect, short-term, and cumulative impacts on the Santa Clara River Trail. Provide specific mitigation measures to address all impacts to the trail.

2. Dedicate an easement to the County for continued public use of the trail in its current location adjacent to the Santa Clara River.

We look forward to reviewing the final EIR. If you have questions pertaining to this review, please contact Ms. Lillie Lowery of my staff at (213) 738-2977.

Sincerely yours,

Kimel Conway
Chief of Planning

LL: 033099iii

Elina

January 10, 2000

James G. Kenna, Field Manager
Palm Springs-South Coast Field Office
Bureau of Land Management
P.O. Box 1260
North Palm Springs, CA 92258
Fax: 760-251-4899

Re: OEPC # DEIS 99-57 Transitmixed Co. (Southdown Co.)

Dear Mr. Kenna:

We wish to thank your office for supplying our organization with copies of the Supplement to the Draft Environmental Impact Statement for the Project known as the Soledad Canyon Sand and Gravel Mining Project (Transit Mixed Company).

We have read the document, and find that the mitigating measures are still remiss.

The implementation of conveyor belts will only save a minimal amount of on-site pollution from emissions; however, the resulting dust and air congestion will probably only serve to exacerbate the situation tremendously. The conveyor belts will not alleviate the problem, off-site, of the tremendous increase in vehicular traffic on the scenic Soledad Canyon Road, and the adjoining Highway 14, and Agua Dulce Canyon Road. The emissions will further impact the surrounding area's air quality in a most negative manner.

Air quality, in this area of almost continuous winds, remains the issue of paramount importance. The DEIR has admitted that this factor can not be mitigated.

Thanks for your ongoing interest in this most critical matter.

Sincerely,

Stacey Nickels

Stacey Nickels, President NHC, A/AD

L-7

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Riverside County: James Venable, Riverside County • Dick Kelly, Palm Desert • Charles White, Moreno Valley • Ron Loveridge, Riverside • Andrea Puga, Corona • Ron Roberts, Temecula

San Bernardino County: Kathy Davis, San Bernardino County • Bill Alexander, Rancho Cucamonga • Jim Bagley, Twentynine Palms • David Eshleman, Fontana • Lee Ann Garcia, Grand Terrace • Gwenn Norton-Perry, Chino Hills • Ray Rucker, Highland

Ventura County: Judy Mikels, Ventura County • Donna De Paola, San Buenaventura • Andrew Fox, Thousand Oaks • Toni Young, Port Hueneme

Riverside County Transportation Commission: Robin Lowe, Hemet

Ventura County Transportation Commission:

January 6, 2000

James G. Kenna
Field Manager
Palm Springs-South Coast Field Office
Bureau of Land Management
P.O. Box 1260
North Palm Springs, CA 92258

RE: **Comments on the Supplement to the Draft Environmental Impact Statement for the Soledad Canyon Sand and Gravel Mining Project - SCAG No. I 19990568**

Dear Mr. Kenna:

Thank you for submitting the **Supplement to the Draft Environmental Impact Statement for the Soledad Canyon Sand and Gravel Mining Project** to SCAG for review and comment. As areawide clearinghouse for regionally significant projects, SCAG assists cities, counties and other agencies in reviewing projects and plans for consistency with regional plans.

We have reviewed the Supplement and determined that it is regionally significant per areawide clearinghouse criteria. The Supplement contains no information that would change the information or conclusions stated in our March 17, 1999 letter on the Draft Environmental Impact Statement for the Soledad Canyon Sand and Gravel Mining Project. Therefore, we have no further comments. A description of the project was published in the january 1, 2000 Intergovernmental Review Report for public review and comment. 1

The project title and SCAG Clearinghouse number should be used in all correspondence with SCAG concerning this project. If you should have any questions, please contact Jeffrey Smith, Senior Planner at (213) 236-1867. Thank you.

Sincerely,

J. DAVID STEIN
Manager, Performance Assessment and Implementation

L-8

NCWD

NEWHALL COUNTY WATER DISTRICT
23780 North Pine Street • P.O. Box 220970 • Santa Clarita, CA 91322-0970
(661) 259-3610 Phone • (661) 259-9673 Fax • email: ncwd@ca

Directors: VALERIE THOMAS, *President* TOM CAMPBELL, *Vice President* BARBARA DORE RANDALL D. PFIESTER LYNNE A. PLAMBECK

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BUREAU OF LAND MANAGEMENT
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PALM SPRINGS-SOUTH COAST
RESOURCE AREA

January 5, 2000

James G. Kenna
Field Manager-Palm Springs
So. Coast Field Office
Bureau of Land Management
P.O. Box 1260
No. Palm Springs, CA 92258

Re: Draft EIR for the Soledad Canyon Sand and Gravel Mining Project SCH # 91111066, County Project # 91165

Dear Mr. Kenna,

Newhall County Water District (District) has reviewed the February 1999 draft EIR for the Soledad Canyon Sand and Gravel Mining Project and submits the following comments:

Background:

Newhall County Water District was formed in 1954 under County Water District laws (Division 12 of the 3 California Water Code) to provide water for the residents of Newhall, an unincorporated area of Los Angeles County. The District currently serves 6,500 residential customers and additional commercial and industrial connections for three (3) district water service areas, one of which (Pinetree Service Area) will be directly impacted by this project. The District owns and operates four (4) municipal water wells, water transmission pipelines, and wastewater pipelines two to three miles downstream of the proposed improvements in the Santa Clara River wash.

Comments:

The following comments are based upon a focused review of the EIR project description, water resources section, cumulative impacts, and technical appendices detailing the stormwater pollution prevention plan, spill prevention control and counter measures plan, and water budget. Comments address inconsistencies, inaccuracies and omissions in the environmental analysis that directly pertain to the District's interests and operations.

1. **Project Water Requirements.**

The EIR states that the project will divert water for operational uses including aggregate production, concrete production, compaction of excess fines, dust suppression, and truck washing, using a combination of appropriate and riparian water rights. With respect to water requirements, the following analysis inconsistency is noted. The EIR is inconsistent in the quantity of water the project proposes to divert. The draft EIR technical appendices C2-----Answer to Vested Rights Protests vs. Application No. 29967 (pageC2-vii) estimates 598 AFY of total water usage. However, the impact analysis for water resources in the draft EIR (page 3-66) estimates up to 746 AFY is needed, and the analysis of cumulative impacts (page 3-354) estimates total usage up to 775 AFY, with appropriations of 322 AFY and up to 453 AFY diverted under riparian water rights. 1

2. **Local and Regional Impacts to Water Resources.**

The documents identify the estimated annual safe yield of the alluvial and Saugus Formation and the availability of imported water to the Castaic Lake Water Agency to downstream water users within the Eastern Subunit. They further conclude:

"TMC's total annual requirement (Phase 1: 442 acre feet and Phase 2: 746 acre feet) is not significant relative to the above estimates of water resource availability in the Eastern Subunit and thus is not considered a significant impact."

With this understanding of the water supply and demand analysis provided in the draft EIR, the following analysis flaws/omissions are noted.

The EIR states that "it is evident that TMC's [Transit Mixed Concrete Company] projected water use should be considered adverse regional impact." However, the EIR never quantifies these "nonsignificant" impacts. The District's Pinetree municipal wells are located in the Santa Clara River, approximately two to three miles downstream of the project within the alluvial portion of the Santa Clara River. The District is greatly concerned about any impact upon the portion of the Santa Clara River and the underlying groundwater basin. The draft EIR never addresses potential project impacts to these downstream wells and basin recharge capacity. The projects proposed water diversion is approximately 59% of the District's 1997-98 groundwater production for municipal use within the Pinetree Service Area. It is the District's position that the project would likely result in a decline in the water level within the District's Pinetree municipal wells resulting in a decrease in production and an increase in the cost of pumping. This is particularly true during the dry season when TMC proposes to divert the greatest quantities of water. This should be considered a significant impact. During past droughts the district has been adversely affected. **2**

Periods of reduced water supply would be extended during drought conditions by this project. 3

Furthermore, the EIR states that the State Water Resources Control Board (SWRCB) will "fully consider the potential for any regional impacts" when considering TMC"s application to appropriate water and relies on this as support for the EIR's conclusion of nonsignificance. Water appropriations account for only approximately forty-two (42) percent of the estimated total water diversions proposed by the project. The EIR cannot rely on the future analysis of the SWRCB in determining significance particularly since the appropriations application does not account for the full amount of water diverted. In addition, Newhall County Water District and other parties are protesting TMC's application to appropriate water. 4

3. **Cumulative Impacts.**

The EIR states the cumulative impacts related to growth of both mining and other projects will have the potential to significantly impact both local surface and groundwater resources. As a mitigation the EIR states that the project will have a Water Shortage Contingency Plan (WSCP). However, the WSCP is not included in the EIR nor is there a summary of the WSCP that the EIR could use to support the EIR's assertion that the WSCP adequately mitigates impacts to local and regional water supplies. 5

Conclusion:

Newhall County Water District is of the position that resolution of the discrepancies and unevaluated issues raised in this letter will require addition of "significant new information" in the context of CEQA Guidelines Section 15088.5, thereby requiring recirculation of a revised EIR prior to consideration of certification. 6

Thank you for the opportunity to review this environmental document. We look forward to your response and would be glad to answer any questions you might have regarding these comments.

Sincerely yours,

NEWHALL COUNTY WATER DISTRICT

Thomas E. Shollenberger
General Manager

TES/mep
Our file # 00-0001

L-9

COUNTY OF LOS ANGELES

FIRE DEPARTMENT

1320 NORTH EASTERN AVENUE
LOS ANGELES, CALIFORNIA 90063-3294

(323) 890-4330

P. MICHAEL FREEMAN
FIRE CHIEF
FORESTER & FIRE WARDEN

RECEIVED
BUREAU OF LAND MANAGEMENT
00 JAN 24 PM 2: 37
PALM SPRINGS-SOUTH COAST
RESOURCE AREA

January 18, 2000

Mr. James G. Kenna, Field Manager
Palm Springs - South Coast Field Office
Bureau of Land Management
P.O. Box 1260
North Palm Springs, CA 92258

Dear Mr. Kenna:

SUBJECT: ENVIRONMENTAL IMPACT REPORT - (SOLEDAD CANYON) SUPPLEMENT TO DRAFT FOR THE SOLEDAD CANYON SAND AND GRAVEL MINING PROJECT – OEPC # SES 99-13 (EIR #772/1999

The supplement to the Draft Environmental Impact Report for the Soledad Canyon Sand and Gravel Mining project has been reviewed by the Subdivision, Planning, and Forestry Divisions of the County of Los Angeles County Fire Department. The following are their comments:

DESIGN AND CONSTRUCTION:

The development of this project must provide a 20-foot wide all-weather access road for emergency response. Should any questions arise regarding design and construction, and/or water and access, please contact Mr. Wally Collins at (323) 890-4243. 1

OTHER ENVIRONMENTAL CONCERNS:

The statutory responsibilities of the County of Los Angeles Fire Department include erosion control, watershed management, rare and endangered species, vegetation, fuel modification for Fire Zone 4 or Very High Fire Hazard Severity Zones, archeological and cultural resources and the County Oak Tree Ordinance. The areas germane to these responsibilities have been addressed. 2

If you have any additional questions, please contact this office at (323) 890-4330.

Very truly yours,

Michael A. Wilkinson

MICHAEL A. WILKINSON, CHIEF, FORESTRY DIVISION
PREVENTION BUREAU

MAW:lc

SERVING THE UNINCORPORATED AREAS OF LOS ANGELES COUNTY AND THE CITIES OF:

AGOURA HILLS	BRADBURY	CUDAHY	HIDDEN HILLS	LANCASTER	PALMDALE	ROLLING HILLS ESTATES	TEMPLE CITY
ARTESIA	CALABASAS	DIAMOND BAR	HUNTINGTON PARK	LA PUENTE	PALOS VERDES ESTATES	ROSEMEAD	WALNUT
AZUSA	CARSON	DUARTE	INDUSTRY	LAWNDALE	PARAMOUNT	SAN DIMAS	WEST HOLLYWOOD
BALDWIN PARK	CERRITOS	EL MONTE	IRWINDALE	LOMITA	PICO RIVERA	SANTA CLARITA	WESTLAKE VILLAGE
BELL	CLAREMONT	GLENDORA	LA CANADA FLINTRIDGE	MALIBU	POMONA	SIGNAL HILL	WHITTIER
BELLFLOWER	COMMERCE	HAWAIIAN GARDENS	LAKEWOOD	MAYWOOD	RANCHO PALOS VERDES	SOUTH EL MONTE	
BELL GARDENS	COVINA	HAWTHORNE	LA MIRADA	NORWALK	ROLLING HILLS	SOUTH GATE	

L-10

South Coast
Air Quality Management District
21865 E. Copley Drive, Diamond Bar, CA 91765-4182
(909) 396-2000 • http://www.aqmd.gov

BY FAX: JANUARY 26, 2000

January 26, 2000

Mr. James G. Kenna, Field Manager
Palm Springs-South Coast Field Office
Bureau of Land Management
P.O. Box 1260
North Palm Springs, CA 92258

Supplement to the Draft Environmental Impact Statement (SDEIS) for the Proposed Soledad Canyon Sand and Gravel Mining Project: OEPC #DEIR 99-57

The South Coast Air Quality Management District (AQMD) appreciates the opportunity to comment on the above-mentioned document. The AQMD would also like to thank the lead agency for the additional time to submit comments. The following comments are meant as guidance for the Lead Agency and should be incorporated into the Final Environmental Impact Report.

Pursuant to Public Resources Code Section 21092.5, please provide the AQMD with written responses to all comments contained herein prior to the adoption of the Final Environmental Impact Statement. The AQMD would be happy to work with the Lead Agency to address these issues and any other questions that may arise. Please contact Gordon Mize, Transportation Specialist – CEQA Section, at (909) 396-3302, if you have any questions regarding these comments.

Sincerely,

Steve Smith

Steve Smith, Ph.D.
Program Supervisor, CEQA Section
Planning, Rule Development & Area Sources

Attachment

SS:GM

LAC991230-01
Control Number

Post-it® Fax Note 7671	Date 1/26/00	# of pages ▶ 7
To J. Kenna/E. Misquez	From GORDON MIZE	
Co./Dept. BUREAU OF LAND MGT	Co. SCAQMD	
Phone # 760-251-4810	Phone # 909-396-3302	
Fax # 760-251-4899	Fax # 909-396	

Supplement to the Draft Environmental Impact Statement (SDEIS) for the Proposed Soledad Canyon Sand and Gravel Mining Project: OEPC #DEIR 99-57

- On September 10, 1999, the South Coast Air Quality Management District (SCAQMD) commented on the Draft Environmental Impact Statement (DEIS) dated May 1999 for the Proposed Soledad Canyon Sand and Gravel Mining Project, SCH No. 91111066. Several comments from that letter were addressed in the SDEIS, e.g., numbers four, eight, nine, eleven and thirteen. The remaining comments from the AQMD's September 10, 1999 comment letter were not discussed and still apply. Therefore, the SCAQMD incorporates by reference the September 10, 1999 letter herein. A copy of that comment letter is attached. In the Final EIS, please provide the AQMD with written responses to all remaining comments in that letter and the additional comments that follow.

- In Section 2.1.4 page 2-4 Significance criteria, the SDEIS states, "While the intent of daily criteria set forth by the SCAQMD is ultimately aimed at ensuring attainment of both State and National AAQS, it does not consider the magnitude of individual projects with relation to the projections included in the SIP. Moreover, for purposes of NEPA, the daily limitations included in the SCAQMD (CEQA) Handbook do not apply and a federal proposed action is not considered significant if the estimated emissions from the proposed action have been anticipated in regional and state air quality planning, and are included and conform with the applicable Air Quality Management Plan (AQMP) and State Implementation Plan (SIP) and the project complies with local and state regulations." 1

  In general, the SCAQMD disagrees with the above statement. The daily thresholds established by the SCAQMD are recommended for use by other lead agencies, including federal lead agencies. Further, it is intended that the daily significance thresholds be applied to all projects, without regard to the magnitude of the individual projects. Because of the magnitude of the air problems in the Basin, especially for ozone and PM10, projects that exceed the SCAQMD daily significance thresholds could hinder progress toward attaining and maintaining all state and federal ambient air quality standards. Finally, the SCAQMD is continuing to evaluate the proposed project to determine whether or not it is included in the applicable SIP and AQMP.

- On page 2-11 of the SDEI, Table E2-2 the far right-hand column is mislabeled. The column should simply be labeled "Emissions." 2

South Coast
Air Quality Management District
AQMD
21865 E. Copley Drive, Diamond Bar, CA 91765-4182
(909) 396-2000 · http://www.aqmd.gov

FAXED: SEPTEMBER 10, 1999

September 10, 1999

Ms. Julie Moore
Los Angeles County
Department of Regional Planning
320 West Temple Street
Los Angeles, CA 90012

Draft Environmental Impact Report (DEIR) for the Soledad Canyon Sand and Gravel Mining Project, SCH No. 91111066

Dear Ms. Moore:

The South Coast Air Quality Management District (AQMD) appreciates the opportunity to comment on the above-mentioned document. The following comments are meant as guidance for the Lead Agency and should be incorporated in the Final Environmental Impact Report.

Pursuant to Public Resources Code Section 21092.5, please provide the AQMD with written responses to all comments contained herein prior to the certification of the Final EIR. The AQMD would be happy to work with the Lead Agency to address these issues and any other questions that may arise. Please contact Dr. Charles Blankson, Transportation Specialist – CEQA Section, at (909) 396-3304 if you have any questions regarding these comments.

Sincerely

Steve Smith

Steve Smith, Ph.D.
Program Supervisor, CEQA Section
Planning, Rule Development & Area Sources

Attachment

SS:CB

LAC990421-10
Control Number

Draft Environmental Impact Report (DEIR) for the Soledad Canyon Sand and Gravel Mining Project

1. While construction emissions may be below the daily significance thresholds, according to the discussion on pages 3-161 and 3-162 of the DEIR, the information presented in Table 3.1.7-4 is unclear. Column 2 of the table shows emissions from four different sources, namely heavy equipment, materials-hauling trucks, employee commute, and other sources. Presenting this much information in one column makes it difficult to review the data adequately. It is recommended that to present the information in an easier to read format, Table 3.1.7-4 should be revised by disaggregating the emissions sources into separate columns. 3

2. Table 3.1.7-4 represents a summary of construction emissions from the proposed project. In some cases it is difficult to identify the individual sources in Appendix E2 that contribute to the total construction emissions. It is recommended that a table similar to the tables in Appendix E2 on pages E2-1 and E2-2 be prepared for construction emissions sources. Simply stated, the table would identify each emissions source, emissions factors for each source, relevant parameters such as hours of operation, number of units, and the total emissions for each source. Such a table would facilitate review of the project by the public. 4

3. EMFAC7G emission factors and composite mobile on-road emission factors are included throughout Appendix E2. Here again it is difficult to identify the individual emission factors used in calculating the emissions presented in Table 3.1.7-4. It would facilitate review of the emissions from on-road mobile sources if the lead agency would prepare a table that specifically identifies the following: the on-road mobile source; e.g., automobiles, light-duty trucks, medium-duty trucks, etc.; number of vehicle trips in each category, trip length and totals for each category; and composite emission factors. 5

4. On page 3-164 of the DEIR, there is a projection that the proposed project will generate up to 754 new ADTs on unpaved roads at the site. As a result, the proposed project may be subject to AQMD Rule 403 – Fugitive Dust, requirements for dust control, which could include, for example paving the unpaved roads or other dust control measures. The Final EIR should include an analysis or discussion of whether Rule 403 is applicable to the proposed project. If Rule 403 is applicable, the dust control measures to be implemented should be specifically identified. Finally, any dust control measures required by Rule 403 should be factored into the fugitive dust estimates for this project. 6

5. On page 3-182 of the DEIR it is stated that fugitive dust emissions due to scraper travel over unpaved surfaces will also be controlled using chemical dust suppressants with a control efficiency of over 80 percent. Please specify in the Final EIR how often the suppressants will be applied in order to maintain the projected 80 percent control efficiency. 7

6. It is stated on page 3-183 of the DEIR that the inactive areas will be controlled by dust suppressants with an efficiency in excess of 80 percent. In the Final EIR please specify the type of dust suppressant that is being considered for use as well as the frequency of use since both determine the level of efficiency. 8

7. On page 3-183, it is stated that fugitive emissions from equipment activity in the North Fines Storage Area will be controlled with water spray with a control efficiency in excess of 50 percent. The lead agency should specify in the Final EIR how often and when the water spray would be applied to maintain a control efficiency of 50 percent. 9

8. Regarding the location of sensitive receptors in the project vicinity, it is indicated on page 3-159 of the DEIR that the nearest residence is located approximately 3,000 feet from the processing facility. There are two residences within 1,000 feet east of the facility. There is also a trailer park about 6,000 feet from the processing facility and the community of Agua Dulce is about three miles to the north of the project site. There is no mention of the Stone Crest homes to the north-west of the facility. Given that the Santa Ana winds can move down this canyon at speeds in excess of 25 mph, it is recommended that when those conditions arise, the lead agency include a mitigation measure that requires plant operators to cease all fugitive dust generating activities. 10

9. Section 3.1.7.3 of the DEIR on mitigation measures should be revised to facilitate review by the public. As currently written, it is not clear in some cases what constitutes mitigation. For example, under the subsection "Conveyor Systems" on page 3-181 of the DEIR, it is stated, "The presented values, referring to Table 3.1.7-15, include the use of covered transfer points controlled by negative pressure vented to a bag house augmented by water or surfactant spray in the main plant area." It is unclear whether or not this is a mitigation measure or part of the project description. Further it should be stated how this measure will be enforced. Similarly, under the subsection "Rock and Sand Processing" which states "all permitted dust-producing equipment involved in rock crushing and conveyance must be vented to filters and kept moist using spray bars", it is not clear whether or not this is mitigation or part of the project description. Instead of having two major mitigation categories, AQ1 for construction and AQ2 for operational impacts, it is recommended that the lead agency number each specific mitigation measure so it is clear what constitutes each mitigation measure to distinguish them from non mitigation text. Numbering each of the actions to be undertaken would remove the ambiguities in the text. Please clarify in the Final EIR. 11

10. There is no mention of compliance with federal National Standards of Performance for New Sources (NSPS Subpart 000) Standards for Performance For Nonmetallic Mineral processing Plants. Since the facility is bound by this federal regulation, a mention of compliance or noncompliance is recommended. Further, it should be mentioned in the Final EIR whether or not compliance with this federal regulation is taken into consideration when evaluating air quality impacts. 12

11. All diesel-fired engines should be EPA/ARB certified per the requirements of 40 CFR Part 89. 13

12. When the lead agency develops a mitigation monitoring plan and it is indicated that the AQMD is responsible for monitoring any mitigation measures, the AQMD would like to review the mitigation monitoring plan prior to its approval. 14

13. The AQMD reviewed the modeling results in the DEIR and offers the following comments. The lead agency used USEPA's ISCST3 model to estimate NO_2 and PM_{10} concentrations for the relevant time periods. The lead agency used adequate grid spacing to identify maximum impacts and appropriate meteorological data from the Newhall station. However, the "NOCALM" model option was not used. The AQMD's modeling results, using the "NOCALM" option, are provided in Tables 1 and 2 below.

Table 1
NO_2 and PM_{10} Impacts for Phase 1
Soledad Canyon Sand and Gravel Mining Project

Pollutant	Averaging Period	Concentration (µg/m³)
NO_2	1-Hour	708.91
	Annual	12.654
PM10	4-Hour	175.57
	24-Hour	71.99
	Annual	11.76

Table 2
NO2 and PM10 Impacts for Phase 2
Soledad Canyon Sand and Gravel Mining Project 15

Pollutant	Averaging Period	Concentration (µg/m³)
NO_2	1-Hour	1155.26
	Annual	20.67
PM10	4-Hour	267.34
	24-Hour	109.97
	Annual	18.59

The lead agency should re-evaluate whether or not the revised results will have significant adverse effects on the sensitive receptors identified in the DEIR. Furthermore, the high concentrations identified for PM_{10} would likely result in violations of AQMD Rule 403 – Fugitive Dust. This means that the fugitive dust control measures in the DEIR are insufficient to prevent a violation of Rule 403. As a result, additional or enhanced fugitive dust control measures should be identified in the Final EIR. Finally,

the AQMD would be willing to work with the lead agency and project proponent to develop additional fugitive dust mitigation measures and a fugitive dust emission control plan. Please contact Dr. Julia Lester of the AQMD at (909) 396-3162 to assist with the development of the fugitive dust control plan. **15**

OPTIONAL FORM 99 (7-90)

FAX TRANSMITTAL # of pages ▶ 8

To Linda Brody	From Elena
Dept./Agency	Phone #
Fax # 949 261 8950	Fax #

NSN 7540-01-317-7368 5099-101 GENERAL SERVICES ADMINISTRATION

L-11

COUNTY OF LOS ANGELES

DEPARTMENT OF PUBLIC WORKS

900 SOUTH FREMONT AVENUE
ALHAMBRA, CALIFORNIA 91803-1331
Telephone: (626) 458-5100

HARRY W. STONE, Director

ADDRESS ALL CORRESPONDENCE TO:
P.O. BOX 1460
ALHAMBRA, CALIFORNIA 91802-1460

RECEIVED
BUREAU OF LAND MANAGEMENT
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PALM SPRINGS-SOUTH COAST
RESOURCE AREA

IN REPLY PLEASE REFER TO FILE:

March 15, 2000

Mr. James G. Kenna
Palm Springs - South Coast Field Office
Bureau of Land Management
P.O. Box 1260
North Palm Springs, CA 92258

Dear Mr. Kenna:

RESPONSE TO A SUPPLEMENTAL DRAFT ENVIRONMENTAL IMPACT STATEMENT (SDEIS) - SOLEDAD CANYON SAND AND GRAVEL MINING

Thank you for the opportunity to provide comments on the SDEIS for the proposed Soledad Canyon Sand and Gravel Mining. We have reviewed the SDEIS and offer the following comments:

Environmental Programs

As projected in the Los Angeles County Countywide Siting Element, which was approved by a majority of the cities in Los Angeles County in late 1997 and by the County Board of Supervisors in January 1998, a shortfall in permitted daily landfill capacity may be experienced in the County within the next few years. The construction and demolition activities associated with the proposed project may increase the generation of solid waste, and may negatively impact solid waste management infrastructure in the County. Therefore, the SDEIS must identify what measures the project proponent will implement to mitigate the impact. Mitigation measures may include, but are not limited to, implementation of waste reduction and recycling programs to divert the solid waste, including construction and demolition waste, from landfills.

The SDEIS needs to fully assess the impact of this project on the quality of stormwater runoff. The municipal stormwater National Pollutant Discharge Elimination System Permit issued to Los Angeles County and 85 cities (Permittees) by the Los Angeles Regional Water Quality Control Board on July 15, 1996, required the development and implementation of a program addressing stormwater pollution issues in development planning for private projects. Part of the resulting program to address these stormwater

pollution issues are Standard Urban Stormwater Mitigation Plans (SUSMPs) for priority projects. Enclosed is a double-sided announcement describing which projects require SUSMPs. The appropriate post construction Best Management Practices selected and incorporated into the project plans should be in compliance with the Development Planning Program and SUSMPs.

If you have any questions regarding the above comments, please contact Mr. Coby Skye at (626) 458-5163.

Land Development

The proposed project will not have significant environmental effects from a geology and soils standpoint, provided the appropriate ordinances and codes are followed.

Traffic and Lighting

We have reviewed the Draft Environmental Impact Report (DEIS) dated February 1999, which contained a previously reviewed Traffic Circulation Study dated May 7, 1998. This document is a supplement to the Draft Environmental Impact Statement dated May 1999, which was never received by Public Works. If the project scope remained the same or similar, then our comments dated March 25, 1999 and February 2, 1999 (copies attached), to the DEIS are still valid and applicable to this project. Otherwise, we would like the opportunity to review the May 1999 Draft Environmental Impact Statement for review and comment.

If you have any questions, please contact Mr. Scott Angus of our Traffic Studies Section at (626) 458-5909.

Transportation Planning Assessments

Our September 1, 1998 comments on the project's Screencheck Draft EIR are included in Appendix H. The applicant's response to our comments satisfactorily addressed our concern regarding the project's conformance with the County Highway Plan and the related reservation of right of way and slope easements along Soledad Canyon Road. However, the applicant should note that computation of easements should include that area which may be required for line of sight. Additionally, the feasibility of using side slope gradients steeper than 2:1 should be documented in a geotechnical report and submitted to the Department for approval.

If you have any questions, please contact Mr. Hubert Seto at (626) 458-4349.

If you have any questions regarding the environmental reviewing process of this Department, please contact Mr. Scott Schales at the address on the first page or at (626) 458-4119.

Very truly yours,

HARRY W. STONE
Director of Public Works

For DAVID YAMAHARA
Assistant Deputy Director
Planning Division

SB:ro
A:\YC333.wpd

Enc.

ANNOUNCEMENT

NPDES - DEVELOPMENT PLANNING PROGRAM

The municipal stormwater National Pollutant Discharge Elimination System (NPDES) permit (Permit) issued to Los Angeles County and 85 cities (Permittees) by the Los Angeles Regional Water Quality Control Board (Regional Board) on July 15, 1996, required the development and implementation of a program addressing stormwater pollution issues in development planning for private projects.

The requirement to implement a program addressing development planning is based on the primary objectives of the 1987 amendments to the Clean Water Act that established a framework for regulating stormwater discharges from municipal, industrial, and construction activities under the NPDES. The primary objectives are to:

- Effectively prohibit non-stormwater discharges, and
- Reduce the discharge of pollutants from stormwater conveyance systems to the maximum extent practicable.

The Los Angeles County Department of Public Works will begin to implement its development planning program on July 30, 1999. All development projects needing discretionary approval, and falling into either Part A or Part B of the following table, will be required to submit a drainage concept and stormwater quality plan. Details of facilities and measures which mitigate impacts to water quality would then be shown on improvement plans and reviewed as part of those plans.

To assist in the preparation of this plan, Urban Stormwater Mitigation Plans (USMPs) have been developed for the seven project types listed in Part A of the following table. These USMPs outline the Best Management Practices (BMPs) to be incorporated into the project design. Development projects having characteristics or activities listed in Part B of the table will be required to address the applicable sections of the above-mentioned USMPs when completing the project design.

If you have any questions, please call Mo Kajbaf, Bruce Hamamoto, or Nazem Said at the Department of Public Works at (626) 458-4921, Monday through Thursday, 12:30 p.m. to 5:30 p.m.

BH:gp
B-2\P\SUBDIVS\NNPDES BH

Part A. Type of Proposed Project:
A 100+ home subdivision
A 10-99 home subdivision
A 100,000+ square-foot commercial or industrial development *
An automotive repair shop (SIC codes 5013, 5014, 5541, 7532-7534, and 7536-7539) +
A retail gasoline outlet
A restaurant (SIC code 5812) +
A hillside-located single-family dwelling @
Part B. Project Characteristics or Activities:
Automotive or Equipment Repair and/or Maintenance
Car Wash
Automotive or Equipment Washing or Cleaning Area(s)
Gas Station or Fuel Dispensing
Parking lot with 25 or more parking spaces
Outdoor Material or Waste Handling or Storage
Chemical handling and/or storage of petroleum products, paints, solvents, concrete, or hazardous waste?
Outdoor Equipment or Product Fabrication including welding; cutting; sawing; metal fabrication; assembly; application of paints, coatings, or finishes; pre-cast concrete fabrication; etc.
Outdoor Areas for Equipment or Machinery Repair and/or Maintenance
Dry Cleaning Factory
Food Service
Food Processing Plant
Hospitals, Laboratories, or Other Medical Facilities
Nursery (Plant Materials)
Animal Slaughtering
Animal Confinement, Pet Care Facilities, Stables, Kennels, etc.
Public Recreation Uses such as Tennis Courts, Swimming Pools, Golf Courses
10 or More Dwelling Units
Hillside Location
Landscaped Areas > 5 acres, including cemeteries, golf courses, etc.
Location adjoining to, bisected by, or discharging to a designated environmentally sensitive area, riparian corridor, or wetland

* In utilizing the table, a commercial or industrial development of 100,000 or more square feet shall be based on total impermeable area as opposed to lot size or building footprint. This interpretation shall be used because of the intent to manage stormwater runoff from paved areas associated with buildings.

+ A restaurant is a facility that would use the Standard Industrial Classification (SIC) code of 5812 and an automotive repair shop is a facility that would use one of the following SIC codes: 5013, 5014, 5541, 7532-7534, or 7536-7539.

@ Hillside development shall be defined as development having any of the following characteristics:

- location in an area known to have erosive soil conditions as identified in the *Los Angeles County Department of Public Works Hydrology/Sedimentation Manual*;
- grading on any natural slope where the natural slope is 25 percent or greater; or plans include cut or fill slopes that are 30 feet high or greater.

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LETTERS FROM COMMUNITY/GROUP ASSOCIATIONS/CONSULTING FIRMS (EIS)

CODE			
C-1	Sierra Club, Angeles Chapter	Henry Schultz, Chair, Santa Clarita Group	9/13/99
C-2	San Marino Environmental Associates	Jonathan N. Baskin, Ph. D.	9/10/99
C-3	Remy, Thomas and Moose, LLP	Andrea A. Matarazoo	9/9/99
C-4	SCOPE	Lynne A. Plambeck, Vice President	9/13/99
C-5	Friends of the Santa Clara River	Ron Bottorff, Chair	9/13/99
C-6	S.A.F.E.	Tana Lampton, Director	9/13/99
C-7	SCOPE	Lynne A. Plambeck, Vice President	5/11/99
C-8	Sierra Club, Angeles Chapter	Martin Schlageter, Conservation Coordinator	5/15/99
C-9	Natural History Club of Acton/Agua Dulce	Stacey Nickels, President	9/13/99
C-10	Saugus Union School District	Gail Wickstrom, Ed., D. Superintendent	9/8/99
C-11	Acton-Agua Dulce Unified School District	Jim Duzick, President, et.al	9/9/99
C-12	Democratic Alliance for Action	Diane Trautman, President	7/27/99
C-13	The Agua Ducle Town Council and The Agua Dulce Civic Association	James F. Duzick, President Diane Terito, Land Use Chair	9/13/99
C-14	Sierra Club, Angeles Chapter	Martin Schlageter, Conservation Coordinator	3/23/99
C-15	Center for Biological Diversity	Peter Galvin, Conservation Biologist	11/23/99
C-16	Natural History Club	Stacey Nickels, President NHC, A/AD	1/10/2000
C-17	Hall and Associates	Carlyle W. Hall, Jr. Attorney for SAFE Action for the Environment, Inc.	1/8/2000
C-18	Agua Dulce Town Council Agua Dulce Civic Association	Diane Terito, President, Agua Dulce Town Council Susan Kaplan, President Agua Dulce Civic Association	1/7/2000
C-19	Newhall School District	Marc Winger, Ed. D, Superintendent	10/20/99

C-1

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99 SEP 13 AM 11:34

9-13-99

Mr. James Kenna
Bureau of Land Management - Palm Springs/South Coast Field Office
PO Box 1260
North Palm Springs, Ca. 92258-1260

Re: Soledad Canyon Sand and Gravel Mining Project DEIS OEPC #DES99-13

Dear Mr. Kenna:

Thank-you for giving us the opportunity to comment on this project. The Sierra Club wishes to incorporate by reference the objections of all other agencies and organizations such as the City of Santa Clarita, [redacted] and S.A.F.E. particularly pertaining to the sections regarding traffic analysis, air quality and alternative analysis.

Alternative Analysis

The DEIS fails to discuss a reasonable range of alternatives. According to 40C.F.R. 1502.14(b), federal agencies shall "devote substantial treatment to each alternative considered in detail including the proposed action so that reviewers may evaluate their comparative merits." Several proposed "alternatives" are in reality, not alternatives at all, but rather a method of mitigating the storage of fines, the movement of materials or the location of the batch plant. No discussion of alternate sites is included, although such sites exist. Also, no discussion of the potential for aggregate production from recycled materials such as glass or crushed demolition materials was included. Such sources were exploited after the 1994 earthquake and continue as a source of raw materials and a re-use of the waste stream. 1

Air Quality

The Santa Clarita Valley is already in a non-attainment zone for both ozone and PM10 pollution. The proposed project will add substantially to both these conditions and therefore may not correlate with the State Implementation Plan as required by the Clean Air Act. Air pollution modeling, particularly for PM10s was not done sufficiently to assess pollution movement during wind conditions. Such modeling must be done to accurately asses impacts to nearby residents and particularly to sensitive receptors such as schools. This project may not be allowed under the Clean Air Act if it worsens air quality for a sensitive receptor. It is our understanding that when proper modeling is conducted, the effect on local nearby schools will preclude the approval of the project. 2

Valley Fever is a fungus found in soil and carried into the air by grading activities. It is difficult to cure and may be fatal. Incidents of Valley Fever infection have already occurred in the Santa Clarita Valley. The DEIS did not disclose the health risks of this disease to nearby residents. Fugitive dust (PM10) is also a known contributor to respiratory disease, particularly in children. The DEIS also did not disclose the health risks associated with the increase in PM10 pollution from this project to local neighborhoods and particularly to schools. 3

Traffic Analysis

The DEIS's traffic analysis is inadequate because it ignores the significant adverse environmental effects that will occur at intersections involving four roads: 1) the Hwy 14, the Antelope Valley Freeway, 2) Interstate 5; 3, the 118 Simi Valley Freeway; and 405, San Diego Freeway. Failure to traffic impacts through the constriction of the Newhall Pass are particularly glaring. Further, the increased noise levels from these trucks on local neighborhoods as they access and exit the freeway was not discussed. 4

Water Resources

Public Trust Rights Violated

The sustainable yield for this project is calculated to not produce drawndowns greater than 40% (See supporting report by Western Technologies, 1989, introduction). Surface and subsurface flows in the area have been found to be inter-connected (see supporting report by Ground Water Systems, April 1993 Chapter 11.2 Section B). A 40% draw-down will therefore affect surface flows. The extent of this affect and its potential to impact, indeed, ***eliminate***, the unarmored three-spined stickleback, was not investigated by any of the water resource reports or the DEIS. ***Failure to disclose this impact is an EIS deficiency and must be addressed.*** Such impacts would constitute a violation of Public Trust Law and a violation of the Endangered Species Act. 5

Data Not Current

Further, all water resources studies are based on information compiled and analyzed between 1989 and 1991. This makes all data a minimum of eight years old. Considerable building has occurred both upstream and downstream from this site. Updated water usage data must be supplied prior to final consideration of this project to ensure that existing users will not be impacted. 6

Yield Not Sustainable

Total water usage for this project is estimated to be 442 AF for phase I and 746 AF after phase II is implemented (p.3-63). These figures are arrived at only after a 35% reduction for the use of clarifiers. ***Therefore, clarifiers must be made a project condition if even the water usage levels sited in the DEIS are to be achieved.***

This water usage will over-draft the existing water resources of the Santa Clara River. As indicated in the section labeled "Storage Capacity of the Alluvial Aquifer" (Introduction, no page numbers indicated), by Western Technologies, Inc., 1989 , the sustainable yield in this area is 283 AF in a dry year to 419 AF in a wet yea ***based on 80% of water return from the project to the River***. However, the DEIS states on page 3-63 "No waste or return to the River of water is planned". Further, for the purposes of this report sustainable yield is defined as "the maximum amount of water that can be withdrawn from the alluvial aquifer in the study area without creating average drawdowns greater than 40 percent of the original saturated thickness." This is an unusual definition of sustainable yield. Sustainable yield is commonly accepted to indicate water usage that will not degrade water quality or desiccate wetlands, yet the study definition would do both (a 40% draw down would affect surface flows since the are inter-related, see referenced report by Geo Water Systems, Chapter 11-2 B. "Surface Water Flows in the Santa Clara River Valley" and the Law/Crandell, 1991 Water Quality 7

Analysis "pg. 8 "There may be a slight increase in total desolved solids content"..) We therefore object to this definition sustainable yield as being an oxymoron and self-contradictory. It disguises that fact that real and substantial over-draft problems will occur if this project is approved.

The Santa Clara River is Already in Over-draft

The safe yield of the Santa Clara River eastern basin was calculated to be 25,000AF by the USGS in 1972 and 31,600-32,500AF by Richard Slade in 1986. Both these two figures have been exceeded by municipal and private pumping for the last 5 years as indicated in Table III-7 of the Santa Clarita Valley Water Report, 1998. Since the proposed project will exceed available water resources on site, it will add to over-draft of the alluvial aquifer. ***Such over-draft is inconsistent with the water resources section of the Santa Clarita Area Plan.*** 8

Conclusion

Since there are no other water sources than the Santa Clara River identified for this project, approval under the present circumstances would constitute a violation of public trust law and a violation of the Endangered Species Act. Therefore, this project may not be approved as proposed.

Thank-you for your consideration of these issues.

Sincerely,

Henry Schultz
Chair, Santa Clarita Group
Faxed 9-13-99 to comply with comment period deadline. Hard copy to follow via regular mail.

San Marino Environmental Associates

C-2

BUREAU OF LAND MANAGEMENT
99 SEP 15 PM 3:10
PALM SPRINGS-SOUTH COAST
RESOURCE AREA

By facsimile, Original by U.S. Mail

September 10, 1999

Mr. James G. Kenna
Field Manager
Bureau of Land Management
Palm Springs-South Coast Field Office
690 Garnet Avenue
P.O. Box 1260
North Palm Springs, CA 92258

Re: March 1999 Draft Environmental Impact Statement for the Soledad Canyon Sand and Gravel Mining Project (County Project No. 91165)

Dear Mr. Kenna:

I am submitting these comments on behalf of the International Union of Operating Engineers, Local 12. The March 1999 Draft Environmental Impact Statement for the Soledad Canyon Sand and Gravel Mining Project ("DEIS") fails to comply with the National Environmental Policy Act of 1969 (42 U.S.C. § 4321). The DEIS should be substantially revised and recirculated.

Our concerns expressed here mainly regard threats posed by the referenced project to the Biota of the Santa Clara River, particularly the unarmored threespine stickleback (UTS), a listed Endangered Species under both the federal and state Endangered Species Acts. We have reviewed the document and appendices, and find the major problem to be the impacts to the quantity and quality of the water in the stream. The DEIS is written in such a way as to show obvious bias in favor of the project, giving minimal value to the habitat, ignoring very real and serious potential impacts and relying on vague, flawed monitoring procedures as mitigation. The DEIS omits important information, misstates important facts and, where it does give accurate statements, often draws flawed conclusions from these statements. It should be noted especially that monitoring is not mitigation. Mitigation is action. The Biological Opinion mandates the action to stop pumping under specific circumstances. In the DEIS cessation of pumping is only given as an option, not a commitment. 1

Jonathan Baskin has been observing the UTS in its habitat in Soledad Canyon since 1972, and Thomas Haglund since 1974, during which period we have walked the entire stream and surveyed the fishes there on many occasions, especially in the areas of River's End Park, the Forest Service land (Soledad Campground) and Thousand Trails. Baskin has been a member of the UTS Recovery Team and Haglund an

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advisor for more than 20 years. We have together and independently for many years done research and published on the UTS, the Santa Ana sucker and on issues relating to Southern California streams. Baskin has been on the faculty of Cal Poly Pomona since 1971 and Haglund has been on the Research Faculty of UCLA.

The DEIS correctly points out that the entire stream from the project site downstream to below River's End Park is part of the Essential Habitat of the UTS. It is stated that this is only 23 acres of riparian habitat. It is not clear how this was calculated. If only the area of surface water is counted the number is heavily biased to minimize the area of impact. It must be considered that the riparian habitat includes the streamside vegetation dependant upon the aquatic habitat and area wetted by high water flows. The DEIS must also consider the stream as it extends down below River's End Park as Essential Habitat as stated in the Recovery Plan, which in some years can extend several hundred meters or more, even in the dry season. The UTS occupy and breed in this downstream area. Any reduction of flow will reduce the extent of this area, and thus reduce the numbers of UTS. 2

Similarly, the entire area between River's End Park and the project site can support UTS along its entire length during at least part of the year in most years. Wherever surface water is present for sufficient periods for appropriate aquatic vegetation to develop UTS can breed and develop. The DEIS correctly points out that parts of this area are dry some years, and parts of most years, and that the stream habitat in Soledad Canyon is extremely variable. (The term "normal" as applied to the habitat or stream flow here is almost meaningless.) What this means is that these areas are just on the edge of being unable to support UTS except during flooding, and any reduction of surface water will make parts of this section unable to support breeding or even to become completely dry. No mitigation is proposed in the DEIS for this impact. 3

These shallow relatively slow flowing stream stretches in the project area also provide a corridor for upstream and downstream movement of sticklebacks. Although downstream movement may occur under high flow conditions, upstream movement is minimal and it is likely that virtually all-upstream movement occurs during these relatively stable low flow conditions. Pumping will thus reduce or eliminate this area of the river as a corridor, isolating populations and increasing the chance of local extinction. No mitigation is proposed in the DEIS for this impact. 4

If the stream is lowered during the period when sticklebacks are nesting it will cause nest abandonment and loss of reproduction. Furthermore, the DEIS states that "Sticklebacks can reproduce rapidly year round." This is an inaccurate and misleading statement. Under low flow, warm winter conditions a low level of reproduction may occur year round. But most reproduction takes place in the spring and summer - which is why the partially ephemeral stream reaches are essential to successful recruitment. Even under "optimal" conditions little reproduction takes place in the 5

winter and such reproduction would be by largely senescent individuals because most individuals are annual and must be exposed to short days and colder water before they can come into reproductive condition. Thus it is clear that the proposed project will exacerbate the problems of this already fragile ecosystem, a fact which the DEIS ignores. 5

The DEIS also correctly states that the UTS is "hardy" and adapted for a variable environment. This means that much of the habitat that is considered in the DEIS as poor and of little or no value is actually used by the UTS, even for breeding, and as a corridor, in spite of its being dry much of the year. Impacts to this habitat must be considered in the DEIS but are not. 6

The DEIS describes the habitat at River's End Park as only "moderately good". This also leads us to the conclusion that the DEIS is biased in favor of the project, as we have surveyed this area on several occasions over a period of years and always found UTS in good numbers, with more than one size class (indicating a breeding population) and in excellent habitat. 7

The DEIS also does not consider that pumping of subsurface water in Area B, the upstream end of the impact area, can reduce surface flows upstream (cone of depression) from the pumping site and project. This is a hydrologic question that must be considered. No consideration for this area is given in the DEIS, and in my experience in this area there is usually a small but persistent year-round flow of surface water present with good aquatic vegetation. 8

Another, more meaningful way to consider the amount of habitat potentially impacted is to consider the length of stream habitat, rather than the acres as is done in the DEIS. When looked at in this respect the extent of potential impact to the stream designated in the Recovery Plan as Essential Habitat in Soledad Canyon is about 2 miles, out of a total of 9.3 miles of Essential Habitat here. This is 21% of the Essential Habitat in Soledad Canyon. 9

The DEIS also points out correctly that the UTS needs shallow, clear water for breeding, with aquatic vegetation. What this means for most of the area impacted by the pumping is that only a small reduction in flow can reduce the amount of habitat to zero. The Monitoring Plan calls for monthly monitoring. During July, August, and September the rate at which changes take place in that canyon would not be adequately monitored even in the absence of pumping. Conditions could easily be above the action levels on 1 July and the stream would be dry on 1 August, particularly with the removal of an additional 65 acre-feet of water. We have worked on the upper Santa Clara River since 1972 and know that an apparently flourishing habitat can be dry within a month without the added stress of additional water extraction. So the monitoring program is totally inadequate to protect the stream during low flow conditions. As it only takes a few minutes for fishes to die out of 10

water, the project will certainly cause the death of some UTS. This should be considered a "take" under the Endangered Species Act.

A further problem with the Monitoring Plan is that there is only one upstream reference site with an unspecified location, and action called for only when there is a 25% reduction at the project site, at the .05 significance level. This is a crucial issue, and it is not at all clear how this action level will be determined. It is not clear what statistical test will be used. It will be very difficult to achieve a .05 significance level with an N (sample size) of only 1 for the control (reference site).

The reference site must be chosen carefully because there is so much wildcat pumping, stream diversion and other activities in the Soledad Canyon area that invalid or misleading data at the reference site is likely. We suggest at least two sites on Forest Service land (Soledad Campground) upstream and perhaps an additional site in another reliable place. The exact monitoring procedures for collecting and analyzing data that could trigger action need to be clearly spelled out, as the entire project operation could hang on the outcome. Also, for the monitoring data to have any validity, data is needed for a period of years at all sites before any project impacts, including pumping, begin. This is necessary to determine if the control sites are acting independently or in parallel with the project sites. These are hydrologic issues not considered in the DEIS that should be reviewed by appropriate experts. **10**

The DEIS states that the extraction will result in only a 9% (Phase 1) and 16% (Phase 2) reduction in surface flow. This is misleading, for while it may be true that the extraction will result in a 16% reduction in the annual surface water budget - this is irrelevant information. What is critical is to recognize that the average measured flow in August was 74 acre-feet and in September was 66 acre-feet, thus an extraction of 65 acre-feet of water represents an 88% and a 98% reduction in average surface flow. And these are average flows which, depending on the distribution of the data, means that the extraction will exceed the surface flow up to 50% or more of the time. These figures and their significance to potential impacts are ignored in the DEIS. **11**

The drawdown of water will accelerate drying and flow reduction during the fishes' reproductive and rearing season (summer) every year, with more pumping occurring when the least water is available. Therefore the proposed extractions will have a significant and unavoidable effect on the surface flow and consequently the organisms that depend upon the water.

An additional water issue is the fate of the water being used on the site, containing the flocculent and other pollutants. Will this be put back into the stream or into the ground water, and if so how will the flocculent and other pollutants be removed? It is stated that the flocculent is "safe" but no citation or evidence is given that it is not harmful to fishes or other organisms that the fishes depend upon. **12**

In a discussion of alternatives it is mentioned that extensive use of Agua Dulce Canyon Road was considered for truck transport, but rejected. It appears from the DEIS that there are no project impacts in Agua Dulce Creek, however it should be noted that there is an important population of UTS in about a half-mile section of Aqua Dulce Creek immediately adjacent to the road just south of the 14 Freeway. This is a fragile population because the numbers are low and the water flow is minimal. It is also a particularly important population because it is out of the main stream of the Santa Clara River and thus is not subject to the same possible catastrophic impacts, such as toxic spills, that could eliminate large numbers of UTS in one incident. 13

Such possible spills occurring in the Santa Clara River in Soledad Canyon are a major concern relating to the project, especially because portions of the project area (Area B) actually occupy the river bottom and cross the river. The DEIS is not clear about exactly what project activities will be occurring in this area. A clear commitment should be made as to what specific steps will be taken to avoid spills and other impacts to the stream, even if it is dry much of the time.

Although not relating to the stickleback - threats to the Santa Ana sucker are also not addressed here. Santa Ana suckers are presumably about to be listed as threatened by the USFWS, so they should be addressed here. Santa Ana suckers occur upstream in Soledad Canyon and they occur in the River's End Park stream section. So again movement corridors are an issue and maybe even more so for the sucker. There is very little if any reproductive habitat for the Santa Ana sucker downstream of the project area and we have never seen evidence of reproduction in the River's End Park stream section. Consequently suckers must move upstream through the project area to reach reproductive sites, and any loss of connectivity will affect upstream migration and subsequent downstream movement of juveniles. (River's End Park does have rearing habitat and adult habitat.) Pumping of the Santa Clara River underflow will have a potentially significant impact on the Santa Ana sucker. This was not recognized in the DEIS and no mitigation has been proposed for these impacts. 14

Another organism dependent upon the aquatic habitat here is the southwestern pond turtle. A report in the DEIS appendix states that none were found, but I have been told by a reliable biologist, Mr. Frank Hovore, that he saw specimens in the vicinity of this site this year. I understand that he has submitted a letter giving the details. It should be noted that this is a species of concern and was proposed for federal listing. The assertion in the DEIS Appendix that the habitat needs of the pond turtle will be protected if those of the UTS are protected may not be valid, as the turtle needs deeper water with more pond-like conditions. Also the mitigation suggested there that trapping can eradicate the African clawed frog is not appropriate, as it is well known that trapping can only reduce frog numbers temporarily at best, not eradicate them. 15

Despite the Stormwater/Pollution Prevention Plans, we are not convinced that the large volume of fines that will be generated by this project can be retained totally on site without increasing the runoff of fines to the Santa Clara River. If there is an increase in the amount of fine sediment that enters the river it could prove to be disastrous, especially for the suckers. Any increase in fines will be accompanied by a concomitant decrease in the coarse sediments that enter the stream. The sucker feeds on epilithic diatoms and reproduces in gravels, as documented by Greenfield et al 1970 (Some aspects of the life history of the Santa Ana sucker, *Catostomus (Pantosteus) santaanae* (Snyder), California Department of Fish and Game 56:166-179). (This study was not considered in the DEIS.) A reduction in coarse sediment and an increase in fines would thus cause adverse alterations in the stream environment for sucker feeding and reproduction. It should be noted that the area of the stream close to the project was the site of the Greenfield et al's comprehensive study on the Santa Ana sucker. **16**

An increase in fines will also adversely effect the UTS by increasing deposits of sediment on nests and eggs, and decreasing the water clarity. UTS need clear water, as acknowledged in the DEIS. This is because excess sediments deposited on eggs and nests kill the developing embryos. Also, the UTS is a visual feeder and relies on visual cues in reproductive behavior. Anything that reduces water clarity will have an adverse effect on this aspect of UTS life history as well. These impacts are more impacts on the sucker and UTS not considered in the DEIS.

It is noted in the DEIS that there will be a significant amount of blasting at the project site. It also appears that this may occur as close to the stream as the northwest corner of Area B. No mention is made of any possible impact of blasting on riparian biota, so the DEIS has failed to consider a potential significant adverse impact of the project. **17**

One final comment of a more general nature is that this project is designed to remove materials from the hills adjacent to the Santa Clara River. Therefore this project will affect the amount of material moving into the stream. This project and other mining activities along the river in Soledad Canyon reduce the downstream movement of sediments, which is a natural and important stream function. One potential result of this lack of source sediments has been the significant downcutting seen lower on the stream near Interstate Highway 5 where anecdotal observations suggest about a 20 foot loss in streambed elevation. One adverse impact of this downcutting is to weaken the footings of bridges, such as the I-5 Bridge, causing conditions dangerous to the public and requiring extensive repairs in 1997 and 1998. This impact has not been evaluated in the DEIS. **18**

In view of the deficiencies noted above, the DEIS is inadequate and should be substantially revised and recirculated.

Thank you for considering these comments.

Very truly yours,

Jonathan N. Baskin, Ph.D.
Thomas R. Haglund, Ph.D.
Principal Senior Scientists

C-3

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LAND USE ANALYST

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September 9, 1999

By Overnight Mail

Mr. James G. Kenna
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690 Garnet Avenue
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North Palm Springs, CA 92258

Re: March 1999 Draft Environmental Impact Statement for the Soledad Canyon Sand and Gravel Mining Project (County Project No. 91165)

Dear Mr. Kenna:

I am submitting these comments on behalf of the International Union of Operating Engineers, Local 12. The March 1999 Draft Environmental Impact Statement for the Soledad Canyon Sand and Gravel Mining Project ("DEIS") fails to comply with the National Environmental Policy Act of 1969 (42 U.S.C. § 4321). The DEIS must be substantially revised and recirculated.

The DEIS is defective in at least four major respects. First, the DEIS's project description is inadequate because the DEIS fails to analyze the reasonably foreseeable significant adverse environmental impacts of mining more than 64 million tons of product. Second, the DEIS's traffic analysis is inadequate because it ignores the significant adverse environmental effects that will occur at intersections involving four roads: (1) the Antelope Valley Freeway (Route 14); (2) Interstate 5; (3) the Simi Valley Freeway (Route 118); and (4) the San Diego Freeway (Route 405). Third, the DEIS's noise analysis is inadequate because it fails to address significant adverse noise impacts associated with offsite vehicle

trips between the Project site and the intersection of the Antelope Valley Freeway and Interstate 5. Fourth, the DEIS's alternatives analysis is inadequate because the DEIS fails to analyze a reasonable range of alternatives at a proper level of detail.

Below, I discuss each of these major flaws together with a host of other defects. As described below, the DEIS will have to be substantially revised because of these flaws.

1. Project Description

a. The Project Description Does Not Include Reasonably Foreseeable Future Mining.

The DEIS's project description is inadequate because the DEIS fails to analyze the reasonably foreseeable significant adverse environmental impacts of mining more than 64 million tons of product. The DEIS defines the Project as the mining of 56.1 million tons of sand and gravel (DEIS, pp. 1-3), and the DEIS's cumulative impacts analysis considers the impacts of mining an additional 7.9 million tons of product (DEIS, p. 3-336). Although it is reasonably foreseeable that the applicant will mine more than 64 million tons of product from the site, the DEIS does not address that future activity. "Proposals or parts of proposals which are related to each other closely enough to be, in effect, a single course of action shall be evaluated in a single impact statement." (40 C.F.R. § 1502.4(a).)

The DEIS contains credible substantial evidence that the federal government plans to extract more than 64 million tons of product from the site and that Transit Mixed Concrete ("TMC") will be the operator chosen to extract those additional minerals. The DEIS notes, for example, that the federal government has prepared an environmental assessment ("EA") and a finding of no significant impact ("FONSI") "for the sale of up to 100 million tons as was advertised in the Notice of Sand and Gravel Sale." (DEIS, p. 2-57.) In other words, the federal government has taken concrete steps toward formulating and fulfilling a definite proposal to mine more than 64 million tons of product from this site in view of the fact that the demand for minerals from this site will still be substantial when TMC's current contract expires. Therefore, credible substantial evidence establishes that the federal government's plans extend at least to the production of 100 million tons. 1

As TMC itself has emphasized to the County of Los Angeles:

"The Federal government already has rendered a land use decision that mining

> of up to 100 million tons of sand and gravel is the appropriate use of the United States' mineral estate at the Soledad Canyon site."
>
> (Position Paper in Support of the TMC Soledad Canyon Sand and Gravel Mining Project (April 6, 1999), at p. 20 (see Exhibit A).)

In other words, TMC admits that "a 'critical decision' has been made with respect to site development" entailing production of 100 million tons of sand and gravel. (California v. Block (9th Cir. 1982) 690 F.2d 753, 761.)

The DEIS goes on to explain that "[t]he original mining concept analyzed mining of 170 million tons of product. The Notice of Sand and Gravel Sale offered for sale by the BLM in a public competitive bid up to 100 million tons of sand and gravel from the subject lands." (DEIS, p. 3-410.) Thus, there is further evidence that the federal government's plans envision the extraction of more than 100 million tons. Indeed, the DEIS notes that the Project site contains "several hundred million tons" of product. (DEIS, p. 1-26.).

In recognition of the federal government's plans for the site, the DEIS uses language that foresees further mining: 1

- "Additional aggregate product would be available from this property. The exact tonnage remaining to be mined would depend on the mining economics at that time and the requirements of additional contracts with the BLM." (DEIS, p. 2-1.)

- "[A]t the conclusion of the Federal Contracts . . . [a]ny areas not used for continued mining will be reclaimed and revegetated for use as open space." (DEIS, p. 3-330 [mitigation measure LU1].)

The DEIS also contains substantial evidence that, if the federal government fulfills its plan to extract 100 million tons of product, as specified in the aforementioned Notice of Sand and Gravel Sale, TMC itself will be chosen to conduct those further operations. After TMC has mined 56.1 million tons from the site, there will be 43.9 million tons remaining from the 100 million tons that was described in the EA, FONSI, and Notice of Sand and Gravel Sale. The only entity that will be able to economically extract that limited amount from the site is TMC. The DEIS states that, for the current contract, TMC chose to bid the figure of 56.1 million tons because that figure represents the *minimum* amount of product

needed to make the mining Project financially worthwhile. (DEIS, p. 2-58.) The DEIS states that "A lesser quantity of material mined would not be feasible from an economic perspective. . . . [P]roducing less material than 56.1 million tons would still involve similar royalty costs, facility construction costs, and operating costs as compared to the investment in the Project." (DEIS, p. 2-58.) Since the costs of starting up a mining operation at this site cannot be recovered by mining 43.9 million tons, it is reasonably foreseeable that TMC itself will be the successful bidder on any contract to extract that further amount or any other further amount that is less than 56.1 million tons.

After 56.1 millions tons have been produced, there will still be an unmet regional demand for aggregates. (DEIS, pp. 1-8 through 1-13.) The DEIS observes that:

> "the Final EIS for the BLM's South Coast Resource Management Plan recognizes the increasing demand for sand and gravel to be used as construction aggregate material and recognizes that BLM public and split estate lands will be increasingly in demand to supply sand and gravel . . . ."
>
> (DEIS, p. 2-57.)

1

The countywide demand for construction aggregate is approximately 3.4 tons per person per year. (DEIS, p. 1-3.) Population is correlated with demand for aggregate. (DEIS, appen. G, pp. 21, 25.) It is unreasonable to assume that, 20 years from now, the regional population will have ceased growing, or that demand for aggregates will otherwise abate. On the contrary, substantial evidence in the record demonstrates that the Santa Clarita Valley is a developing region with an unusually high per capita rate of consumption of aggregates. (DEIS, p. 1-9.) Assuming that TMC's federal contracts expire in the year 2025, the remaining regional demand at that time is expected to exceed 100 million tons per year. (DEIS, appen. G, p. 32.) Meanwhile, other regional reserves will have been depleted around the year 2016. (DEIS, p. 1-9.) Thus, although the DEIS states that "[t]he exact tonnage remaining to be mined will depend on the mining economics at that time and the requirements of additional contracts with the BLM" (DEIS, p. 2-1), the record contains clear and convincing evidence that "mining economics" will dictate further extraction when TMC's existing federal contracts expire.

Moreover, the DEIS provides a detailed exposition of various economic reasons why extraction of 56.1 million tons is economically necessary. (DEIS, p. 1-14 [economic impacts of disapproval of Project].) The record contains no evidence that, after 56.1 million tons

have been extracted, there will be a change in any of the economic factors pushing toward approval of the first phase of the Project at the present time.

At the end of 20 years, TMC will have recovered its costs, made a profit, extracted less than half the available product (DEIS, pp. 3-410; 1-26), provided the federal government with more than $21 million in royalties, and provided both the State of California and the county with half a million dollars in royalties apiece (DEIS, p. 1-4, 1-13). Meanwhile, competing nearby sources of aggregates will have been depleted. (DEIS, p. 1-19.) Confronting this set of circumstances, it is not the least bit "speculative" that TMC and the federal government will seek, and the county will approve, further mining activities. (Sierra Club v. Marsh (1st Cir. 1985) 769 F.2d 868, 878-880; see also Trout Unlimited v. Morton (9th Cir. 1974) 509 F.2d 1276, 1284.)

The DEIS's project description is legally inadequate because it "piecemeals" the Project, reducing it into components in order to avoid analyzing it as a whole. In Cady v. Morton (9th Cir. 1975) 527 F.2d 786, the Court of Appeal for the Ninth Circuit held that an EIS for a proposed coal extraction operation violated NEPA by limiting its coverage to the mere 770 acres embraced in the mining plan for the Project. (527 F.2d at p. 795.) The Court of Appeal stated that 1

> "While it is true that each mining plan prepared for tracts within the leased area is to a significant degree an independent project which requires a separate EIS with respect to each, it is no less true that the breadth and scope of the possible projects made possible by the Secretary's approval of the leases require the type of comprehensive study that NEPA mandates adequately to inform the Secretary of the possible environmental consequences of his approval. [The mining firm's] massive capital investment and extended contractual commitments present a situation in which 'it would be irrational, or at least unwise, to undertake the first phase if subsequent phases were not also undertaken.' [Citation.] However, even were this not true, it cannot be denied that the environmental consequences of several strip mining projects extending over twenty years or more within a tract of 30,876.45 acres will be significantly different from those which will accompany [the mining firm's] activities on a single tract of 770 acres."

(527 F.2d at p. 795; see also Scientists' Institute for Public Information v Atomic Energy Comm'n (D.C. Cir.. 1973) 481 F.2d 1079; Friends of the

Earth, et al. v. Coleman, etc. (9th Cir. 1974) 513 F.2d 295.)

As in Cady, BLM here has offered up a DEIS that contains the arguments against the validity of its own scope. Given TMC's proposed massive capital investment and extended contractual commitments, it would be irrational, or at least unwise, for any entity other than TMC to undertake future mining at the site. Given the high demand for and constrained supply of aggregate materials in the area, it would be irrational, or at least unwise, for BLM, TMC, and the other governmental and private beneficiaries of extraction from the site to pack up their conveyor belts and go home, leaving behind more than 100 million tons of valuable exposed resources. If the first phase of the Project is undertaken, it is reasonable to assume that subsequent phases will also be undertaken, at least to the extent envisioned by BLM's own notice of sand and gravel sale—100 million tons of product. Yet, the DEIS pretends that, 20 years or 56 million tons later, with further deposits laying exposed at the surface of the latest cut, BLM and TMC will elect to abstain from further extraction, for mysterious reasons as yet unknown. NEPA does not allow BLM to proceed in that fashion.

1

The inadequacy of the project description also highlights a second defect. The reclamation plan for the mine is based on a misleading project description. To the extent that further mining will postpone reclamation of the site, it is misleading for the DEIS to claim that the reclamation plan adequately mitigates the effects of the Project. The DEIS states that "[b]ased on the assumption that BLM does not contract out future mining, final reclamation will occur." (DEIS, p. 2-27.) This implies that if BLM *does* contract out future mining, final reclamation will *not* occur.

In view of the DEIS's inadequate and misleading project description, the DEIS must be revised to consider the impacts of the reasonably foreseeable production of 100 million tons of product from the site. (Sierra Club v. Marsh (1st Cir. 1992) 976 F.2d 763, 768; California v. Block (9th Cir. 1982) 690 F.2d 753, 765.) A DEIS revised to evaluate the reasonably foreseeable impacts of the Project will also need to include mitigation measures commensurate with those impacts.

b. The Project Description Improperly Assumes That the Mine Will Operate at the Most Environmentally Benign Rate of Production.

2

The DEIS assumes that TMC will mine up to 2.15 million tons per year during the first 10 years and up to 4.2 million tons per year during the second 10 years. (DEIS, p. 1-1.) The DEIS offers no factual basis for this assumption. On its face, the assumption is

implausible. The fact that the mine has an annual productive capacity of at least 4.2 million tons per year, as assumed for the second decade, indicates that the assumed productive capacity for the first decade should likewise be 4.2 million tons, not 2.15 million tons.

Moreover, the DEIS has been based on an assumption that TMC will take as much time as possible to extract 56.1 million tons from the site. The existing federal contracts, however, give TMC the option of *either* mining up to 56.1 million tons *or* mining for 20 years. (DEIS, p. 2-1.) If TMC extracts 56.1 million tons during a shorter span than 20 years, annual impacts will be higher than those analyzed in the DEIS. Consequently, the DEIS's assumption that TMC will choose to draw out the fulfillment of its contract over the full 20-year period assumes a best-case scenario for the environment. The DEIS quietly admits that TMC might accelerate production: "the anticipated mining and production volumes are estimates only and could change on an annual basis because of market conditions or other factors." (DEIS, p. 2-21.) The DEIS does not say how these estimates were formulated, however.

The DEIS's faulty assumption of the most leisurely rate of extraction allowable under the federal contracts infects all aspects of the DEIS, especially those describing impacts attributable to ongoing operations. For example, higher production rates will entail more truck trips each year on area roads. In order to validly evaluate the environmental impacts of TMC fulfilling its federal contracts, the DEIS must not take the liberty of presuming which of the two permissible modes of contract performance—product weight or years of operation—TMC will choose. If the DEIS must make some assumption, the DEIS should not assume that TMC will choose what appears to be the more environmentally benign alternative of spreading mining over 20 years. The DEIS must be revised to assume the most likely rate of extraction and to provide a sound explanation of how that rate was chosen. 2

In a similar vein, the DEIS states that "[t]he Project has been designed and the environmental impacts assessed using a worst-case fines storage requirement of 30 percent of the total excavation quantity." (DEIS, p. 2-7.) The DEIS provides no factual basis for this assumption. Moreover, the characterization of the 30 percent figure as a "worst-case" scenario is confusing. Does "worst-case" scenario mean the scenario in which on-site storage is maximized or the scenario in which on-site storage is minimized? This reference to the "worst-case" must be clarified.

///

2. Analysis of Impacts

NEPA requires federal agencies to discuss in an EIS all environmental impacts of a proposed action. (42 U.S.C. § 4332(2)(C)(i).) All significant environmental effects, direct as well as indirect, must be considered in the EIS. (See National Helium Corp. v. Morton (10th Cir. 1973) 486 F.2d 995, 1003.) The DEIS's impact analysis fails to comply with NEPA's requirements and must be revised, as described below.

a. Water Resources

(1) Overdraft and Draw-down

The DEIS's analysis of "overdraft" and "draw-down" must be revised. The DEIS concludes that area groundwater resources are not in "overdraft." (DEIS, p. 3-46.) The DEIS's conclusion regarding overdraft is premised on an analysis of the total volume of water in the ground. (DEIS, pp. 3-44 through 3-48.) "Overdraft," however, is not defined by the amount of water in the ground. Rather, as reflected in California law, "'[o]verdraft' means the conditions of the groundwater basin where the average annual amount of water extracted exceeds the average annual supply of water to the basin, plus any temporary surplus." (Cal. Water Code Appendix, § 128-314.) The DEIS indicates that in 1989 the amount of extraction was about equal to the amount of recharge in the area. (DEIS, p. 3-47.) Even if the groundwater basin is not presently in overdraft, therefore, TMC's planned extractions will quickly put the basin into that condition.

Similarly, the DEIS states that its analysis of water resources is premised upon an assumption of "no net drawdown of water stored in the aquifer." (DEIS, p. 3-66.) The DEIS provides no factual basis for this assumption. If extractions and recharges were at rough equilibrium in 1989, it is not safe to simply assume that the addition of TMC's Project to the extraction side of the equation would preserve a condition of "no net drawdown." 3

DEIS also states that "[d]uring the dry season of any average rainfall year, pumping would draw down the aquifer. However, the aquifer quickly recharges with annual rainfall; thus, the amount of drawdown is temporary and therefore not significant." (DEIS, p. 3-67.) The DEIS's conclusion that this draw-down is insignificant is premised on two faulty assumptions: (1) the rate of draw-down after TMC starts pumping will be less than or equal to the rate of recharge; and (2) "significant" means "permanent." Neither assumption holds water. The DEIS does not provide any mechanism for TMC to adjust its withdrawals in sync

with actual annual rainfall. The "action levels" in the habitat protection plan are not triggered by pumping rates that exceed recharge/precipitation rates. If the *volume* of extraction exceeds the *volume* of precipitation and recharge, it is irrelevant *how fast* precipitation percolates into the ground. Thus, the presumption that drawdown will necessarily be remedied by rainfall is unsound. Furthermore, the DEIS's significance criteria say nothing about otherwise significant impacts being deemed insignificant if they occur only temporarily. (DEIS, p. 3-61 through 3-63.)

The DEIS states that "periods of deficient rainfall and reduced runoff tend to cause only a gradual reduction in basin-wide water levels . . . ." (DEIS, p. 3-48.) Rather than *presuming* that this slow rate of draw-down is unchangeable regardless of the volume of pumping going in the area, the DEIS should instead *analyze the Project's effect* on the rate of draw-down levels during dry years.

3

The DEIS states that "[i]t is suggested that the total extraction of water within the western portion at the current time amounts to less than 1,000 acre-feet per year." (DEIS, p. 3-48; see also DEIS, p. 3-46 [table at middle of page].) The DEIS provides no factual basis for this assumption. The DEIS does not even state the source for this "suggestion." The DEIS should report the results of actual measurements or reliable estimates of extraction. If the DEIS simply assumes away the demand on groundwater resources, the DEIS cannot validly inform readers regarding the nature of the Project's impacts upon groundwater users. Later, the DEIS states that "No impacts were identified relative to local water users." (DEIS, p. 3-70.) The phrase "no impacts were identified" obscures the fact that no attempt was made to identify them. It appears that the DEIS's conclusion regarding local water users is founded on an incomplete evaluation.

(2) Impacts on Water Supplies

Except for the DEIS's estimation of the water demands of the Project, this section is confusing. The DEIS seems to identify three sources of water for the Project: groundwater; surface water (riparian rights); and surface water (appropriative rights). In particular, the DEIS does not articulate how the water demands for the Project will be met. Indeed, the DEIS seems internally inconsistent on this point. The DEIS first states that "[t]he Santa Clara River . . . is the only practically feasible source of water available to the Project." (DEIS, p. 3-26.) Then, however, the DEIS declares that "TMC plans to obtain its Project water by means of a series of well pumps that will pump water out of subsurface water storage . . . ." (DEIS, p. 3-65.) The first statement suggests the Project will rely on surface

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water obtained via riparian or appropriative rights; the second seems to allude to the use of groundwater. Which is it? Because the proposed groundwater pumping seems to affect surface flows does that mean that the water pumped is actually *surface* water? The EIS must explain what type(s) of water supply (i.e., groundwater or surface water) and amounts of water TMC intends to use for the Project. The EIS must also demonstrate that sufficient supplies exist to satisfy Project demands or explore alternatives, such as water conservation or development of additional sources.

To the extent the Project will use surface water supplies, the DEIS does not adequately discuss the availability of these supplies. Assuming TMC possesses riparian rights to Santa Clara River water, what evidence shows that sufficient flows exist in the river to supply the Project?

The fact that TMC made an application to appropriate water for the Project suggests that insufficient riparian and groundwater supplies exist (at least during certain times of the year) to meet Project demands. As the DEIS notes, appropriative rights are limited. Before granting a permit to appropriate the State Water Resources Control Board ("SWRCB") must determine sufficient excess water exists for appropriation. (DEIS, p. 3-29.) The DEIS must discuss whether water is available in the Santa Clara River. To that end, the DEIS should consider the status of the proposed CalMat Agua Dulce Quarry, which, I understand the County of Los Angeles previously denied based on lack of water in the Santa Clara River. 4

Appropriative rights are also limited because they are subordinate to riparian rights and other higher-priority appropriative rights. In light of these constraints, the DEIS must explain what amount of water is reasonable to expect assuming TMC receives a permit to appropriate.

(3) Impacts of Water Shortage

The DEIS's analysis of the impacts of water shortage must be revised. The DEIS posits a significance criterion that purports to protect municipal users: "Potential water use impacts will be considered significant if [¶] use of water by the Project substantially affects water resource availability for *municipal*, agricultural, industrial, private, or recreational uses." (DEIS, p. 3-61 (emphasis added).) Earlier, the DEIS takes note of the plans of the City of Santa Clarita for use of the Santa Clara River. (DEIS, p. 1-35.) The DEIS concludes, however, that since the Project lies outside the City's jurisdiction, the City's plans are irrelevant to the DEIS's analysis. (Ibid.) The DEIS's approach is improper. First, 5

disregarding the City of Santa Clarita is inconsistent with the DEIS's own significance criterion of protecting "municipal" uses. Second, environmental impacts do not observe jurisdictional boundaries. Impacts that occur beyond the boundaries of a lead agency's jurisdiction may nonetheless be within the scope of a required NEPA analysis. The DEIS should be revised to evaluate the impacts of the Project on current and planned uses in the City of Santa Clarita, including recreational, educational, habitat, open space, and water recharge uses. (Ibid.)

The DEIS states that "[b]ased on the historic volume of water in storage in the aquifer, it is anticipated that even with the Project there will *almost always be* some level of surface and subsurface flow in the river downstream of the constriction point at the site of the Old Lang Gaging Station." (DEIS, p. 3-65 (emphasis added).) Why does the DEIS say "[a]lmost always?" Does this mean that sometimes there will be no flow downstream of the Project? TMC apparently plans, on occasion, to pump the system dry. The DEIS states that any pumping that caused the habitat of the unarmored threespine stickleback to run dry would result in a significant adverse impact. (DEIS, p. 3-233.) The DEIS should be revised so that it states unequivocally that TMC will never pump when doing so would cause downstream flows to dry up. In the alternative, if TMC will sometimes exhaust the stream, the DEIS should say so clearly and analyze that impact. 5

The DEIS states that "[w]ith regard to surface flow, the amount of water to be taken out of the aquifer by the Project, which would be considered significant, is the amount that would result in insufficient flow to maintain the downstream unarmored threespine stickleback habitat." (DEIS, p. 3-65.) While harm to the habitat of this one creature would constitute a significant impact, the DEIS did not cast its significance criteria in such narrow terms that the DEIS may limit its analysis to consideration of one species. The relevant significance criterion for the DEIS as a whole is that "[p]otential water use impacts will be considered significant if [¶] . . . use of water by the Project reduces or depletes water resources in such a manner that *sensitive ecological habitats* cannot be maintained." (DEIS, pp. 3-61 to 3-63 (emphasis added).) Thus, if any sensitive habitat could not be maintained due to pumping, the impact of pumping would have to be deemed significant. The DEIS's analysis should not be limited to the habitat needs of a single species.

(4) The Mere Appearance of Mitigation

The DEIS's mitigation measures for water resource impacts are illusory. The DEIS states that TMC is planning to exercise riparian rights as well as appropriative rights, if 6

granted. (DEIS, p. 3-31.) The DEIS acknowledges that "the riparian right to take water is unquantified . . . ." (DEIS, p. 3-28.) [1] If TMC's application to appropriate water is denied, does TMC plan to operate the mine using only riparian rights? If so, how would TMC be constrained from impacting fish and wildlife? The DEIS emphasizes that riparian rights are not subject to SWRCB restrictions for fish and wildlife preservation. (DEIS, p. 3-28.) As mitigation for cumulative water resources impacts, the DEIS relies upon a contingency plan for use during water shortages. (DEIS, p. 3-340 through 3-341.) [2] The plan calls for the reduction of water utilization in time of shortage. (DEIS, p. 3-340.) If TMC is withdrawing water pursuant to riparian rights would this contingency plan be in effect? If not, how can the DEIS assert that "state regulation of water resources *precludes* the possibility of uncontrolled water use from the Santa Clara River, and cumulative impacts will not be significant." (DEIS, p. 3-345 (emphasis added).) If the contingency plan is inapplicable, the only other mitigation left for cumulative water resources impacts is the habitat protection plan. For the reasons stated below, that too provides only illusory protections. 6

In discussing mitigation measure WR1, the DEIS states that "The habitat protection plan contains action levels that will trigger adjustments to mining operations to reduce Project water consumption to avoid significant degradation of the ecologically sensitive habitats attributable to the Project." (DEIS, p. 3-70.) The DEIS also states that the habitat protection plan contains action levels based on "habitat requirements." (DEIS, p. 3-234 [mitigation measure B6].) When one turns to the text of the action levels themselves, one sees that the emphasis is on the impacts attributable to the Project; the emphasis is not on habitat requirements. The preamble to the action levels states: "Any combination of two or

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[1]/ The DEIS states that riparian rights are paramount. (DEIS, p. 3-28.) The DEIS's water rights analysis ignores public trust rights, pueblo rights, prescriptive rights, rights to imported water, and rights to percolating waters that are hydrogeologically connected with surface waters. Any one of these rights can be of higher priority than a riparian right or can, at a minimum, complicate the analysis of whether riparian owners will be allowed to take water from a stream. In short, without accounting for such rights, the DEIS's water resources analysis is incomplete.

[2]/ The DEIS states that the plan was submitted to the "California Department of Water Resources" ("DWR") (DEIS, p. 3-340), when presumably it meant to say "SWRCB." On page 3-345, the DEIS states that TMC has applied to the "California Division of Water Rights (CDWR)" for permission to appropriate. The Division of Water Rights is within the organizational structure of the SWRCB, not DWR.

more of the following levels of the average measured parameters for the monitoring reach *that do not simultaneously occur at the control site upstream of the Project area* will result in the initiation of management of the operations to reduce or cease water pumping[.]" (DEIS, appen. F6, p. F6-16 (emphasis added).) The gist of the italicized language appears to be this: if the stream is in crisis already, TMC is allowed to make it worse. If the stream is in violation of all four action criteria upstream of the mine, the mitigation measure proposed in the DEIS allows TMC to keep pumping no matter how much that pumping may exacerbate the problem. Consequently, the habitat protection plan fails to mitigate for the Project's incremental contribution to significant cumulative water resources impacts. Indeed, the measure seems more like an exemption from mitigation than an attempt to protect the stream.

The Action Levels in the habitat protection plan also contain another loophole. Action Level No. 3 states that pumping will be reduced or stopped if there is a "decrease of 25 percent or more of mean water depth at both the outer edge and mid-point of stream *compared with the previous measurement*[.]" (DEIS; appen. F6, p. F6-16 (emphasis added); see also ibid. (action level no. 4).) Under this provision, if successive measurements each show 24% decreases in water depth, TMC takes no action. As the water depth declines, TMC can avoid reducing its pumping by instead taking a measurement every time the decrease approaches 25%. Some "action" level. 6

As just explained, the habitat protection plan contains action levels riddled with loopholes, and TMC's contingency plan for water shortages seems to be irrelevant to the control of TMC's riparian water usage for the sake of fish and wildlife. The DEIS, therefore, proposes no feasible mitigation for cumulative water resources impacts. Accordingly, the EIS must formulate *specific* mitigation measures designed to ensure that impacts on water resources will be reduced to less-than-significant levels.

In summary, the EIS must be revised to include specific mitigation measures for water resources impacts rather than foisting that responsibility off onto the SWRCB. Alternatively, if precise mitigation cannot be developed, the EIS must contain general mitigation linked to *specific* performance criteria that will ensure impacts are reduced to less-than-significant levels.

b. Traffic Analysis

The DEIS altogether fails to address certain traffic impacts of the Project. 7

Consequently, the DEIS violates NEPA.

The DEIS's traffic analysis is inadequate because it ignores the significant adverse environmental effects that will occur at intersections involving four roads: (1) the Antelope Valley Freeway (Route 14); (2) Interstate 5; (3) the Simi Valley Freeway (Route 118); and (4) the San Diego Freeway (Route 405). (DEIS, appen. D, p. 1 [intersections addressed].) Most of the trucks associated with operations at this site will be going to and from the site by a route that necessarily will take them through the intersections of the above-listed roads. (See DEIS, p. 1-20 [local setting map].) The most crucial intersection ignored by the DEIS is the intersection of Interstate 5 and the Antelope Valley Freeway. The DEIS should analyze the traffic impacts that the Project will impose on this intersection.

The DEIS's traffic analysis says that the Project will generate 1,284 average daily trips, including 1,164 trucks. (DEIS, appen. D, p. 9; DEIS, p. 3-298.) The DEIS also states that 95% of Project traffic would head south upon leaving the Project site. (Ibid.; DEIS, p. 3-298.) Thus, on average, 1,105 trucks per day will head south down the Antelope Valley Freeway and pass through the intersection of that road and Interstate 5. While overall traffic on the Antelope Valley Freeway at Soledad Canyon Road is approximately 76,000 average daily trips (DEIS, p. 3-127), that includes only 4,408 trucks (DEIS, p. 3-129). Adding 1,105 trucks would bring the total up to 5,513 trucks, an increase of 25%.

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The DEIS emphasizes that Interstate 5 "provides an important transportation route to Los Angeles and the surrounding urban areas. The potential marketing area for TMC includes the Santa Clarita Valley and the greater Los Angeles area and thus the Project would use this freeway to some extent." (DEIS, p. 3-290.) The phrase "to some extent" is a misleading characterization in view of the 1,105 trucks per day that the Project will add to that roadway.

The DEIS says further that "The major destinations for the materials shipped from the proposed Soledad site are Santa Clarita Valley, Inglewood, Los Angeles, Hollywood, Sun Valley, and other areas nearby. Thus, most of the daily production *will be shipped southbound on the Antelope Valley Freeway toward the Los Angeles area.*" (DEIS, p. 3-298 (emphasis added).) The "Local Setting Map" (DEIS, p. 1-20) reveals that all of those vehicles bound for Los Angeles will have to work their way through the intersection of the Antelope Valley Freeway and Interstate 5. Then, before scattering to various destinations, all of the southbound vehicles will have to work their way past or through the intersections of Interstate 5 with the Simi Valley Freeway (Route 118) and the San Diego Freeway (Route

405). Those intersections too must be addressed in the DEIS.

The DEIS states that up to 0.5 million tons of fines will be sold or otherwise taken offsite in years 1 through 3 of the mine's operation. (DEIS, p. 2-7.) Truck trips associated with the offsite transport of fines do not appear to be represented in the DEIS's traffic analysis. (DEIS, appen. D; see also DEIS, p. 2-23.) The DEIS must be revised to include analysis of this added traffic.

The DEIS mentions the lack of compatibility between trucks and school buses. (DEIS, p. 3-308.) Truck traffic should be restricted to off-peak commute hours, to avoid these conflicts and other traffic problems. The DEIS does not yet address this issue and must be revised to do so. Accordingly, please include in the EIS an analysis of truck-related traffic impacts designed to address these concerns. The analysis should specifically evaluate the mitigation measure of constraining truck traffic to off-peak commute times. Other attributes of the truck traffic analysis should be developed in consultation with Caltrans. 7

c. Noise Analysis

The DEIS's noise analysis is also defective. One of those defects relates to the DEIS's failure to consider traffic impacts extending all the way to Interstate 5, as just described. Second, the DEIS uses its significance thresholds unsystematically and selectively. Third, the DEIS omits any discussion of what the noise levels will be along Agua Dulce Road once Project-related vehicles are added to that roadway. Fourth, the DEIS takes an improper approach toward the Project's cumulative noise impacts.

(1) Offsite Truck Trips

The DEIS's noise analysis is inadequate because it fails to address significant adverse environmental impacts associated with offsite vehicle trips between the Project site and the intersection of the Antelope Valley Freeway and Interstate 5. The DEIS only considers noise impacts at or very close to the Project site, while ignoring the foreseeable noise impacts of additional offsite truck trips more distant from the site. (DEIS, pp. S-8 through S-9, 3-126 through 3-128.) The DEIS does not consider whether there may be sensitive receptors along the Antelope Valley Freeway between Soledad Canyon Road and Interstate 5. (See DEIS, p. 1-20.) The DEIS points to a number of "related projects" for purposes of analyzing traffic impacts. (DEIS, p. 3-295.) Six of those "related projects" are single-family residential projects, amounting to more than 1,600 units. (Ibid.) Yet, there is no indication that the 8

DEIS considered the occupants of these units to be possible sensitive receptors for noise impacts. The DEIS acknowledges that it should be considering impacts to "any dwelling, public building, school, church, or community or institutional building outside of the permit area." (DEIS, p. 3-120.) Because, as noted above, it is inevitable that a substantial number of trucks will leave the site and travel down the Antelope Valley Freeway toward Interstate 5, the DEIS must identify all sensitive receptors that might exist along that stretch of road. This obligation is particularly salient in view of the fact that Project-related trucks will be plying that roadway 24 hours per day. (DEIS, pp. 3-168 through 3-172.)

Because there is no analysis of those sensitive receptors, the DEIS's mitigation measures are insufficient. Other than possible soundwalls or berms for two mobile home parks, there are no measures proposed to mitigate any noise impacts for any sensitive receptors due to offsite truck trips at any point between the Project site and the intersection of the Antelope Valley Freeway and Interstate 5. (DEIS, pp. 3-147 through 3-150.) **8**

Indeed, the proposed berms and walls may be insufficient to address even the impacts that are identified in the DEIS. There is no substantial evidence that a soundwall or berm (DEIS, p. 3-149) will attenuate Project-related noise impacts to a level of insignificance. The proposed mitigation measure N3 is not cast as a performance standard. The measure merely refers vaguely to the construction of "a wall"—not a wall that would achieve any specified degree of attenuation. The measure does say that "a more thorough study" will be conducted before any wall is constructed, but there is nothing in this proposed measure that requires TMC to do more than perform a study and construct a wall that incompletely mitigates the Project's significant impacts. The DEIS cannot validly conclude that the measure mitigates Project related noise to a level of insignificance.

(2) Erratic Application of Significance Thresholds

The second defect in the DEIS's noise analysis is the DEIS's selective and unsystematic application of significance thresholds. The DEIS sets forth three "significance criteria" for "noise impacts" (DEIS, p. 3-132), but fails to apply them consistently throughout the noise analysis. In evaluating whether a given noise impact is significant, the DEIS typically picks only one criterion to look at, and a different one each time. **9**

For example, the DEIS notes that the Project is not expected to raise the noise level along the Antelope Valley Freeway by 3 dBA, one of the three significance criteria. (DEIS, p. 3-145.) Yet, the DEIS fails to state whether, along that stretch of road, the Project will

produce noise levels that exceed county or local noise ordinances, another of the significance criteria.

Similarly, in discussing wildlife, the DEIS concludes that "[t]he Project will result in *a significant increase* in noise and vehicular activity in the immediate area. This increased disturbance could disrupt diurnal wildlife activities such as foraging, predator avoidance, and courtship." (DEIS, p. 3-232 (emphasis added).) Reading just that passage, one would think that the DEIS was about to conclude that noise impacts on wildlife will be significant. After all, one significance criterion for noise is an increase of 5 dBA even if the total noise level remains under the level proscribed in applicable ordinances. (DEIS, p. 3-132.) Instead, the DEIS pretends that this criterion does not exist, and concludes instead that "[t]he impacts on wildlife in the vicinity of the Project are considered potentially adverse but not significant because noise levels . . . will be below 65 dBA in the riparian habitat." (DEIS, p. 3-232.) 9

(3) Agua Dulce Road

A third defect is the DEIS's omission of any discussion of what the noise levels will be along Agua Dulce Road once the Project-related vehicles are added to that roadway. (DEIS, p. 3-145.) The DEIS merely states that "based on a total ADT of 2,250, the Project's noise contribution along this road will not present a significant impact." (DEIS, p. 3-145.) That conclusion does not even appear to be drawn from noise modeling. Instead it seems to be premised merely on a count of the cars expected to traverse that stretch of road. If just counting cars were enough, the DEIS would be compelled to conclude that noise impacts from the 1,105 trucks headed south toward Los Angeles would create significant adverse noise impacts reaching from the Project site at least to Interstate 5. 10

(4) Cumulative Noise Impacts

The fourth defect in the DEIS's noise analysis is an improper approach toward consideration of cumulative noise impacts. A legally adequate "cumulative impacts analysis" is an analysis of a particular project viewed over time and in conjunction with other related past, present, and reasonably foreseeable probable future projects whose impacts might compound or interrelate with those of the Project at hand. A "cumulative impact" is 11

> "the impact on the environment which results from the incremental impact of the action when added to other past, present, and reasonably foreseeable future actions . . . Cumulative impacts can result from individually minor but

collectively significant actions taking place over a period of time."

(40 C.F.R. § 1508.7; see also 40 C.F.R. § 1508.27(b)(7).)

The DEIS's analysis of cumulative noise impacts acknowledges that noise from Project-related offsite traffic is of great concern. (DEIS, p. 3-343.) Yet, the DEIS impermissibly considers cumulative impacts in a proportional rather than additive fashion. The DEIS states that "Because the Project is not anticipated to use the full complement of trucks during the first year of operation, [the year] 2000 was used to assess the worst-case impact. Subsequent years would have higher nonproject-related volumes of traffic on the road, and the Project would make a proportionately smaller contribution." (DEIS, p. 3-144.) Consideration of cumulative impacts using proportions trivializes a project's impact by focusing on individual inputs, not their collective significance. The cumulative impacts analysis demands that an agency look for the sum, not the ratio, of impacts. Moreover, the year 2000 represents not the worst-case scenario for cumulative impacts analysis, but rather the best-case scenario. A Project-related truck trip in the year 2000 will be adding noise to the lowest ambient baseline that will exist at any time during the Project's duration, even though that truck in the year 2000 will contribute a greater *share* of the total noise. In later years, the Project will be exacerbating a higher ambient noise level. The DEIS's cumulative noise impacts analysis must be revised to consider the sum of the Project's impacts and the impacts of other related projects. 11

The DEIS also fails to offer any mitigation for the Project's incremental and cumulatively considerable noise impacts. In looking at cumulative noise impacts, the DEIS states that mitigation measures "will reduce the impacts to less-than-significant levels *for the Project*" while other nearby future projects "will also be responsible for *their fair shares* of the necessary mitigation." (DEIS, p. 3-343 (emphasis added).) In other words, the DEIS only proposes mitigation for noise impacts from this Project that are significant when considered in isolation. The DEIS does not provide any measure for the Project to mitigate for its own individually insignificant but cumulatively considerable noise impacts. For example, if this Project and another project each increase noise by 2.75 dBA but do not exceed levels found in applicable ordinances, neither project on its own would run afoul of any of the DEIS's noise significance criteria. (DEIS, p. 3-132.) Together, however, they would exceed the 5 dBA criterion. This DEIS provides no analysis of and no mitigation for such a possibility. Because the DEIS's analysis of and mitigation for noise impacts is inadequate, the DEIS must be revised to propose feasible mitigation for cumulative noise impacts. Among other things, the DEIS should consider restrictions pertaining to hours of

operation.

Finally, the DEIS makes several assertions without providing any basis in facts. For example, the DEIS states that raising the noise level along the Antelope Valley Freeway 3 dBA would require a doubling of the current traffic volume. (DEIS, p. 3-145.) The DEIS also states that grade separation provides 12dBA attenuation. (DEIS, p. 3-149.) The DEIS provides no factual basis for these assumptions. **11**

d. Land Use Impacts

The DEIS does not adequately analyze land use impacts of the Project. One particularly important issue is the consistency between the Project and the proposed Bee Canyon Mobile Home Park ("Bee Canyon Project"). The DEIS identifies the Bee Canyon Project, but does not evaluate potential conflicts between that project and the proposed mining Project. (DEIS, p. 3-329 through 3-330.) In fact, the DEIS seems to assume that the Bee Canyon Project will not be permitted because it potentially conflicts with the state mineral resource zone (MRZ-2) that applies to the site. (Ibid.) The EIS cites no evidence for this conclusion. Indeed, the attached geological evaluation concludes that the Bee Canyon Project will not conflict with the MRZ-2 designation. (See Exhibit B.) Until Los Angeles County takes final action on the Bee Canyon Project, the EIS must assume that the Bee Canyon Project may be allowed to proceed. **12**

Accordingly, the EIS must evaluate the potential conflicts between the Project and the Bee Canyon Project. The EIS should analyze, for example, effects of the Project on the Bee Canyon Project related to noise, air quality (especially dust), aesthetics, and traffic. The EIS must also recommend mitigation to reduce those effects where feasible. The EIS seems to assume that the state MRZ-2 designation absolves the Project of any duty to mitigate the adverse effects of mining operations on adjacent properties. This interpretation of the law is not supported by the text of the EIS nor does it appear reasonable. Until the EIS demonstrates otherwise, NEPA requires that the EIS analyze the effects of the Project on the proposed Bee Canyon Project and to identify feasible mitigation measures to reduce those effects if determined to be significant.

3. Alternatives Analysis

An EIS must discuss reasonable or feasible alternatives to a proposed action. (42 U.S.C. § 4332(2)(C)(iii); 40 C.F.R. § 1502.14 (a)-(c).) The alternatives analysis is the **13**

"heart" of the EIS. (40 C.F.R. § 1502.14.)

The DEIS is inadequate because it fails to consider a reasonable range of alternatives at a proper level of detail. Federal agencies shall "devote substantial treatment to each alternative considered in detail including the proposed action so that reviewers may evaluate their comparative merits." (40 C.F.R. § 1502.14(b).) The Council on Environmental Quality has determined that:

> "The degree of analysis devoted to each alternative in the EIS is to be substantially similar to that devoted to the 'proposed action' [40 C.F.R.] Section 1502.14 is titled 'Alternatives including the proposed action' to reflect such comparable treatment. Section 1502.14(b) specifically requires 'substantial treatment' in the EIS of each alternative including the proposed action."
>
> (Council on Environmental Quality, Forty Most Asked Questions Concerning CEQ's National Environmental Policy Act Regulations, question 5(b), 46 Fed. Reg. 18026 (1981).)

The DEIS does not analyze alternatives at a substantially similar level of detail as that devoted to the proposed action. The DEIS devotes long passages to the impacts associated with the proposed action. (See DEIS, pp. 3-1 through 3-381.) The DEIS devotes only minimal space to the discussion of impacts associated with each alternative. (See DEIS, pp. 3-386 through 3-411, 2-46 through 2-73.) It is plain that this DEIS has not provided sufficient information on the character and scale of the impacts associated with each alternative, such that decisionmakers can make an impartial and well-informed choice among the alternatives discussed. **13**

The DEIS also must analyze in detail the feasible alternative of mining the Transit Mixed Concrete Company's ("TMC") Moorpark site in Ventura County. (DEIS, pp. S-20, 2-60.) The DEIS seeks to evade analyzing the Moorpark site by stating that "An excessively high production level and increased transport distance would not result in a reliable and economically viable source of gravel for the Los Angeles region." (DEIS, p. 2-60.) Substantial evidence exists that the Moorpark site does in fact offer a feasible alternative to the Project. TMC has acquired the site. If mining the site were infeasible, that fact would probably be reflected in TMC's market behavior.

The DEIS does not provide any evidence that the Moorpark site is unviable. At best, the DEIS provides support for the proposition that mining the Moorpark is less profitable than mining the Soledad Canyon site. NEPA requires consideration of alternatives which meet only a portion of the stated goals of the Project. (See North Buckhead Civic Ass'n v. Skinner (11th Cir. 1990) 903 F.2d 1533.)

TMC's parent company is Southdown, Inc. (DEIS, p. 1-18.) The form 10-K that Southdown, Inc., filed with the Securities and Exchange Commission for the fiscal year ending December 31, 1998, names the Moorpark site as being among the firm's "aggregate reserves." (See Exhibit C.) If mining aggregates from the Moorpark site is so costly or unprofitable that it is impractical to proceed with mining there, Southdown has failed to make that material disclosure to securities regulators and the litigious investing public.

Even if the revised DEIS forgoes analyzing the Moorpark site in detail, it certainly will be able to find some alternative location for mining activities that would meet most of the Project's objectives, including the objective of providing royalties to the federal government. (DEIS, p. S-5.) The DEIS itself notes that the Los Angeles-Orange County area contains 8,865 acres of BLM split-estate acres with high potential for sand and gravel resources. (DEIS, at p. 1-26.) The Saugus-Newhall Production-Consumption Region features large areas designated as MRZ-2 (i.e., areas where adequate information indicates that significant mineral deposits are present, or there is a high likelihood for presence). (DEIS, figure 1.4-1.) The DEIS states that deposits in an MRZ-2 "can be mined and profitably marketed for use as PCC-grade aggregate." (DEIS, p. 3-11.) The DEIS states further that "BLM public and split-estate lands within the planning area are known to contain several areas with valuable sand and gravel deposits . . . ." (DEIS, p. 1-25.) The claim that there are no feasible location alternatives to this proposed mining Project constitutes a facially implausible assertion that none of the BLM MRZ-2 split-lot acreage in the Saugus-Newhall region can or will be mined. The DEIS fails to consider whether a mining operation on such acreage would present fewer environmental impacts than the proposed Project. As a result, the DEIS frustrates informed decisionmaking and public participation. (California v. Block (9th Cir. 1982) 690 F.2d 753, 761.) NEPA requires detailed analysis of at least some location alternative because, in this circumstance, such analysis "is essential to making a 'reasoned choice.'" (Id. at p. 767.) 13

The DEIS also fails to consider in detail any alternative location in the Palmdale-Littlerock area. (DEIS, p. 2-60 [rejecting from further consideration the Antelope Valley Site in the Palmdale-Littlerock area].) Yet, it appears from the DEIS, that this is in fact the

alternative that TMC will pursue if the County does not approve the present Project proposal. According to the DEIS: "In order to continue supplying the greater Los Angeles area, TMC would have to locate an alternative supply of sand and gravel in the Palmdale-Littlerock area of northern Los Angeles County, which is approximately 25 miles northeast of the Soledad Canyon site." (DEIS, p. 1-14.) The DEIS points out that the addition of 25 miles to each one-way truck trip would result in increased costs for the product. (DEIS, p. 1-14.) In rejecting the Palmdale-Littlerock area, the DEIS assumes that "[t]he direct environmental impacts of sand and gravel mining on the physical environment are similar, regardless of a site's location." (DEIS, p. 1-14.) That assumption is belied by this DEIS's own analysis of impacts that arise or become significant only because of site-specific variables, including the occurrence of protected species, the quantity of available water resources, the character of hydrogeologic features, and the proximity of the site to sensitive receptors for noise and air impacts. Quarries more remote from markets for construction grade aggregates are likely, on average, to be more remote from concentrations of people who would be harmed by the noise and air impacts associated with mining activities. The DEIS should analyze at least one such alternative site.

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In addition to the Moorpark site and a Palmdale-Littlerock site, a revised DEIS should analyze the alternative of delaying exploitation of the mineral resources at this site. Delay might enhance the economic value of those resources. If the Soledad Canyon site begins production only after the exhaustion of other mines equally close to the Los Angeles market, the Soledad Canyon site will be competing against more distant mines charging higher prices to recoup greater transportation costs. (See DEIS, pp. 1-8 through 1-14.) A later Soledad Canyon operator might thus be able to charge higher prices, resulting in greater royalties. At the same time, mitigation measures available in the future may be superior to those available today. For example, the DEIS itself notes that "water economy technology" may improve during the life of the Project. (DEIS, p. 3-63.) The DEIS notes further that "innovations" in "reclamation and revegetation techniques" are expected over the next 20 years. (DEIS, p. 2-28.) The environmental and economic trade-off confronting BLM "cannot be intelligently made without examining whether it can be softened or eliminated" by delaying resource extraction. (California v. Block (9th Cir. 1982) 690 F.2d 753, 767.) Because delayed production might meet most of the Project's basic objectives and substantially lessen the Project's significant adverse environmental impacts, the DEIS should analyze a "postponed mining" alternative in detail.

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4. Other Defects

The DEIS also contains a number of other flaws, discussed in brief below:

- The DEIS notes that herbicides may be used during reclamation. (DEIS, p. 2-41.) The DEIS does not say how likely it is that these herbicides will be used. Nor does the DEIS evaluate whether the herbicides will have any environmental impacts on water quality, protected species, or nearby residents. Does TMC presently use herbicides at its other comparable operations? **14**

- The DEIS's cumulative impacts analysis states that "Previous projects are *assumed* to be reflected in the baseline description of existing conditions in Section 3.1." (DEIS, p. 3-336 (emphasis added).) Either previous projects are reflected in that baseline, or they are not. The left hand of this DEIS should not need to assume what the right hand is doing. **15**

- DEIS Table 3.1.8.1 assesses the potential occurrence of sensitive species in the Project area. The term "No Comment" is provided in several sections of the Survey Results. Either the species occurs, or it does not. The DEIS should state one or the other. **16**

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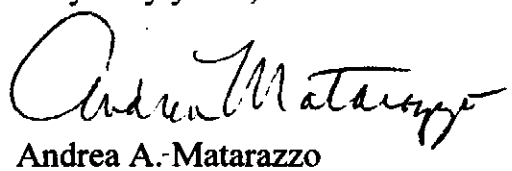
As described in detail above, BLM has so far not "adequately considered and disclosed the environmental impact of its actions." (Association of Pub. Agency Customers, Inc. v. Bonneville Power Admin. (9th Cir. 1997) 126 F.3d 1158, 1183.) Nor has BLM taken a "hard look" at its proposed decision's environmental consequences. (Idaho Conservation League v. Mumma (9th Cir. 1992) 956 F.2d 1508, 1519.) Accordingly, BLM must substantially rewrite the DEIS to cure the defects identified above and recirculate that revised document.

Thank you for the opportunity to provide comments on the DEIS. Please feel free to contact me if any of the matters described above require clarification.

Very truly yours,



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POSITION PAPER IN SUPPORT OF THE TMC SOLEDAD CANYON SAND AND GRAVEL MINING PROJECT

Prepared For:

Transit Mixed Concrete Company
a division of Southdown, Inc.
Azusa, California

April 6, 1999

EXHIBIT A

In the end, a local agency cannot decide that mining per se is not an appropriate use of a Federal mineral resource. Where the Federal government has decided that mining is an appropriate use of Federal land, the role of state and local agencies is to impose reasonable environmental restrictions on how that mining is to be conducted. Although the United States Supreme Court has approved such state regulation, it only allowed the states the power to make reasonable environmental regulations of private mining activity on Federal land, not the power to prohibit such mining. A particular environmental regulation that is so severe as to render a project impracticable will be pre-empted, as effectively being an inappropriate land use decision.

C. The TMC Project Consists of a Federal Mineral Estate Subject to Federal Regulation as to Whether It is Appropriate to be Mined

The land involved in the TMC Project was patented under the Stock-Raising Homestead Act of 1916 ("SRHA"), 43 U.S.C. § 299, reserving to the United States all of the minerals within the offered sale area. Congress' underlying purpose in severing the surface estate from the mineral estate was to facilitate the concurrent development of both surface and subsurface resources.[21] Since Congress has evidenced an intent that Federal minerals be developed and that the government's reserved rights are dominant over the surface estate, and include the right to use as much privately-owned surface as is reasonably incident to develop those minerals, local environmental restrictions which frustrate that purpose stand to be preempted.[22]

Similarly, the mining rights have been granted by the United States to TMC pursuant to the Federal Materials Act of 1947, as amended, 30 U.S.C. § 601 et seq. The Materials Act provides for the disposal of Federal mining materials, including sand and gravel, in the public interest. The Federal legislative scheme includes extensive regulations establishing procedures for the exploration, development and disposal of mineral material resources as well as the protection of the environment of the public lands under permit or contract for sale.[23] It is the express policy of the Bureau of Land Management to permit the disposal of mineral material resources at fair market value while ensuring that adequate measures are taken to protect the environment and minimize damage to public health and safety.

The Federal laws under which the Federal government retained the rights to the mineral estate were thus intended to encourage development of these mineral resources. The Federal government already has rendered a land use decision that mining of up to 100 million tons of sand and gravel is the appropriate use of the United States' mineral estate at the Soledad Canyon site. Consistent with that determination, the BLM issued the Federal Contracts for 56.1 million tons. The County cannot veto the Federal government's basic land use decision to develop the mineral

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[21] Watt v. Western Nuclear, Inc., 462 U.S. 36, 47, 103 S.Ct. 2218 (1983) (citing H.R.Rep. No. 35, 64th Cong., 1st Sess., 4, 18 (1916)).

[22] The SRHA provides that "[a]ny person who has acquired from the United States the coal or other mineral deposits in any such land, or the right to mine and remove the same, may reenter and occupy so much of the surface thereof as may be required for all purposes reasonably incident to mining . . . ." 43 U.S.C. § 299(a); see 43 C.F.R. § 3814.1.

[23] 43 C.F.R. §§ 3600.0-1 et seq.

Geologic Report
Aggregate Resource Assessment of a 28-Acre Portion of a 211-Acre Parcel and of Adjacent Land on the Northwest Side of Agua Dulce Ridge
Bee Canyon, East of Soledad Canyon Road, Los Angeles County, California

Prepared for:

County of Los Angeles Regional Planning Commission
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Technical Report Submitted in Conjunction with Environmental Review
State Clearinghouse No. 93121006

Prepared on Behalf of:

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January 18, 1999

Ref. No. 0776-01

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EXHIBIT B

Geologic Report
Aggregate Resource Assessment of a 28-Acre Portion of a 211-Acre Parcel and of Adjacent Land on the Northwest Side of Agua Dulce Ridge
Bee Canyon, East of Soledad Canyon Road, Los Angeles County, California

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January 18, 1999

Ref. No. 0776-01

5.0 RESOURCE EVALUATION

The volumetric impact analysis of the GRC Project on the designated PCC-grade aggregate resources and reserves in the Saugus-Newhall P-C Region and in the remainder of Los Angeles County is based on the data presented in this report and on information developed by the CDMG in the publications referenced in this report. The resource volume estimates are for lands designated as Mineral Resource Zone -2 (MRZ-2) only. Areas of Los Angeles County with no significant identified or expected aggregate resource are designated MRZ-1. Areas with significant aggregate deposits present but with insufficient information to determine resource volumes are designated MRZ-3, and are not included in the current estimate of aggregate resources in the County.

5.1 General Resource Evaluation for Los Angeles County

As of January, 1994, the designated aggregate resource in Los Angeles County (which the CDMG has divided into five P-C Regions covering 19 Sectors) totaled 11,929-million tons. Of that total, 750-million tons of aggregate reserves are currently owned or leased by aggregate producing companies and for which permits have been granted to allow mining (CDMG, 1994). Based on historical production - consumption data and the projected demand to the year 2044, the CDMG estimated that a total of 1,105-million tons of PCC-grade aggregate will be required to meet 50-year demand (Table 8, CDMG, 1994).

Based on the projected 50-year demand of 1,105-million tons of PCC-grade aggregate, and the 750-million tons of permitted reserves, the CDMG estimates that an additional 355-million tons of PCC-grade aggregate resource will need to be permitted for production by mining companies over the 50-year period. However, when considering the 11,929-million tons of PCC-grade aggregate resource and reserve designated by the CDMG in the existing 19 Sectors, there is a potential 593-year supply of PCC-grade aggregate in Los Angeles County. Even if no additional resources are identified and even if only one-half of the resource available in the existing 19 Sectors is permitted for production (5,964-million tons), there is a 270-year supply of designated PCC-grade aggregate in the existing P-C Regions of Los Angeles County. That is four to five times longer than the estimated 50- to 75-year economic life of the GRC Project. More significant is the fact that the 50-year additional need for permitted production of 355-million tons represents only 3.2-percent of the currently identified and designated MRZ-2 aggregate non-reserve resource in Los Angeles County (Plate 7).

5.2 Impact of Recycling and Identification of New Resources

The CDMG Report (Page 17, CDMG, 1994) discusses the impact of recycled aggregate. "Recycled construction and demolition waste material has become a significant source of aggregate base material in Los Angeles County. It is estimated that as much as 25-percent of the construction aggregate (base material) sold in the greater Los Angeles area is produced from recycled material... Now that recycled material is supplying a significant amount of base material in Los Angeles County, a higher percentage of the aggregate mined from the virgin aggregate

deposits will be used for PCC aggregate. This will extend the life of the PCC-grade aggregate resources in Los Angeles County."

There are other areas of the County known to have significant aggregate deposits but with insufficient information to determine the resource volumes. These areas are zoned MRZ-3. The northern portion of the County has the largest area of undeveloped land. The Saugus-Newhall and Palmdale P-C Regions are located in the northern portion of the County. Over half of the area of the Saugus-Newhall P-C Region is unclassified and over three-quarters of the Palmdale P-C Region is classified as MRZ-3 (resources present but not evaluated). It can be assumed that a significant volume of future aggregate supply will be mined from local areas currently either unclassified or designated as MRZ-3.

In order that the volumetric analysis in the report present a conservative approach, the volume of the potential resource presently zoned MRZ-3 and the increasing impact of recycled material are not included in estimate of aggregate resource. However, both factors, if considered, would extend the life of the designated PCC-grade aggregate resources in Los Angeles County.

5.3 Volume of PCC-grade Aggregate in the Study Area and Beneath the Site

The sloping topography of the sediments of the Tick Canyon formation located within the northern boundary of the MRZ-2 form a wedge-shape with an average base elevation of approximately 1,950-feet and an average top elevation of 2,400-feet, on the north side of Agua Dulce Ridge (Plates 2 and 5). Material above the 2,400-foot elevation is proposed to be mined by TMC from the south side of the ridge. As shown on Plate 2, the average horizontal distance from the MRZ-2 boundary to the 2,400-foot elevation is approximately 1,500-feet. The height of the wedge is 450-feet. The length of the wedge in the Study Area is approximately 5,000-feet. Profiles of the wedge are presented on Plate 5. The total volume of sediment (gravel, sand, silt and clay) in the wedge within the Study Area, below the 2,400-foot elevation and within the present MRZ-2 boundary, is estimated to be approximately 31.3-million cubic yards (1,500-feet [width] times 5,000-feet [length] times 450-feet [height] divided by 2 [formula for the volume of a wedge] divided by 27-cubic feet per cubic yard). That volume is multiplied by 0.5 to account for the approximate volume of sediments eroded from the drainage valleys in the wedge. Assuming 1.5-tons per cubic yard of sediment (dry), the entire wedge, and therefore the Study Area, contain approximately 46.9-million tons of sediments (31.3-million cubic yards time 1.5-tons per cubic yard).

Approximately 80-percent of the wedge volume of sediment in the Study Area is located on land subject to BLM mineral rights and 20-percent is located on the GRC Site within the MRZ-2. Therefore, approximately 9.4-million tons of sediments (46.9-million x .2) are estimated on the GRC Site within the MRZ-2.

Based on the Sieve data from the Test Pits presented in this report and TMC's product volume calculations for Unit-2 (lower Tick Canyon formation), approximately 40-percent of the sediment in the Study Area consists of coarse aggregate (gravel) size material. Accordingly, the Tick Canyon beds below the 2,400-foot elevation in the Study Area contain an estimated 18.8-million tons of bulk, coarse-aggregate size material (46.9-million x 40-percent). The volume estimate of coarse aggregate (gravel) does not include an estimated volume of fine aggregate

(sand). However, since PCC grade sand is required in an approximate 1 to 1 ratio with PCC-grade gravel, the volume estimates based on the volume of PCC-grade coarse aggregate (gravel) are doubled to account for an equal volume of PCC-grade fine aggregate (sand) that could be sold. Based on discussions with mining company representatives, there is a sufficient volume of sand already available in Los Angeles County. Therefore any additional volume of PCC-grade sand alone, if present, likely would not be produced and is not considered further in the volumetric analysis.

Based primarily on the results of the Soundness tests, a significant portion of the coarse (gravel) and fine (sand) aggregate fails to meet the ASTM standard for PCC-grade aggregate. Using the most optimistic volume estimates, this study assume that 50-percent of the total volume of coarse aggregate (gravel) in the Study Area and the Site may be potentially suited for PCC aggregate after processing.

If approximately 40-percent of sediments in the Study Area are coarse aggregate, half of which may be potential coarse PCC-grade aggregate, then 20-percent of the total sediment volume in the Study Area may be PCC-grade coarse aggregate. Therefore, approximately 9.38-million tons of potential PCC-grade coarse aggregate may underlie the Study Area (46.9-million tons times 0.2 [percent PCC-grade coarse aggregate]). Adding an equal volume of PCC-grade fine aggregate (sand) results in an estimated 18.8-million tons of potential PCC-grade coarse and fine aggregate that may underlie the Study Area.

Approximately 1.9-million tons of potential PPC-grade coarse aggregate may underlie the 28-acre Site (46.9-million times 0.2 [percent of Study Area] times 0.2 [percent PCC-grade coarse aggregate]). Adding an equal volume of fine aggregate (sand) results in an estimated 3.8-million tons of potential PCC-grade coarse and fine aggregate beneath the Site.

The TMC Mining Plan states that the resource to be mined on the south side of Agua Dulce Ridge (Vasquez formation) has an approximate product yield of 70-percent. The Tick Canyon beds in the Study Area are not included as part of the area to be mined and appear to generally conform to Unit-3 (Upper Unit) described in the TMC Mining Plan. Based on the results of this assessment, the material located below the 2,400-foot elevation on the north side of Agua Dulce Ridge beneath the Study Area and the Site (Tick Canyon formation) may have a potential PCC-grade coarse aggregate yield of less than 20-percent. TMC proposes to deposit 8-million tons of waste fines on top of these Unit-3 sediments on the north side of Agua Dulce Ridge (North Fines Storage Area). TMC's plan to layer, compact and revegetate the waste fines in a portion of the Study Area validates the conclusion of this assessment that the aggregate in the Study Area is not of sufficient quantity and quality to be economically viable. Otherwise TMC's proposed fines disposal plan would be a contradiction.

5.4 Volumetric Impact of the Loss of PCC-grade Aggregate in Sector B-2 on the Saugus-Newhall P-C Region and the Remainder of the San Fernando Valley and Los Angeles County

The estimated PCC-grade aggregate resources in the Saugus-Newhall P-C Region of Los Angeles County is 7,597-million tons or 63.7-percent of the total estimated resource in Los Angeles County (CDMG, 1994). The aggregate resource estimated in Sector B-2 of the Saugus-

Newhall P-C Region (Plate 6) is 451-million tons or 5.9-percent of the Region and 3.8-percent of the total estimated resource in Los Angeles County (CDMG, personal communication, 1998). According to the CDMG, "based on the projected population figures and using an average annual consumption rate of 10-tons per capita for the Saugus-Newhall P-C Region, approximately 27-million tons of PCC-grade aggregate will be required to satisfy the local demand, not including the current level of 30-percent exports. Current reserves are adequate to fulfill local 50-year requirements by more than seven fold..." (page 39, CDMG, 1987). Even if the 30-percent exports are added to the consumption, the current Saugus-Newhall P-C Region reserves would still fulfill the 50-year requirements of that P-C region by more than five fold.

In addition to the 7,597-million tons of PCC-grade aggregate in the Saugus-Newhall P-C Region, the PCC-grade aggregate resources designated in the other P-C Regions of Los Angeles County are estimated to be 4,332-million tons (CDMG, 1994). The permitted reserves for individual mines are generally confidential and are not available to the public, however according to CDMG published estimates, approximately 592-million tons are permitted in the other P-C Regions of Los Angeles County. If the remaining available resources in these other Regions were permitted, the production from those new reserves would satisfy the demand in these other Regions for a number of centuries. In addition to their own production, the San Fernando Valley and other Regions in Los Angeles County do import a portion of their PCC-grade aggregate from Ventura County, the Saugus-Newhall P-C Region and the Palmdale P-C Region and other areas.

The CDMG estimates that Sector B-2 of the Saugus-Newhall P-C Region has 451-million tons of aggregate resource or 5.9-percent of the Saugus-Newhall P-C Region total and 3.8-percent of the total estimated PCC-grade aggregate resource in Los Angeles County. It appears that none of the Sector B-2 aggregate resources are currently included in the 750-million tons of existing reserves which are located elsewhere in the Saugus-Newhall P-C Region and in the remainder of Los Angeles County.

5.5 Volumetric Impact of the Loss of PCC-grade Aggregate in the Study Area on the Saugus-Newhall P-C Region and the remainder of the San Fernando Valley and Los Angeles County

Even without considering whether the volume of aggregate is economically and technologically feasible to produce, which it likely is not, the estimated volume of potential coarse and fine PCC-grade aggregate beneath the Study Area is approximately 18.8-million tons. Therefore, the Study Area represents approximately one-quarter of one-percent (0.0025) of the 7,597-million tons of PCC-grade aggregate resource in the Saugus Newhall P-C Region, and approximately one-seventh of one percent (0.0016) of the 11,929-million tons of PCC-grade aggregate resource in all the P-C Regions comprising Los Angeles County.

5.6 Volumetric Impact of the Loss of PCC-grade Aggregate beneath the Site on the Saugus-Newhall P-C Region and the remainder of the San Fernando Valley and Los Angeles County

Even without considering whether the volume of aggregate is economically and technologically feasible to produce, which it likely is not, the estimated volume of potential coarse and fine PCC-grade aggregate beneath the Site (28-acres) is approximately 3.8-million tons

of the 18.8-million tons in the Study Area. Therefore, the Site represents 0.05-percent (0.0005) and 0.03-percent (0.0003) of the PCC-grade aggregate resource in the Saugus Newhall P-C Region and in all the P-C Regions of Los Angeles County, respectively.

A summary of the resource, reserve and projected 50-year consumption data for Los Angeles County, the Saugus-Newhall P-C Region, Sector B-2 of the Saugus-Newhall P-C Region, the Study Area and the Site are presented on Table 7 and on Plate 7.

TABLE 7
Summary of PCC-Grade Aggregate Resources, Reserves and Demand
(In Millions of Tons) [1]

Area Description	Resource and Reserve [2]	Reserves [3]	50-year Demand
Saugus-Newhall P-C Region	7,597	158	
San Fernando Valley P-C Region [4]	301	confidential [4]	
Other P-C Regions in the County	4,031	541	
Total for Los Angeles County	11,929	750 *	1,105 *
Sector B-2, Saugus-Newhall P-C Region [5]	451		
as a Percent of the County	3.8% or (0.038)		
as a Percent of the Saugus-Newhall P-C Region	5.9% or (0.059)		
Study Area [6]	19		
as a Percent of the County	0.16% or (0.0016)		
as a Percent of the Saugus-Newhall P-C Region	0.25% or (0.0025)		
28-Acre Site [7]	2		
as a Percent of the County	0.03% or (0.0003)		
as a Percent of the Saugus-Newhall P-C Region	0.05% or (0.0005)		

* The shortfall in reserves to meet the 50-year demand of 355-million tons (1,105 minus 750) can be met by permitting only 3.2-percent of the presently identified and designated MRZ-2 resources in the County.

[1] State Division of Mines and Geology Open File Report 94-14, Part II, Los Angeles County, Table 4, by Russell V. Miller, 1994.

[2] Resource volume includes unpermitted PCC-grade aggregate resources and permitted reserves identified as being technologically and economically available. Excludes resources in urbanized areas or identified as otherwise unavailable. A standard set back of 100-feet from utilities, railroads and urban developments is used by the State Geologist.

[3] Reserves include PCC-grade aggregate within properties owned or leased by aggregate producing companies and for which permits have been granted for mining and processing.

[4] Reserves for the San Fernando Valley P-C Region are not stated by the CDMG to protect confidential information and the total reserve volume is rounded to the nearest 50-million tons to protect confidential data.

[5] The estimated resource assumes that the aggregate in Sector B-2 is within ASTM Specification for PCC-grade aggregate and is otherwise technologically and economically available (the data presented in this report suggest that the Study Area, located in the northwest portion of Sector B-2, likely is not).

[6] The estimated resource assumes that the aggregate in the Study Area is within ASTM Specification for PCC-grade aggregate and is otherwise technologically and economically available (the data in this report suggest that a significant portion of the in-place aggregate is not). Most of the material would be covered by the waste fines disposal proposed by TMC. The volume includes the volume beneath the Site.

[7] The estimated resource assumes that the aggregate beneath the Site is within ASTM Specification for PCC-grade aggregate and is otherwise technologically and economically available (the data presented in this report suggest that it likely is not).

6.0 CONCLUSIONS

According to the California Division of Mines and Geology (CDMG), as of January, 1994, the estimated PCC-grade aggregate resource, economically and technologically available, within the five P-C Regions comprising 19 Sectors of Los Angeles County was approximately 11,929-million tons. Of that total, 750-million tons of PCC-grade aggregate are identified as reserves (currently owned or leased by aggregate producing companies and fully permitted to allow mining). The estimated PCC-grade aggregate resources in the Saugus-Newhall P-C Region of Los Angeles County is 7,597-million tons or 63.7-percent of the total estimated resource in Los Angeles County (CDMG, 1994).

Based on historical production-consumption data and a projected population growth, approximately 1,105-million tons of PCC-grade aggregate are estimated to be needed to meet the 50-year demand for Los Angeles County (to the year 2044). Given a projected 50-year demand of 1,105-million tons of PCC-grade aggregate and the 750-million tons of permitted reserves, the CDMG estimates that an additional 355-million tons of PCC-grade aggregate resource, representing only 3.2-percent of the non-reserve resource in Los Angeles County, will need to be permitted for production by mining companies over the 50-year period (Plate 7). However, when considering the 11,929-million tons of PCC-grade aggregate resource currently identified and designated by the CDMG in the existing 19 Sectors, there is a potential 593-year supply of PCC-grade aggregate in Los Angeles County. Even if no additional resources, such as those currently zoned MRZ-3, are identified, and even if only one-half of the current resources are permitted for production, there is a 270-year supply of currently identified and designated PCC-grade aggregate in existing P-C Regions of Los Angeles County. This time period is four to five times longer than the estimated 50- to 75-year economic life of the GRC Project. Even more significant is the fact that the need for this additional 355-million tons represents only 3.2-percent of the currently identified and designated PCC-grade aggregate in Los Angeles County.

The PCC-grade aggregate resource estimated in Sector B-2 of the Saugus-Newhall P-C Region, which includes the Study Area, is estimated to be 451-million tons or 5.9-percent and 3.8-percent of the estimated PCC-grade aggregate resource in the Saugus-Newhall P-C Region and in Los Angeles County, respectively. The volume of potential coarse and fine aggregate beneath the Study Area (including the 28-acre Site) is estimated to be 18.8-million tons without considering whether this aggregate is economically and technologically available to produce, which it likely is not. Therefore, the Study Area represents approximately 4-percent of the estimated PCC-grade aggregate resource in Sector B-2, and less than 0.25-percent (0.0025) and 0.16-percent (0.0016) of the PCC-grade aggregate resource in the Saugus Newhall P-C Region and in the five P-C Regions that comprise Los Angeles County, respectively. Given the minuscule or de-minimus volume of potential PCC-grade aggregate in the Study Area, there are no geological reasons that the GRC Project would preclude from production the remaining quantity of PCC-grade aggregate located in Sector B-2 located on the south side of Agua Dulce ridge, primarily in the Vasquez formation.

The estimated volume of potential coarse and fine aggregate beneath the Site (28-acres) is approximately 3.3-million tons without considering whether the volume of aggregate is economically and technologically available to produce, which it likely is not. Therefore, the Site represents less than 1-percent (<0.01) of the estimated PCC-grade aggregate resource in Sector

B-2, and less than 0.05-percent and 0.03-percent (0.0005 and 0.0003) of the PCC-grade aggregate resource in the Saugus Newhall P-C Region and in the five P-C Regions that comprise Los Angeles County, respectively.

AET concludes that, based on the geological and laboratory results that document the low quantity and poor quality of the bulk-material within the Study Area and especially beneath the Site, the potential PCC-grade aggregate in the Study Area is not present in quantities that are economically and technologically available to produce. As further evidence of this, the TMC Mining Plan proposes to deposit 8-million tons of waste fines on top of the Unit 3 sediments (Tick Canyon formation) in the Study Area on the north side of Agua Dulce Ridge (Plate 2A). TMC further proposes to layer and compact the waste fines (silt, clay and rock-flower) and then revegetate the area. To do this in an area considered viable for mining would be a contradiction.

In summary, using only geological factors to ascertain the volumetric significance of the PCC-grade aggregate within the Study Area, the potential volumetric impact of the GRC Project is so small, particularly when considering the statistical variables and the magnitude of the Saugus-Newhall P-C Region and the County-wide resource calculations, as to be nonexistent. Furthermore, there are no geological reasons that the GRC Project would either threaten the extraction of the economically and technologically available PCC-grade aggregate in the area, or impact the PCC-grade aggregate resources in Sector B-2, in the Saugus-Newhall P-C Region and in the remainder of Los Angeles County.

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PUBLIC DOCUMENT COUNT: 18
CONFORMED PERIOD OF REPORT: 19981231
FILED AS OF DATE: 19990329

FILER:

COMPANY DATA:
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CENTRAL INDEX KEY: 0000313058
STANDARD INDUSTRIAL CLASSIFICATION: CEMENT, HYDRAULIC [3241]
IRS NUMBER: 720296500
STATE OF INCORPORATION: LA
FISCAL YEAR END: 1231

FILING VALUES:
FORM TYPE: 10-K
SEC ACT:
SEC FILE NUMBER: 001-06117
FILM NUMBER: 99576886

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BUSINESS PHONE: 7136506200

MAIL ADDRESS:
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EXHIBIT C

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SECURITIES AND EXCHANGE COMMISSION
WASHINGTON, D.C. 20549

FORM 10-K

[X] ANNUAL REPORT PURSUANT TO SECTION 13 OR 15(d) OF THE SECURITIES EXCHANGE ACT OF 1934 [FEE REQUIRED]

FOR THE FISCAL YEAR ENDED DECEMBER 31, 1998

OR

[ ] TRANSITION REPORT PURSUANT TO SECTION 13 OR 15 (D) OF THE SECURITIES EXCHANGE ACT OF 1934 [NO FEE REQUIRED]

FOR THE TRANSITION PERIOD FROM ---------- TO ----------

COMMISSION FILE NUMBER 1-6117

SOUTHDOWN, INC.
(EXACT NAME OF REGISTRANT AS SPECIFIED IN ITS CHARTER)

<TABLE>
<S> <C>

LOUISIANA	72-0296500
(STATE OR OTHER JURISDICTION OF INCORPORATION OR ORGANIZATION)	(I.R.S. EMPLOYER IDENTIFICATION NO.)
1200 SMITH STREET SUITE 2400 HOUSTON, TEXAS	77002-4486

(ADDRESS OF PRINCIPAL EXECUTIVE OFFICES) (ZIP CODE)
</TABLE>

REGISTRANT'S TELEPHONE NUMBER, INCLUDING AREA CODE: (713) 650-6200

SECURITIES REGISTERED PURSUANT TO SECTION 12(B) OF THE ACT:

<TABLE>
<CAPTION>

TITLE OF EACH CLASS	NAME OF EACH EXCHANGE ON WHICH REGISTERED
<S>	<C>
Common Stock, par value $1.25 per share	New York Stock Exchange, Inc.
Preferred Stock Purchase Rights	New York Stock Exchange, Inc.

</TABLE>

SECURITIES REGISTERED PURSUANT TO SECTION 12(G) OF THE ACT:

None

Indicate by check mark if disclosure of delinquent filers pursuant to Item 405 of Regulation S-K is not contained herein, and will not be contained, to the best of Registrant's knowledge, in definitive proxy or information statements incorporated by reference in Part III of this Form 10-K or any amendment to this Form 10-K. [ ]

Indicate by check mark whether the Registrant (1) has filed all reports required to be filed by Section 13 or 15(d) of the Securities Exchange Act of 1934 during the preceding 12 months (or for such shorter period that the Registrant was required to file such reports), and (2) has been subject to such filing requirements for the past 90 days. Yes [X] No. ----

As of February 28, 1999, the number of shares of common stock outstanding was 38.7 million. As of such date, the aggregate market value of voting stock held by nonaffiliates, based upon the closing price of these shares on the New York Stock Exchange, Inc. was approximately $1.8 billion.

DOCUMENTS INCORPORATED BY REFERENCE

Portions of the Registrant's Annual Report to Shareholders for the fiscal year ended December 31, 1998 are incorporated by reference into Part II of this report. Portions of the Registrant's definitive proxy statement for its 1999 Annual Meeting of Shareholders to be held on May 20, 1999, which will be filed within 120 days of the Registrant's fiscal year ended December 31, 1998, are

estimated that imports represented approximately 22% of cement used in the U.S. during 1998 as compared with approximately 18% in 1997 and 16% in 1996. Unlike the imports during the 1980's, however, most of the recent imports have provided an additional source of supply rather than disrupting the market with unfair prices. During most of the recent period of strong demand, the prices of cement imports rose. The increase was attributable, at least in part, to the influence of the outstanding antidumping orders and suspension agreements. While the average cost of imported cement rose during 1998, the cost of cement imports from some countries, particularly those from Southeast Asia, have declined. Moreover, independently owned cement operators could undertake to construct new import facilities and begin to purchase large quantities of low-priced cement from countries not yet subject to antidumping orders, such as those in Asia, which could compete with domestic producers. The introduction of low-priced imported cement from such sources could have a negative impact on the Company's results of operations.

In addition to receiving imported cement into its river based terminal network, the Company owns or leases a total of four deepwater cement terminals in locations capable of receiving imported cement directly. To supplement its production capacity, the Company sought to meet excess demand with limited purchases of imported cement beginning in 1994 and has increased purchases of imported cement in each of the subsequent years, pending the Company's ongoing investments to modernize and expand production capacity. The resumption of dumping of low-priced imports on a large scale could have an adverse impact on such pending investments.

AGGREGATES SEGMENT

The Aggregates segment includes mining, processing, packaging and selling construction and specialty aggregates and also fabricating and installing highway safety systems. Numerous aggregates acquisitions by Medusa in 1997 and early 1998 and the merger of Medusa and Southdown in mid 1998 greatly expanded the Company's market presence in this business.

Construction Aggregates -- These operations mine, crush, screen, wash and sell various sizes of aggregates to the construction industry, primarily for use in the manufacture of asphalt and concrete, as well as in such construction applications as road base, drainage blankets, erosion control and other applications. The Company estimates its annual capacity at about 11 million tons. Construction aggregates are marketed as commodities and as such pricing is the principal method of competition. Most aggregates are sold within a

35 mile radius of the plant and are shipped to the customer by truck. The Company's construction aggregates business has approximately 3,000 customers. The Company believes that it is among the low-cost producers in its primary markets. The Company maintains its low-cost position through continuous plant and quarry efficiency improvement programs.

Specialty aggregates -- Specialty aggregates operations include two types of minerals products: (a) industrial limestone products and (b) lawn and garden products. For industrial limestone products, white, high calcium limestone is sold for use in the manufacture of white cement, as a calcium supplement for livestock and poultry feeds, to treat acidic water conditions, to neutralize acidic soil for more efficient crop yields, and to scrub sulfur emissions in coal burning generating plants. The white limestone is also pulverized to a fine powder and used to produce joint and caulking compounds, carpet backing, vinyl floor tile, paints, plastics, and PVC pipe. Buff colored limestone is pulverized and marketed for use in the production of asphalt shingles and other roofing products.

Commercial markets such as golf courses, lawn care, grounds maintenance, water conditioning, and agriculture are served with over 200 specialty mineral products. Lawn and garden operations mine, process, package and distribute to both consumer and commercial markets throughout the eastern half of the U.S. Over 150 products for lawn care, gardening, landscaping and do-it-yourself construction are shipped directly to over 3,500 retail garden centers and home improvement outlets. Lawn and garden products are marketed under both the Southdown(R) and Yardright(R) brand names. Limestone is applied to lawns and agricultural fields to correct soil acidity, primarily in states east of the Mississippi River, where high soil acidity is a problem. The Company believes it has approximately a 35-40% share of the pelletized limestone market it serves. The Company estimates that its three pelletizing operations have combined annual capacity of over 200,000 tons. In addition to pelleted limestone and other related liming products, other core products include pelleted gypsum, white marble chips, natural colored landscaping stone, play sands, packaged concrete and hydrated lime.

Aggregates Reserves -- Plant by plant, and at current construction aggregates production levels, 95% of the Company's various aggregates reserves will last from at least 10 years to over 50 years. At current production levels, almost 100% of the Company's various mineral reserves will last from 30 years to over 100 years. The following table indicates the location of the Company's construction and specialty aggregates operations:

<TABLE>
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LOCATION	LOCATION

<S>	<C>
COARSE AND FINE CONSTRUCTION AGGREGATES	SPECIALTY AGGREGATES (MINERALS)
Azusa, California	Lee, Massachusetts
Moorpark, California	Sparta, New Jersey
Bardstown, Kentucky	Thomasville, Pennsylvania
Bowling Green, Kentucky	Paradise, Pennsylvania
Butler, Kentucky	Castlewood, Virginia
Hartford, Kentucky	
Columbia, Missouri	
Sparta, New Jersey	
Lenoir, North Carolina*	
West Pittsburg, Pennsylvania	
Castlewood, Virginia	

</TABLE>

- ----------

* Sold in January 1999.

Competition in the Aggregates segment includes numerous small and several large aggregate quarry operators. Competition for sales volume is strong and is based primarily on price with consistency of quality and service to customers being of importance, but somewhat lesser significance. The Company's major competitors are Global Stone, Georgia Marble, J.M. Huber and English China Clay in specialty aggregates, and Hanson Boone Quarries, Vulcan Materials Company, Martin Marietta Materials, Inc., Sterling Ventures, and East Fairfield Coal in the construction aggregates market.

Highway Safety Construction -- Through the James H. Drew Corporation, a wholly-owned subsidiary of the Company based in Indianapolis, Indiana, the Aggregates segment also operates generally in the mid-western states installing highway safety systems such as guardrails, traffic signals, signs, and highway lighting. Although Drew functions primarily as a subcontractor to paving and bridge contractors, approximately 30% of its work is bid directly to state highway departments and municipalities.

CONCRETE PRODUCTS SEGMENT

Ready-mixed concrete is a versatile, low-cost building material used in almost all construction applications. Concrete is produced in batch plants by

SCOPE

Santa Clarita Organization for Planning the Environment

TO PROMOTE, PROTECT AND PRESERVE THE ENVIRONMENT, ECOLOGY AND QUALITY OF LIFE IN THE SANTA CLARITA VALLEY

POST OFFICE BOX 1182, CANYON COUNTRY, CA 91386

C-4

9-13-99

Mr. James Kenna
Bureau of Land Management - Palm Springs/South Coast Field Office
PO Box 1260
North Palm Springs, 92258-1260

Re: Soledad Canyon Sand and Gravel Mining Project DEIS OEPC #DES99-13

Dear Mr. Kenna:

SCOPE will focus its comments on a review on the Water Resources Section of this DEIS. However, we wish to incorporate by reference the objections of all other agencies and organizations such as the City of Santa Clarita, the Sierra Club and S.A.F.E. particularly pertaining to the sections regarding traffic analysis, air quality and alternative analysis.

Water Resources

Riparian Rights

Transit Mix has no claim to riparian water rights for this project. The existing wells that it proposes to use are located on property owned by CA Rasmussen, not by Transit Mix. Review of background reports included as references to the DEIR (Evaluation of Water Systems in the Vicinity of the Transit Mixed Concrete Co. - Rasmussen Co..., April,1993, Ground Water Systems, Inc.) indicates that geological formations beneath the actual project site are most probably bedrock and non-water bearing. Riparian rights involve the diversion of surface flows or flow from an underground stream having defined bed and banks. The above referenced report indicates there are not sufficient surface flows to allow diversion without impacting public trust rights, and that water geological formation will preclude water producing wells on site. Due to the presence of a listed endangered specie, the Unarmored Three-Spined Stickleback, water rights under public trust law will be asserted with all due diligence by many organizations if attempts to divert surface flows will result in elimination of habitat. **1**

Riparian rights exercised from an underground stream require that the underground flow have defined bed and banks. The geological data in the above referenced report does not indicate the presence of defined bed and banks in this area of the Santa Clara River. (See especially Appendix F correspondence from California Geophysical Group, Inc. where data sheets attached indicates extensive sand formations rather than granite bedrock).

Appropriative Rights

It is unlikely that Transit Mix will be awarded appropriative water rights for this project for the goelogical reasons outlined in the above paragraph. Transit Mix and others have had applications before the SWRCB for appropriative rights on the Santa Clara River for many years. Protests to these applications have been filed by all municipal water companies in the area, by several private parties and by our organization. It is our understanding that these applications have been combined and will not be heard until June of next year. Due to the doubtful outcome of Transit Mixed Concrete's Application, it would be prudent for the County to delay approval of this project until this water source issue is resolved. **2**

Public Trust Rights Violated

The sustainable yield for this project is calculated to not produce drawndowns greater than 40% (See report by Western Technologies, 1989, introduction). Surface and subsurface flows in the area have been found to be inter-connected (see report by Ground Water Systems, April 1993 Chapter 11.2 Section B). A 40% draw-down will therefore affect surface flows. The extent of this affect and its potential to impact, indeed, ***eliminate,*** the unarmored three-spined stickleback, was not investigated by any of the water resource reports or the DEIS. ***Failure to disclose this impact is an EIS deficiency and must be addressed.*** Such impacts would constitute a violation of Public Trust Law and a violation of the Endangered Species Act. 3

Rights to Percolating Ground Water

If the water source at the Rasmussen property is found to be percolating ground water (it is our belief, based on existing geological and hydrological reports, that this is the case), than use of water will be subject to the availability of that resource in relation to its use by others on the River and subject to Public Trust rights. Therefore, the DEIS must specifically examine the water flowing into the area to address whether there is an excess of this resource available. This question was specifically avoided by Transit Mixed Concrete Co. (See Appendix A Scope of Work, Ground Water Systems Report April 1993). Rather, only the water resource as it ***leaves*** the property was identified for study (see page 4 and page A-1). Further, no data was even obtained for inflow estimates. ("As can be noted data from Cross Sections AG-AG, BG-BG, FG-FG, HG-HG, and IG-IG through OG-OG have been excluded from Table 5-2. This exclusion was done because data from such cross sections is either absent or inconsistent for August 1989", pg. 36 and " Subsurface flows through cross sections AG-AG and BG-BG have not been calculated", pg. 43). However, the charts on page 3-44 of the DEIR from a hydrological study conducted by Richard Slade in 1990 indicate the available water in the immediate upstream Acton basin (2339 AF) is fully utilized by existing purveyors and private users (2540 AF). That means there ARE NO EXCESS FLOWS INTO THE TMC AREA. Therefore, the only excess flows that may be available are those emanating from the Bear Canyon Watershed. The DEIS should evaluate the water available from this watershed only. Our preliminary review of the background reports indicates that water available from this source falls far short of the 746 acre feet required annually to support this project. Without an adequate water resource this project must be denied. 4

Data Not Current

Further, all water resources studies are based on information compiled and analyzed between 1989 and 1991. This makes all data a minimum of eight years old. Considerable building has occurred both upstream and downstream from this site. Updated water usage data must be supplied prior to final consideration of this project to ensure that existing users will not be impacted. 5

Yield Not Sustainable

Total water usage for this project is estimated to be 442 AF for phase I and 746 AF after phase II is implemented (p.3-63). These figures are arrived at only after a 35% reduction for the use of clarifiers. ***Therefore, clarifiers must be made a project condition if even the water usage levels sited in the DEIS are to be achieved.*** 6

This water usage will over-draft the existing water resources of the Santa Clara River. As indicated in the section labeled "Storage Capacity of the Alluvial Aquifer" (Introduction, no page numbers indicated), by Western Technologies, Inc., 1989 , the sustainable yield in this area is 283 AF in a dry

year to 419 AF in a wet yea ***based on 80% of water return from the project to the River***. However, the DEIS states on page 3-63 "No waste or return to the River of water is planned". Further, for the purposes of this report sustainable yield is defined as "the maximum amount of water that can be withdrawn from the alluvial aquifer in the study area without creating average drawdowns greater than 40 percent of the original saturated thickness." This is an unusual definition of sustainable yield. Sustainable yield is commonly accepted to indicate water usage that will not degrade water quality or desiccate wetlands, yet the study definition would do both (a 40% draw down would affect surface flows since the are inter-related, see referenced report by Geo Water Systems, Chapter 11-2 B. "Surface Water Flows in the Santa Clara River Valley" and the Law/Crandell, 1991 Water Quality Analysis "pg. 8 "There may be a slight increase in total desolved solids content"..) We therefore object to this definition sustainable yield as being an oxymoron and self-contradictory. It disguises that fact that real and substantial over-draft problems will occur if this project is approved. 6

Other Errors in the DEIS

In a table on pg. 3-69, the DEIS mistakenly cites an annual safe yield from the Saugus Aquifer as being 22,000 acre feet. In fact, this is a wet year estimate that ***has never and may never been achieved from the Saugus Aquifer***. In his "Hydrological Study of the Saugus Aquifer, 1988, Richard Slade found the Saugus aquifer yield to be from 11,000AF to 22,000. The Castaic Lake Water Agency Water Transfer FEIR uses the 11,000AF figure for all water calculation (See Table 2-1, pg.2-10, attached) and highest water usage of the Saugus occurred in 1991 when 14,900 AF were pumped according to Table III-7 in the Upper Santa Clara Water Supply Report.) Usage of the Saugus aquifer is usually substantially less (around 5000AF) due to hardness of water and other water quality problems from this source. This figure should therefore be corrected to indicate the dry-wet range or to use the figure accepted by Castaic Lake Water Agency. 7

The Santa Clara River is Already in Over-draft

The safe yield of the Santa Clara River eastern basin was calculated to be 25,000AF by the USGS in 1972 (attached) and 31,600-32,500AF by Richard Slade in 1986 (attached). Both these two figures have been exceeded by municipal and private pumping for the last 5 years as indicated in Table III-7 of the Santa Clarita Valley Water Report, 1998, attached). Since the proposed project will exceed available water resources on site, it will add to over-draft of the alluvial aquifer. ***Such over-draft is inconsistent with the water resources section of the Santa Clarita Area Plan.*** 8

Conclusion

Since there are no other water sources than the Santa Clara River identified for this project, approval under the present circumstances would constitute a violation of public trust law and a violation of the Endangered Species Act. Therefore, this project may not be approved as proposed.

Thank you for your consideration of these issues.

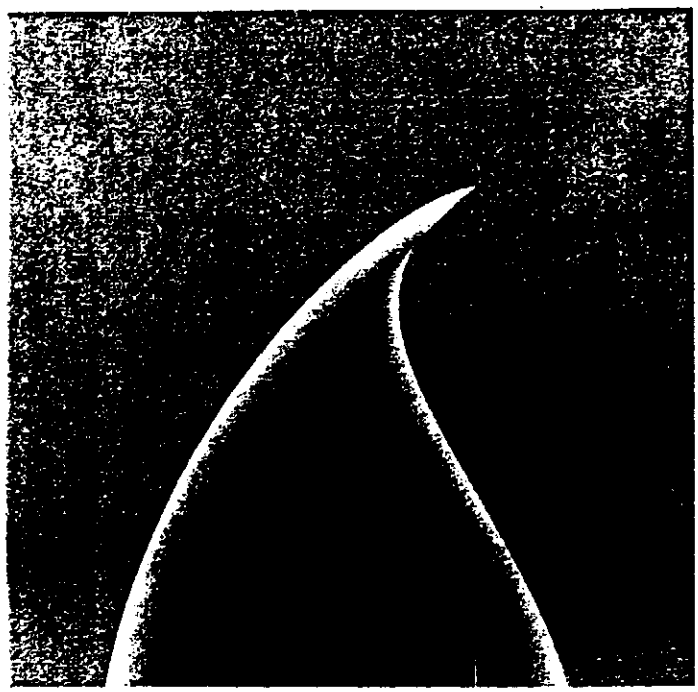
Sincerely,

Lynne A. Plambeck
1st Vice President

Faxed 9-13-99 to comply with comment period deadline. Hard copy to follow via regular mail.
Attachments as indicated.

PROPOSED FINAL

CASTAIC LAKE



Supplemental Water Project Environmental Impact Report

WATER AGENCY

SCH # 98041127

FEBRUARY 1999

Table 2-1. Comparison of Water Supply and Demand as of 1988 and 1998 for the Year 2010

	Imported SWP Entitlement (AFY)	*Local Groundwater Supply (AFY)*	*Supply 1988 [a] (AFY)*	*Supply 1998 (AFY)*
SUPPLY				
STATE WATER				
SWP	41,500		41,500	41,500
Devil's Den SWP	12,700		n/a	12,700
Sub-Total SWP	54,200		41,500	54,200
Reliability Reduction			(16,500)	(27,100) [b]
Net Reliable			**25,000**	**27,100**
GROUNDWATER				
Alluvial Aquifer		32,000 [c]	32,500	32,000 [c]
Saugus Aquifer		11,000 [d]	11,000	11,000 [d]
Total Groundwater		**43,000**	**43,500**	**43,000**
Grand Total All Supplies			**68,500**	**70,100**
DEMAND				
Total Demand			120,000	
Conservation			(12,000)	
Recyclng			(1,700)	
Net Demand			106,300	105,800 [c]
SUPPLY — DEMAND COMPARISON				
Supply Less Demand			(37,800)	(35,700)
NEW SUPPLY ACQUISITION				
Recommended Acquisition			37,800	41,000
Reliability Reduction			(16,500)	(20,500) [b]
Net Acquisition			21,300	20,500
PROJECTED SUPPLY — DEMAND				
Projected 2010 Net Supply			(16,500af)	(15,200af)

Notes: a. 1988 supply is based on Capital Program and Water Plan EIR (CLWA 1988)
b. Assumes 50 percent reliability of SWP entitlement.
c. CLWA IWRP (1998).
d. CLWA IWRP (1998). Potential recharge of the Saugas is estimated to be from 20,000 to 22,000 AFY in wet periods from 11,000 to 13,000 in dry periods.

UNITED STATES
DEPARTMENT OF THE INTERIOR
GEOLOGICAL SURVEY
Water Resources Division

WATER-RESOURCES INVESTIGATION USING ANALOG MODEL TECHNIQUES IN THE SAUGUS-NEWHALL AREA LOS ANGELES COUNTY, CALIFORNIA

By

S. G. Robson

Prepared in cooperation with the
Newhall County Water District

OPEN-FILE REPORT

5021-04

Menlo Park, California
February 10, 1972

TABLE 5.—*Water budget*

	Steady-state water budget (acre-feet per year)	Non-steady-state water budget for 1945-67 (total flow in acre-feet)
INFLOW		
Surface-water recharge		
Castaic Creek	1,200	94,900
San Francisquito Canyon Creek	1,000	50,100
Bouquet Canyon Creek	1,000	61,900
South Fork Santa Clara River	1,400	38,500
Santa Clara River	5,000	96,500
Total	9,600	341,900
Underflow at model boundaries		
Castaic Creek valley	3,100	72,100
San Francisquito Canyon	2,200	50,200
Bouquet Canyon	2,600	59,200
Mint Canyon	800	19,300
Sand Canyon	1,000	21,900
South Fork Santa Clara River	1,300	30,900
Total	11,000	253,600
Precipitation recharge	4,500	103,000
Recharge from irrigation between Newhall and the Santa Clara River	--	67,000
Total	4,500	170,000
Total inflow	25,100	765,500
Alluvial aquifer storage depletion	--	37,300
Saugus aquifer storage depletion	--	11,500
Total	--	48,800
Total inflow plus storage depletion	--	814,300
OUTFLOW		
Ground-water discharge	21,200	120,200
Phreatophyte consumption	2,000	46,000
Ground-water pumpage	--	647,400
Underflow at Los Angeles-Ventura County line	2,000	45,100
Total outflow	25,200	[1]858,700

[1]Total outflow minus total inflow plus storage depletion equals 44,400 equals 5.2 percent error.

COPY

VOLUME I — REPORT TEXT

HYDROGEOLOGIC INVESTIGATION
PERENNIAL YIELD
and
ARTIFICIAL RECHARGE POTENTIAL
of the
ALLUVIAL SEDIMENTS
in the
SANTA CLARITA RIVER VALLEY
of
LOS ANGELES COUNTY, CALIFORNIA

FOR

UPPER SANTA CLARA WATER COMMITTEE

MEMBERS: LOS ANGELES COUNTY WATERWORKS DISTRICT NO. 36 — VAL VERDE
NEWHALL COUNTY WATER DISTRICT
SANTA CLARITA WATER COMPANY
VALENCIA WATER COMPANY

AFFILIATE: CASTAIC LAKE WATER AGENCY

DECEMBER 1986

RICHARD C. SLADE
CONSULTING GROUNDWATER GEOLOGIST

a larger degree in the shallow wells of the alluvium compared to wells in the underlying Saugus Formation.

The Saugus Formation ranges in thickness between at least 1500 feet and at least 5000 feet from the northerly to the southerly sides of the San Gabriel fault, respectively. Little is known of the hydrogeology and water-yielding characteristics of the Saugus Formation.

2. Groundwater flows from east to west across the alluvium in the river valley; April 1945 represents the all-time water level high, while November 1965 represents the all-time water level low in much of the alluvium. In general, 1985 water levels are 10 to 30 feet lower than the 1945 levels. Water levels west of Castaic Junction have remained high throughout the period of record.

3. Groundwater in storage in the alluvium has ranged from a high in April 1945 of 201,000 ac-ft, to a low of 107,000 ac-ft in November 1965; at present (Fall 1985) groundwater in storage is approximately 176,400 ac-ft. Because the theoretical maximum storage capacity in the alluvium is 239,900 ac-ft, there is a theoretically available storage capacity of 63,500 ac-ft between the 1985 storage and the theoretically maximum possible storage.

4. Though historic groundwater extraction data are somewhat contradictory, groundwater production for 1985 was: 24,103 ac-ft from the alluvium, using 59 active wells; and 4892 ac-ft from the underlying Saugus Formation, using 8 active wells. The numbers, locations, and annual production from wells actively used by private homeowners, industries and/or commercial establishments are not known; it is probable that total annual production from these sources does not presently exceed a few hundred ac-ft/yr.

5. For our base period of study of 1957-58 through 1984-85, we calculate a practical perennial yield for the alluvium of 31,600 to 32,600 ac-ft per year.

6. Alluvial groundwater quality ranges from a natural calcium-bicarbonate character on the east near Lang to a degraded sodium-sulfate character west of Castaic Junction. Generally, TDS increases in the

Santa Clarita Valley Water Report
1998

Castaic Lake Water Agency

Los Angeles County Waterworks District #36

Newhall County Water District

Santa Clarita Water Company

Valencia Water Company

Prepared By: The Upper Santa Clara Valley Water Committee
Date: January, 1999

Table III - 7

Water Production
Total
Acre-Feet Per Year

Year	Sources of Supply			
	Alluvium Aquifer	Saugus Formation	State Project Water	Total
1980	31,456	4,589	1,125	37,170
1981	30,793	4,970	5,816	41,579
1982	21,868	4,090	9,659	35,617
1983	20,286	3,852	9,185	33,323
1984	27,318	4,449	10,996	42,763
1985	25,347	4,715	11,823	41,885
1986	24,205	5,485	13,759	43,449
1987	22,642	5,561	16,285	44,488
1988	21,648	6,928	19,033	47,609
1989	23,721	7,759	21,618	53,098
1990	23,876	8,861	21,613	54,350
1991	27,187	14,917	7,968	50,072
1992	27,591	10,924	14,898	53,413
1993	30,126	10,610	13,836	54,572
1994	33,133	12,025	14,700	59,858
1995	34,464	8,560	17,002	60,026
1996	38,438	8,186	18,873	65,497
1997	39,599	7,745	23,215	70,559
1998	36,648	5,555	20,266	62,469

C-5

Friends of the Santa Clara River
660 Randy Drive Newbury Park, CA 91320
805-498-4323

September 13, 1999

Mr. Jim Kenna
Bureau of Land Management
Palm Springs South Coast Office
P.O. Box 1260
North Palm Springs, CA 92258

Re: Soledad Canyon Sand and Gravel Mining Project #91165, SCH #91111066
EIS Des 99-13

Dear Sirs,

Friends of the Santa Clara River offers the following comments on the subject project.

We are very concerned about overpumping of the alluvial aquifer. The safe yield of the Santa Clara River eastern basin was calculated by Richard Slade in 1986 as approximately 32,000AF per year, and is the generally accepted value. *This level is already being exceeded by municipal and other entities (ref: Santa Clarita Valley Water Report, 1998, Table III-7).* The proposed project would add to the current overdraft condition. 1

Secondly, water use for the project could well diminish surface flows in the Santa Clara River, since surface and subsurface flows are interconnected (Ref: Ground Water Systems report, April 1993, Chapter 11). The Draft EIR did not disclose this potentially very harmful impact to aquatic species, in particular the unarmored threespine stickleback, a federally endangered fish. *This deficiency in the EIR must be corrected.* 2

Thank you for your consideration of these issues.

Sincerely,

Ron Bottorff, Chair
Friends of the Santa Clara River

C-6

September 13, 1999

RECEIVED
BUREAU OF LAND MANAGEMENT
99 SEP 15 PM 3:08

Mr. James G. Kenna, Field Manager
Bureau of Land Management
Palm Springs - South Coast Field Office fax: (760) 251-4899
690 W. Garnet Avenue
P.O.Box 1260
North Palm Springs, CA 92258

Ref. **DEIS, OEPC # DES99-13 Transit Mixed Concrete, Soledad Cyn Rd, Saugus,CA**

Dear Mr. Kenna,

The Organization Safe Action For the Environment, Inc. is asking for a Continuance of the Hearing of this Proposed Surface Mining Project. The Hearing, before Los Angeles County Regional Planning Commissioners, is scheduled for September 22,1999.

The DEIR (Draft Environmental Impact Report, State Clearinghouse No. 91111066) was instituted, along with most of the commentary and research, over ten years ago. We note that BLM's DEIS was promulgated along the lines of the DEIR.

With the advent of major growth in the area in the last ten years, we find the commentary to be inadequate. Areas, such as Air Quality, noise pollution, incompatibility of surrounding land use, and environmental issues (i.e.: proposed project is right next to, and upstream of, one of the largest habitats of the endangered Unarmored Three Spine Stickleback) are not factual, are stale, and outdated. 1

New Studies must be commissioned to satisfy these concerns. The Public, County of Los Angeles, and other Agencies will need an extension of time so that a full evaluation can be made.

Sincerely,

Tana Lampton, Director Safe Action For the Environment, Inc.

Tana Lampton

cc: Honorable H. "Buck" McKeon, U.S. Representative
Supervisor, 5th District L.A.Co., Mike Antonovich

SCOPE

Santa Clarita Organization for Planning the Environment

TO PROMOTE, PROTECT AND PRESERVE THE ENVIRONMENT, ECOLOGY AND QUALITY OF LIFE IN THE SANTA CLARITA VALLEY

POST OFFICE BOX 1182, CANYON COUNTRY, CA 91386

C-7

5-11-99

Mr. James Kenna, Field Manager
Palm Springs-South Coast Field Office
Bureau of Land Management
PO Box 1260
N. Palm Springs, Ca. 92258

Re: Transit Mix Surface Mining Proposal Soledad Canyon and Highway 14

Dear Sirs:

We are a local non-profit organization that focuses on watershed and planning issues in the Santa Clarita Valley. We have received your notice of release of the Draft EIS for this project. We request that you send our organization a copy of the document for review. We have received the County's EIR and would greatly appreciate being able to compare the two documents.

We would also like to suggest to you and the County of Los Angeles that it would be most efficient for all concerned if the two projects were joined and public hearings were held jointly for both processes. This was done for the NEPA/CEQA process during the Elsmere Canyon Landfill review, another local landuse issue, and worked quite well for all concerned. It eliminates the public and Agency staffs having to attend double sets of hearings and write duplicative comments. **1**

We would greatly appreciate your consideration of this proposal and your earliest possible reply

Sincerely,

Lynne A. Plambeck
1st Vice President

cc: City of Santa Clarita

C-8

ANGELES CHAPTER • SIERRA CLUB
3435 WILSHIRE BOULEVARD • SUITE 320 • LOS ANGELES • CALIFORNIA 90010-1904 • (213) 387-4287 • FAX (213) 387-5383

5-15-99

Mr. James Kenna, Field Manager
Palm Springs-South Coast Field Office
Bureau of Land Management
PO Box 1260
N. Palm Springs, Ca. 92258

Re: Transit Mix Surface Mining Proposal Soledad Canyon and Highway 14

Dear Sirs:

We have received your notice of release of the Draft EIS for this project. We request that you send the Angeles Chapter a copy of the document for review.

We would also like to suggest to you and the County of Los Angeles that it would be most efficient for all concerned if the two projects were joined and public hearings were held jointly for both processes. This was done for the NEPA/CEQA process during the Elsmere Canyon Landfill review, another local landuse issue, and worked quite well for all concerned. It eliminates the public and Agency staffs having to attend double sets of hearings and write duplicative comments. 1

We would greatly appreciate your consideration of this proposal and your earliest possible reply

Sincerely,
MARTIN SCHLAGETER
Conservation Coordinator

cc: Regional Planning Dept.
County of Los Angeles

C-9

RECEIVED
BUREAU OF LAND MANAGEMENT
99 SEP 15 PM 3:08
PALM SPRINGS - SOUTH COAST
RESOURCE AREA

Natural History Club *of Acton/Agua Dulce*

"Protectors of Natural, Ecological & Cultural Resources"

September 13, 1999

Mr. James G. Kenna, Field Manager
Bureau of Land Management
Palm Springs - South Coast Field Office
690 W. Garnet Avenue
P.O. Box 1260
North Palm Springs, CA 92258

Ref. DEIS, **OEPC # DES99-13 Transit Mixed Concrete Corp. , Soledad Cyn Rd, Saugus**

Dear Mr. Kenna

The Natural History Club of Acton/Agua Dulce is formally asking for a CONTINUANCE of the Hearing of this Proposed Surface Mining Project.

The DEIR (Draft Environmental Impact Report State Clearinghouse No. 91111066), and, subsequently, the DEIS (Draft Environmental Impact Statement, B.L.M.), started to be written ten years ago. We find the commentary to be inadequate. It is erroneous and outdated (i.e.: the AIR Quality issue, and the tenuous condition of the Unarmored Three Spine Stickle back fish). 1

New Studies MUST be commissioned to satisfy these and, possibly other issues. Because of this we feel an extension is needed for much needed further investigation.

Sincerely,

Stacey Nickels, President NHC, A/AD

Fax today; hard copy to follow immediately

cc: Honorable Howard McKeon
Senator Pete Knight
Assemblyman George Runner
Honorable Mike Antonovich

NHCA . P.O. Box 965 - Acton, CA 93510 . (661) 268-1136; FX (661) 268-8864

C-10

SAUGUS UNION SCHOOL DISTRICT

24930 Avenue Stanford, Santa Clarita, California 91355 661-294-7500 Fax 661-294-7560

IAW P.L. 104-231 (EFOIA)
This document is identified as:
P ☐ L ☐ N ☐
Public Limited Non Public
If L or N cite which of the 9 exemptions apply [ ]
Author/Program Lead signature

September 8, 1999

TO		DATE
	[illegible]	
	[illegible]	
	[illegible]	
	[illegible]	
	ADMIN	
	FAO	
	LM & RR	
	FCMs	
	RETURN TO CENTRAL FILES	

Tim Salt, District Manager
California Desert District
Bureau of Land Management
6221 Box Springs Boulevard
Riverside, California 92507

Re: Continuance of EIR and EIS comment period for the Southdown/Transit Mixed mining project

Dear Mr. Salt:

This is an official request from the Saugus Union School District with schools located in Santa Clarita and the County areas called Canyon County and Bouquet Canyon. On behalf of the Board of Trustees, I request that you continue the EIR and EIS comment period on the Southdown/Transit Mixed gravel and sand mining project for sixty days or until November 1, 1999. Saugus Schools have not to date received copies of the EIR and EIS reports on this project. Therefore, I further request that the EIR and EIS documents on the Southdown/Transit Mixed project be forwarded immediately to Saugus Schools for review by our staff and counsels. **1**

Saugus Schools are greatly concerned about Indoor Air Quality for our students and staff. Our schools have recently been reviewed by the Environmental Projection Agency and the California Department of Health Services. Indoor Air quality is only as good as the outdoor air quality. Several of our schools are within eight miles of the proposed gravel and sand mining project.

Given this, we request time to study the EIR/EIS of this project. We are very interested in the information on wind patterns and potential dust created. Also, we are seriously concerned with emissions from engines of increased equipment usage in this mining project. **2**

Short of being granted a continuance of time to review the EIR/EIS of the proposed project, then Saugus Schools must oppose this project because of our

BOARD OF TRUSTEES • Eileen Connolly • Rose Koscielny • Gary G. Murr • Jonathan L. Myl • Judy Umeck •
SUPERINTENDENT • Gail Wickstrom, Ed.D.
"QUALITY EDUCATION IN DEPTH FOR ALL STUDENTS"

fear of its impact on the air quality which would affect the health and safety of our students and staff.

Thank you for your consideration of our request.

Sincerely,

Gail Wickstrom, Ed. D.
Superintendent

cc: Ms. Esther Feldman, Chairperson, Los Angeles County Regional Planning Commission
George Pederson, Los Angeles County Regional Planning Commissioner
Supervisor Michael D. Antonovich
Congressman Howard "Buck" McKeon
Richard Grabowski, Deputy State Director for Minerals, Bureau of Land Management
Allan Cameron, Comprehensive Development Consulting

C-11

Acton-Agua Dulce Unified School District

32248 Crown Valley Road • P.O. Box 68 • Acton, California 93510
(661) 269-5999 • (661) 269-0750 • Fax (661) 269-0849

RESOLUTION #99-00.5

Soledad Canyon Sand and Gravel Mining Project

WHEREAS, the Acton-Agua Dulce Unified School District is responsible for the public education of students K-12 in a location directly to the east and northeast of Soledad Canyon, the proposed site of the Gravel Mining project; and,

WHEREAS, the location of all Acton-Agua Dulce Unified School District schools are situated in a corridor exposed to the prevailing easterly and northeasterly winds; and,

WHEREAS, air quality and other health related issues are of critical importance to the well-being of the District's students and staff; and,

WHEREAS, there have been serious concerns raised regarding data presented related to health risks from the proposed mining operation; and

WHEREAS, there exists no assurance of full mitigation of known or potential health risks associated with the mining project,

NOW, THEREFORE, BE IT RESOLVED that the Board of Trustees of the Acton-Agua Dulce Unified School District takes an official position to recommend that the County of Los Angeles reject the proposal by Transit Mix Concrete Company for the development of the Soledad Canyon Sand and Gravel Mining Project as approval of this project would have a significant potential for adversely affecting the health and well-being of our students and staff.

PASSED AND ADOPTED by the governing board of the Acton-Agua Dulce Unified School District at a regular meeting held on this 9th day of September, 1999 by the following vote, to wit:

AYES: 5 NOES: 0 ABSENT: 0

ATTEST:

Jim Duzick, President
Board of Trustees

Mark Nielsen, Vice President
Board of Trustees

Steve Harbeson, Clerk
Board of Trustees

Martin Barofsky, Member
Board of Trustees

Sally McCord, Member
Board of Trustees

RECEIVED
BUREAU OF LAND MANAGEMENT
99 SEP 13 PM 3:56
PALM SPRINGS-SOUTH COAST
RESOURCE AREA

1

C-12

P. O. Box 802481
Santa Clarita, Ca. 91380
27 July, 1999

RE: Soledad Canyon Sand & Gravel Mining Project

BUREAU OF LAND MANAGEMENT
Mr. James Kenna
Palm Springs/Sourthcoast Field Office
P. O. Box 1260
North Palm Springs, Ca. 92256

Dear Mr. Kenna;

We. the Democratic Alliance for Action, feel that the enclosed Resolution demonstrates our concern for quality of life and the environmental hazards that will prevail in the Santa Clarita –Aqua Dulce areas if surface mining of aggregate is allow to take place. The topography of the Santa Clarita area is such that poor air quality generated by the mining would not escape, but would remain to create serious respiration problems for both adults and children. 1

We, therefore, urge you to support our position in opposition to this project.
Thank you,

Sincerely Yours,

Sydell Stoker for
Diane Trautman, President
Democratic Alliance for Action (DAA)

Enclosure

dt/ ss

RESOLUTION

Unanimously Adopted by the Democratic Alliance for Action
in Santa Clarita, California
July 18, 1999

Whereas the Soledad Canyon Sand & Gravel Mining Project (SCSGMP) proposed by Transit Mixed Concrete Company (TMCC) involves the surface mining of 83 million tons of aggregate (sand and gravel) over a 20 year period on a 460 acre site just outside the eastern boundary of the City of Santa Clarita,

Whereas this site poses a threat to the safety of nearby neighborhoods, including schools and residential areas,

Whereas there is scientific evidence suggesting a danger to the environment, air & water quality, public health, and general quality of life,

Be it resolved that the Democratic Alliance for Action (DAA) opposes any development or approval of SCSGMP,

Further be it resolved that the DAA's opposition be delivered to the appropriate interested parties, including, but not limited to: The Bureau of Land Management,

The Los Angeles Country Regional Planning Commission, the City of Santa Clarita Planning Division and the Los Angeles County Board of Supervisors.

Further be it resolved, that the DAA's opposition be delivered to the Los Angeles County Democratic Central Committee with a recommendation for their adoption.

Respectfully submitted,

Sydell Stokes

Sydell Stokes

Secretary

C-13

99 SEP 13 11:41

Response to Draft EIS
for the
Soledad Canyon Sand and Gravel Mining Project
OEPC #DES99-13

Submitted by

The Agua Dulce Town Council
And
The Agua Dulce Civic Association

33201 Agua Dulce Canyon Road
Box 8
Agua Dulce, CA 91350
(661) 268-1295 / (661) 268-8701
EMAIL: jduzick@earthlink.net
Tgtmkt1@aol.com

AGUA DULCE TOWN COUNCIL

99 SEP 16 AM 11:41

September 13,1999

Jim Duzick, President
(805) 268-1295
FAX: (805) 268-8345

COUNCIL MEMBERS

Diane Terito, Secretary
(805) 268-[illegible]
FAX: (805) 268-[illegible]
Email: tgtmkt1@[illegible]

Mike Terito, [illegible]
(805) [illegible]
FAX: (805) 268-[illegible]

George [illegible]
(805) 268-[illegible]
FAX: (805) 268-[illegible]

[illegible]
(805) 268-[illegible]

Dave [illegible]
(805) 268-[illegible]
FAX: (805) 268-[illegible]

Darrell Readmond
(805) 268-1087
FAX: (805) 268-1087

Mr. James Kenneth
Field Manager
Bureau of Land Management
South Coast Field Office
690 West Garnet Avenue
North Palm Springs, CA 92258-2000

Re: **Response to Draft EIS for the Soledad Canyon Sand and Gravel Mining Project Project Number OEPC #DES99-13**

Dear Mr. Kenneth:

Thank you for the opportunity to respond to the Draft Environmental Impact Study (DEIS) prepared for the Soledad Canyon Sand and Gravel Mining Project proposed by Transit Mixed Concrete Company.

As described in the DEIR/DEIS the proposed project involves surface mining of 83 million tons of sand and gravel, to produce 56.1 million tons of aggregate product on a 460 acre site just inside the area of influence of Agua Dulce. This project is two miles from the easterly boundary of the City of Santa Clarita. Zoning for the project site is designated M-2 by L.A. County and Santa Clarita's General Plan in County Code. In addition to mining, a concrete batch plant is proposed on a 40 acre area of the site. Surface mining operation and the operation of the concrete batch plant are currently forecast to continue over 20 years, or until the production of 56.1 million tons is completed in order to fulfill Federal Contracts CA20139 (to mine 14 million tons in the first 10 years) and CA 22901 (to mine 42 million tons of material in the second 10 year period.) These Federal Contracts exist between Transit Mixed Concrete Company and the U.S. Department of the Interior, Bureau of Land Management (BLM).

Mining of sand and gravel is regulated by federal, state and local laws, which establish functional jurisdictions which also regulate mining. These laws are:

- (California) Surface Mining and Reclamation Act of 1975 (SMARA), as amended in conformance and compliance with other local and federal laws.
- Surface Mining Control and Reclamation Act of 1977 (SMCRA - Federal)
- California Environmental Quality Act (CEQA);
- National Environmental Policy Act of 1969 (NEPA);
- Code of Federal Regulations-Title 43 (revised as of October 1, 1998); and
- United States Code Title 30 - Mineral lands and Mining.

The Agua Dulce Town Council's and Agua Dulce Civic Association's understanding is that, if local regulation by Los Angeles County conflicts with California State law, or if State law conflicts with Federal law, then Federal law takes precedence over State law, which then takes precedence over County regulation. The need to be aware of multiple jurisdictions over various issues is apparent, given the variety of agencies involved. Whatever jurisdiction becomes the functional jurisdiction highlights the need to be cognizant of all law and all agencies having the right to review and exercise jurisdiction in this case.

SMARA establishes the initial regulation of mining of sand and gravel in this case. The project site is located within an area officially designated by the California State Mining and Geology Board (SMGB) as a "Regionally Significant Construction Aggregate Resource Area." (Please see Map enclosed, Appendix 16) A 45 acre portion of this site was previously mined by prior sand and gravel operators, pursuant to a conditional use permit issued by Los Angeles County Regional Planning Commission, which expired in 1992. The project is located within Soledad Canyon and consists of two irregular shaped, contiguous parcels with a total area of 500 acres, located at 12101 Soledad Canyon Road.

The TMC project is adjacent to another surface mining project which has been proposed by CalMat. The BLM owns the mineral rights for both projects on the basis of Split Estate. The surface rights to TMC's project site are owned by Canyon Country Enterprises (dba, Curtis Sand & Gravel), while CalMat owns the surface rights for their proposed project site. The CalMat project is currently undergoing environmental review (County Project No. 91-307). This project is also part of the "Regionally Significant Construction Aggregate Resource Area" and proposes to mine 240 million tons of sand and gravel over 30 years.

Ownership in both these projects is held under the "Split Estate" concept. Landholder owns surface rights and mineral ownership is held by the United States of America and managed by the BLM. Recent litigation has established conclusively what the rights of each party are in a split estate transaction. The concept of split estate ownership was established under the Federal Stock-Raising Homestead Act.

Multiple jurisdictions (Los Angeles County, State of California, and Federal jurisdictions) create the need for the EIR and EIS. The drafts of these documents are currently being reviewed for this mining project and are subject to public hearings.

The Agua Dulce Town Council and the Agua Dulce Civic Association received the DEIR for the Soledad Canyon Sand and Gravel Mining project in February of 1999 and the DEIS in May of 1999. Both documents are currently being circulated for public review and comment, as required by law. State environmental law, through CEQA, and Federal law, through NEPA, require an environmental impact statement that evaluates a full range of environmental factors that could be impacted over the projected lifespan of the project. Prior to these documents being circulated, knowledge of the TMC project and the idea that portions of Agua Dulce had been designated as "Regional Significant Construction Aggregate Resource Area" was extremely limited.

A presentation by West Coast Environmental to an earlier Agua Dulce Town Council seated three years ago outlined in isolation only this project's conceptions. The project as

described then by West Coast Environmental was in conflict with a proposed residential development forecast for Bee Canyon. BLM said then that the Bee Canyon Development could not be developed because BLM"s jurisdiction to control the use of the land superseded that of L.A. County Regional Planning (SEE Letter from Burke, Williams & Sorenson, RE: CEQA/NEPA Review of the Soledad Canyon Sand and Gravel Mining Project, dated 7/7/99, Appendix 19). The Town Council suggested to the principals involved then that West Coast Environmental come back with another presentation when they worked out the jurisdictional dispute. West Coast came back with another presentation when the DEIR/DEIS was released but the jurisdictional dispute clearly was not resolved.

In accordance with the provisions of CEQA, NEPA, Title 30 and Title 43, the Agua Dulce Town Council and the Agua Dulce Civic Association have prepared a joint response to the DEIR/EIS which identifies environmental issues and land use issues which are of concern to our residents and are related to the project's long term impacts on our community.

The Town Council's and the Civic's approach to identifying environmental issues that would affect the community was first to recognize SMARA and understand the intent of SMARA as stated in Section 2712. The intent of SMARA was to "create and maintain an effective and comprehensive surface mining and reclamation policy with regulation of surface mining operations so as to assure that:

- Adverse environmental effects are prevented or minimized and that mined lands are reclaimed to a useable condition which is readily adaptable for alternative land uses.

- The production and conservation of minerals are encouraged, while giving consideration to values relating to recreation, watershed, wildlife, range and forage and aesthetic enjoyment.

- Residual hazards to the public health and safety are eliminated.

The Council also recognizes that the intent was *not* (Sect 2713 and 2715 of SMARA, Appendix 9) to take private property for public use without payment of just compensation in violation of the California and U.S. Constitutions or to place any limitation on any of the following:

- On the police power of any city or county or on the power of any city or county to declare, prohibit or abate nuisances;

- On the power of any city or county to regulate the use of buildings, structures and land as between industry, business, residents, open space (including agriculture, recreation and enjoyment of scenic beauty and the use of natural resources) and other purposes."

Recognizing the intent of SMARA requires that one also recognize the existence and intent and ramifications of the State's efforts to designate Regionally Significant Construction Aggregate Resources areas. The creation of Production-Consumption Regions, to include the Saugus-Newhall PC Region, also created state-wide impacts on land use and investment decisions. Land use issues, as they impact general plans and compel local agencies to change

age-old land use designations to accommodate mining, are significant. There has been a shift away from local control of land use decisions, when a (newly enhanced) definition of federally controlled mineral resources comes into play.

CEQA dictates how local governments exercise local control by acting as a watchdog on environmental issues through granting permits and CUP's after taking input from local residents. The California State Legislature (Public Resource Code Section 21000-21177, Appendix 9) created CEQA laws to:

- "Develop and maintain a high quality environment now and in the future, and take all action necessary to protect, rehabilitate, and enhance the environmental quality of the state."
- "Take all action necessary to provide people of the State with clean air and water, enjoyment of aesthetic, natural, scenic, and historical environmental qualities, and freedom from excessive noise."
- "Prevent the elimination of fish or wildlife species due to man's activities, ensure that fish and wildlife populations do not drop below self-perpetuating levels, and preserve for the future generations representations of all plant and animal communities and examples of plant and animal communities and examples of major periods in California history."
- "Ensure that the long-term protection of the environment , consistent with the provision of a decent home and suitable living environment for every Californian, shall be the guiding criterion in public decisions."
- "Create and maintain conditions under which man and nature can exist in productive harmony to fulfill social and economic requirements for present and future generations.
- "Require governmental agencies at all levels to develop standards and procedures necessary to protect environmental quality.
- "Require governmental agencies at all levels to consider qualitative factors as well as economic and technical factors and long term benefits and costs, in addition to short term benefits and costs and to consider alternatives to proposed actions affecting the environment."

The Town Council/Civic Association also recognize that the creation of the law known as NEPA was also a controlling factor in environmentally planning and permitting this project. Our Joint Task Force learned that NEPA requires "the Federal Government to use all practicable means and measures to protect environmental values." Section 101 (b) of the Act states "it is the continuing responsibility of the Federal Government to use all practicable means, consistent with other essential considerations of national policy to avoid environmental degradation, preserve historic, cultural and natural resources and promote the widest range of beneficial uses of the environment without undesirable and unintentional consequences". Therefore, "NEPA makes environmental protection a part of every mandate of every Federal agency and department. NEPA requires analysis and a detailed statement of the environmental impact of any proposed Federal action which significantly affects the quality of the human environment". Each agency must designate a responsible official who must ensure that NEPA issues are addressed as part of the agency's actions. All agencies must use a systematic interdisciplinary approach to environmental planning and evaluation of projects which may have an affect on the environment. This includes projects that are funded by the Federal Government."

The Joint Town Council/ Civic Task Force also learned that Title 43 and Title 30 of Federal Regulation and United States Code determine how federal law dictates how Mining Contracts are written and must be administered. This Federal Code also determines how mines and reclamation projects operate. The issues outlined in Title 30 and Title 43 protect the rights of the United States of America in disposition of publicly held federal assets. These laws also protect the public by defining how the US government or its representatives conduct business when and where they mine.

Against this backdrop of a safety net of laws (CEQA, NEPA, SMARA, and Title 43 and Title 30), mining on a large scale has been introduced into Agua Dulce and Santa Clarita as an accomplished fact. The steps along the way can be outlined as follows:

- 1985 – DEIR published by the California State Mining and Geology Board (SMGB). Public hearings were held in Palm Desert, Santa Rosa and Claremont;
- 1987 - Designation of Regionally Significant Construction Resources in the Saugus -Newhall and Palmdale Production-Consumption Regions;
- 1994 - Integrated into a proposed South Coast Resource Management Plan published to the public in November of 1982 and finalized in a June 1994 South Coast Resource Management Plan and Record of Decision.

With these steps, areawide, large scale mining can become part of the Agua Dulce/Santa Clarita landscape. The Transit Mixed Concrete Project (Contract #91165) is the first of what will be 50 to 100 years of projects which will establish this designated area and change the character and livability of the region irrevocably. There is little doubt that the CalMat Project (Regional Planning No.91-307-(5)) will soon follow this TMC Project (See CalMat Surface Mining and Reclamation Plan, September 1991, Appendix 21

The Transit Mix 20 year project is initially proposed to mine 83 million tons producing 56.1 million tons of marketable material. Mining will generate 26.6 million tons of fines using a minimum of 594 acre feet per year of water (20 year average). Operations are scheduled for 24 hours a day, 7 days per week if the permit to mine is approved.

CalMat's 30 year project is immediately adjacent to the Transit Mix project and occupies initially 580 of an 1183 acre site. This project plans to mine, at least in the beginning, 184 million tons producing 110.5 million tons of product and 73.5 million tons of fines. CalMat projects that it will use 1354 acre-feet of water per year.

The Transit Mix Project as described in the DEIR/DEIS cannot be entirely mitigated as SMARA, NEPA, CEQA and Title 43 and 30 require. This is evidenced by the request that a **FINDING OF OVERRIDING SOCIAL AND/OR ECONOMIC CONSIDERATIONS** must be made if this project is to be approved.

State law (through CEQA) and Federal Law (through NEPA) requires that Environmental Impact Reports and Environmental Impact Statements be issued that evaluate the full range of environmental factors that could (or will) be affected by this 20 year mining proposal.
As part of the public comment period, persons with concerns related to the environmental consequences may submit written comments or deliver oral comments during the public hearing(s). The public comment process is designed to provide all affected parties an opportunity

to identify potential adverse impacts not considered in the DEIR/DEIS or to express concern over specific issues.

Given the backdrop listed here of the various laws governing or influencing the development of this project. The Town Council/ Agua Dulce Civic Associations' comments which follow are intended to itemize and explain the community's concerns.

Issues in general are: (Please see individual Sections for specific issues. Sections are provided with quantitative backup included in the Appendices Section of this Report)

1. **Project Description**
2. **Land Use Issues -Compatibility and Land Use Conflicts**
3. **Air Quality**
4. **Water Issues**
5. **Traffic/Circulation**
6. **Noise and Vibration**
7. **Biological Resources**
8. **Aesthetics/Visual Resources**
9. **Cultural Resources**
10. **Geology**
11. **Recreation and Trails**
12. **Letters From Community Members**

The February 1999 Draft Environmental Impact Report for the Soledad Canyon Sand and Gravel Mining Project ("DEIR") fails to comply with the California Environmental Quality Act and the State guidelines . The DEIR must be revised and recirculated.

Project Description

The DEIR/DEIS project description is inadequate because it fails to evaluate the full range of environmental factors that could be affected over the 20 years or proposed life of the project. TMC, in public information brochures circulated as early as 1994, describes initial contracts to mine 56 million tons. The brochure states that, "at the end of TMC's contracts with the federal government, it is anticipated that BLM will put the remaining identified 43.9 tons of sand and gravel reserves up for bid again." "Mining is expected to continue", *THE BROCURE SAYS.* (See TMC brochure in Appendix 1) The scope of this project, in contrast to the analysis done by the DEIR/DEIS, appears to be a minimum 100 million tons, not 56 million tons ON THIS SITE. No one can project what the maximum amount of mined material from this TMC site could be. 1

The Department of Conservation, State Mining and Geology Board (SMGB) in Sacramento, refers to data from an "Aggregate Resources Report for Los Angeles and Ventura Counties" in a letter to Paul McCarthy of the L.A. County Department of Regional Planning. The report referenced describes 1.5 billion tons of aggregate that are available in Sector B-2, which includes only the Transit Mix project area (500 acres) and the CalMat proposed project area (1,183 acres) (See "Aggregate Resource Report" in Appendix 22 and See Paul McCarthy letter in Appendix 8 (Page 4)). The report states that Saugus-Newhall PC Region "has more

opportunities for a large expansion of permitted aggregate lands than either of the adjacent regions" (San Fernando, Simi Valley, and San Gabriel Valley P-C Regions.) Sector B-2's 1.5 billion identified material, is more available and exportable than the 747 million tons of material in Sector A and 5.2 billion tons in Sector C of the region, according to SMGB. This is not accurately described in the DEIR/DEIS, which is the first of many projects for this PC Region.

The DEIR/DEIS explains that "[t]he original mining concept analyzed mining of 170 million tons of product. The Notice of Sand and Gravel Sales offered for sale by the BLM in a public competitive bid up to 100 million tons of sand and gravel from the subject lands." (DEIR – Pg. 3-405, DEIS – Pg. 3-410) With a far greater quantity of aggregate identified than actually awarded in the bid to TMC, one can see that the BLM clearly plans to eventually mine 100 million tons on this site, with a high probability of increasing that yield to 170 million tons once the precedent of large scale mining is established and environmental factors are already impacted. This scope of mining is not described accurately in the DEIR/DEIS. 1

Not described accurately, either, is a realistic reclamation plan. With the likelihood of an extension of TMC's mining contract allowing them to mine additional product from the site, reclamation of the site will not occur as described until *all* potential material to be removed is mined. *How long* from now that might be and what circumstance that might create for the commuting public and adjacent land owners and their heirs during the proposed 20 years and beyond, one can only guess. As was evident in the last 11 years, one can see that market demand will determine whether mining of sand and gravel is economically viable, and even what quantity is viable to mine in any given year. The economic pressure to mine and the desire to permit mining, impact environmental conditions and those changes are not adequately addressed in this DEIR/DEIS. 2

The scope of the annual volume of material to be mined by the TMC mining project is somewhat vague, and not accurately described in the DEIR/DEIS. The contracts signed between the BLM and TMC may not be binding under Title 30 and Title 43. A review by the U.S. Government Accounting Office (GAO), or interpretation by a court of law may be required (See Memorandum of Understanding, Notice of Sale, Contract CA-20139 and CA22901 Enclosures in Appendix 3). It is difficult to definitively determine what date the TMC contracts start, if there is a binding contract. It is also difficult to determine what the annual yield might be, if one tries to interpret the contract language of 20139, and how Title 43 might impact both contracts.

Both BLM and TMC would like to believe that they have binding contracts whose start date begins the day "*after*" CEQA and NEPA requirements are met. Title 43 suggests that these contracts started the day they were signed. Title 43. .3610.3-5, section (b), states that "within 30 days after receipt of the contract" the successful bidder shall sign and return the contract. (The BLM Contract was signed by TMC on March 9, 1990.) "Any required performance bond, and a mining and reclamation plan, when applicable, must accompany the signed contract. The authorized officer may extend this period for an additional 30 days upon written request of the applicant if requested to do so within the first 30 day period. If the person making the bid fails to comply within the first 3 days, or during an approved 30 day extension, the successful bidder shall forfeit the bid deposit as liquidated damages. The authorized officer may offer and award the contract to the person making the next highest bid who is qualified and willing to accept the contract upon redeposit of the amount required under 3610.3-4. The authorized offer may 3

include in the contracts such additional provisions as are deemed necessary to protect other resource values or prevent unnecessary and undue degradation if the public lands." The language of the TMC Mining and Reclamation Plan appears to indicate that such a plan was required by the contracting officer, and was submitted to the L.A. County Department of Public Works, and the California Department of Conservation, Division of Mines and Geology, and to the Bureau of Land Management, Palm Springs, South Coast Resource area, in June 1997 (See TMC Mining and Reclamation Plan, Appendix 27).

Due diligence or default or renegotiation of these contracts are the only operative modes described in the Notice of Sale, the written and signed contracts, and Federal law. Contract 20139 also suggests that no carryover from the 14 million ton contract to Contract 22901 for 42.16 million tons is allowed as the contract is written. The period of performance is10 years plus one year extension for each contract, all contingent on the fact that royalties to the Federal government are paid annually whether the material is mined or not (See Title 43 and Contracts CA 20139 and 22901 Enclosures in Appendix 28). The existence of a performance contract may not be taken for granted. Lack of due diligence in processing permits, and delinquent royalty payments could affect the legal status of these contracts. Should the start dates *not be* the date CEQA and NEPA permits are granted but the date contracts are signed, the annual production schedule and yield, and therefore the impact on environmental issues, may be different than described. The possibility that this might be the case means that this DEIR and the DEIS may be fatally flawed. 3

If the DEIR/DEIS is flawed, it certainly doesn't meet the criteria established with the writing of CEQA and NEPA and does not protect the public.

A last issue begs *the question of intent by TMC* to create a complying CEQA and NEPA binding document and, therefore, creates the need for the Task Force to challenge the existing DEIR/DEIS.

Public record, in the form of a letter to Julie Moore, Impact Analysis Section of the L.A. County Department of Regional Planning, suggests that council for TMC may have asserted that "County lacks the authority to mitigate a project within its jurisdiction pursuant to CEQA". (see letter to Julie Moore dated July 7th 1999 from Burke, Williams and Sorenson, LLP - Enclosure in Appendix 9).

Other assertions, documented in the Chambers Group Memo to Ron Lacayo of Los Angeles County Department of Public Works, challenge the County's right to rule or record a decision on CEQA matters and are in the public record (See Chambers letter to Ron Lacayo Enclosure in appendix). These communications, coupled with the elapse of a 9 year time frame since the contracts were issued, and the 7 year period between the first DEIR and the current one under review, suggest that there has not been a sense of urgency to perform on these mining contracts.

These issues suggest that environmental issues have aged in 9 years. Data may be obsolete and some laws for which data was researched for the DEIR/DEIS may have changed. 4

The DEIR/DEIS does not describe either the stated scope of this project nor the intended but unstated scope of this TMC project. Perhaps, in order to bring large scale mining to an already developing and urbanizing area, could the deception have been intentional? 4

Land Use Issues - Land Use Conflicts

The Land Use Section of the DEIR concludes that no land use impacts would result from implementation of the Transit Mix Project and that the site is appropriately zoned for mining activity and would be located adjacent to an existing mining facility. The Joint Task Force of The Agua Dulce Town Council and Agua Dulce Civic Association believes that this description falls short in acknowledging the current implementation of the Los Angeles County General Plan as evidenced in the Santa Clarita General Plan. The following issues should be reviewed and considered in preparation of a Final EIR/EIS for this project.

Two miles from the Proposed mining site lies the city of Santa Clarita which is a city now made up of 143,836 people. Various annexations have been proposed by the City of Santa Clarita in proximity to the proposed project site.

The mining site is proximate to:

- Santa Clarita – The Communities of Pinetree, American Beauty Homes, Timberlane, Stonecrest and Shadow Pines;
- Agua Dulce – 3 miles to the northwest;
- River's End – A mobilehome park less than 1/4 mile southwest of the project;
- Tract Map No 87459 (637 units) to the northwest;
- Proposed Bee Canyon Mobile Home Park (650 units) adjacent to the project site; 5
- Rio Dulce development – 622 lots on the Designated land and adjacent to the CalMat proposed mining site and to the northeast of the TMC site;
- Angeles National Forest to the South; and
- Santa Clara River (SEA number 23) which extends through the site and in the Designated Area which extends throughout Santa Clarita all the way to Santa Clarita's westerly boundary and on to the Ventura County Line.

Although mining has existed in the Soledad Canyon area for more than the last 30 years, mining on the scale initiated by the Designation of Regionally Significant Construction Aggregate Resources in the Saugus - Newhall Production-Consumption Region has never existed before.

BLM has identified 1.5 *Billion* tons of aggregate that it intends to mine over the next 50 years in sector B-2 of the Saugus Newhall Production-Consumption region alone. All of this billion and 1/2 tons of aggregate product will come out of the CalMat and TMC proposed project areas. An additional 30% will be fines (mining debris). When the projects are completed, the mountain areas will have been taken down to road level. Final use of the land will revert to high density urban development for the CalMat land mass and industrial/commercial zoning for the TMC area.

In addition to the departure from current zoning as described in the Santa Clarita General Plan, driving the Antelope Valley Freeway the projected change in the topography will allow one

to see the Santa Clara River from Highway 14 where there are now mountains obstructing one's view. (See the Santa Clarita General Plan, Appendix 10)

Few, if any, people living in the region imagined or planned for this kind of mining and land mass change to come to Agua Dulce or Santa Clarita. Under SMARA, the L.A. County General Plan, and the Santa Clarita General Plan were required to be updated, showing specific geographic locations designated for mining – which was not done. Areawide Zoning Maps did not, and do not, indicate for the prudent investor where such mining will occur, as required by SMARA. Santa Clarita, as evidence in multiple tract maps developed before, during, and after the designation process, did not amend their plan to preclude land use conflicts such as Bee Canyon from occurring. (Please see and review the Bee Canyon Draft EIR and Revised Draft EIR enclosed and included in the Appendix) Clearly, knowledge of the land use designation was not widely circulated, managed by the State Mining and Geology Board or BLM and disseminated to the public as required by SMARA. To the east of the TMC project, and on land that is part of the Significant Aggregate Resource Designated Area, is the Community Facilities District 6 (CFD6) managed by Los Angeles County. CFD6 includes the Rio Dulce Development (622 single family homes) which was created by the L.A. County Board of Supervisors in 1991 and 1992.

The economic legality and viability of this CFD was reviewed by every variation of land use and financial expert available. An increase in zoning density was granted in exchange for the donation of a school site by the CFD to accommodate the projected increase in enrollment in the School District. The $1.9 million cost of the land for this school was paid for out of the CFD bond funds. (Please review the CFD document enclosed and included in the Appendix.) 5

Apparently the BLM did not inform the County that the CFD was on land designated as part of Sector B, in the Significant Aggregate Resource area and neither did all the experts who were involved. The L.A. County Treasurer and a major land developer were not aware of the state Designated Mining Area so they could not advise the L.A. County Supervisors and the County to plan otherwise.

If the experts were not informed to the extent that these conflicts could be created, how could any reasonable person expect that the general public would be informed as required by both the Bee Canyon, TMC and CFD public hearing process.

Certainly the TMC DEIR/DEIS should acknowledge the individual impact and cumulative impact of conflicts created by large scale mining being proximate neighbors to residential development. Implementation of the TMC mining project proximate to large scale development will create traffic, health, viewshed and other problems which cannot be reconciled and are not addressed in this DEIR/DEIS.

Implementation of the TMC Project would also begin the process of implementing mining throughout the Designated Area. With the CalMat project adjacent and straddling Agua Dulce Canyon Road any thought that low density – high unit value developments could prosper or continue to be developed throughout Agua Dulce is problematic.

Any idea that Highway 14 and Soledad Canyon Road could be designated and developed as scenic highways, as described in Santa Clarita's General plan, is also problematic.

The DEIR/DEIS does not address the following very important issues:

- The cumulative effect of large scale mining (1.5 billion tons of material over a 50 to 100 year period) serving a broad geographic area (Greater L.A. Basin, San Fernando Valley, Simi Valley, Ventura County) is not described anywhere in the TMC DEIR/DEIS.

- The economic impact of this massive change in land use planning (essentially moving the Irwindale/Azusa mining complex to the Soledad Canyon area is not described in the TMC DEIR/DEIS either. In fact the impact to the Joint task Force is incomprehensible. 5

Absent information in the DEIR/DEIS that addresses these issues means that the DEIR/DEIS is fatally flawed.

We recommend that the document be revised and recirculated.

Air Quality:

GENERAL:

On May 17, 1999, a day of calm winds and fair skies, the Los Angeles County Fire Department staged a controlled burn at the junction of the Interstate 5 and Interstate 14 freeways in the Newhall Pass. The blaze got away from the fire fighters and burned for an extended period of time. The smoke from the blaze was carried throughout the Santa Clarita Valley and out to the Antelope Valley. People in the entire area, to include the proposed project site and the community of Agua Dulce, suffered from watery eyes, difficulty breathing and other symptoms of physical discomfort.

The Santa Clarita Valley, to include the proposed project site, receives air pollutants from the San Fernando Valley to the southwest and the Ventura/Santa Barbara area to the west. During Santa Ana Wind conditions, this area also receives wind born air contaminants from the Antelope Valley to the northeast. Pollutants are then trapped by the surrounding mountains, particularly during Thermal Inversions. Because of these geographically defined climactic conditions, incidents like the one on May 17th show the wide dispersement of airborne pollutants throughout eastern Santa Clarita and communities in the unincorporated area of northeastern Los Angeles County. 6

TMC acknowledges that, "Daily regional airflow brings polluted air from the heavily developed portions of the Los Angeles Basin into the Project area late in the afternoon from late spring to early fall. This condition creates unhealthful air quality..." (DEIR Pg. S-10; DEIS Pg. S-9) They also acknowledge that, "Although the proposed mitigation measures will reduce both exhaust and dust emissions to the maximum extent feasible, when summed for the overall Project, the residual impact is expected to remain significant for NOx, ROG, and PM-10 emissions for Phase 1 and CO, NOx, ROG and PM-10 emissions for Phase 2. (DEIR – Pg. 3-183; DEIS – Pg. 3-188)

The "Baseline Air Quality" used in the TMC DEIR (pg. 3-153) and the DEIS (pg. 3-157) reflects studies done by the SCAQMD at its Santa Clarita air monitoring station, located 11 miles southwest of the proposed mining project. Although there was, at one time, an air monitoring station in or near the Soledad Canyon/Agua Dulce area, there is no historical data available from this site. There is a significant difference in elevation and, therefore, wind patterns, between the project site and the monitoring station used to assess a baseline for the purposes of this report. This fact, alone, makes the data included in the DEIR/DEIS faulty.

Emission standards for mobile sources (cars, trucks, etc.) are established by state or federal agencies, such as the California Air Resources Board (CARB) and the U.S. Environmental Protection Agency (USEPA), rather than local agencies such as the Air Quality Management District (AQMD). The AQMD is, however, responsible for controlling emissions from stationary sources of air pollution, such as businesses and residences. About 40% of the South Coast AQMD's air pollution comes from stationary sources. When studying the issue of air pollution, it is necessary to consult all of the various organizations, and their documents.

The 1990 Federal Clean Air Act requires all federal or federally funded projects conform to the AQMD State Implementation Plan (1994 CA-SIP or a revised 1997 CA-SIP), and must not be a cause of impeding progress toward attainment of the federal air quality standards. (Final 1997 Air Quality Management Plan, Pg. ES-8)

OZONE:

According to Barry R. Wallerstein, Executive Officer of the Air Quality Management District (AQMD), "State and Federal law require this area *(South Coast Air Quality Management District – SCAQMD)* to meet clean air standards by the year 2010...we still have to reduce some types of pollution by more than 80%. ...our air still violates the health standard for ozone on about 120 days of the year (based on 1993 data)." (Introducing AQMD, Barry R. Wallerstein, D. Env., Executive Officer, http://www.aqmd.gov/aqmd/intraqmd.html)

According to the Final 1997 Air Quality Management Plan (Final 1997 AQMP), "Concentrations of primary pollutants (those emitted directly into the air) are typically highest close to the sources which emit them. However, secondary pollutants (those formed in the air by chemical reaction of precursors) reach maximum concentrations some distance downwind of the sources that emit the precursors, due to the fact that the polluted air mass is moved inland many miles by the prevailing winds before maximum concentrations are reached." (Final 1997 AQMP, Chapter II: Current Air Quality, Pg. II-2-1, Appendix) 7

Ozone, referenced in Mr. Wallerstein's quote, is a secondary pollutant, formed in the atmosphere by chemical reaction of ROG (reactive organic compounds), NOx (nitrogen oxides), and oxygen (O2). TMC, as quoted above, acknowledges that their project will produce sufficient ROG and NOx to have a significant impact on air quality. As a secondary pollutant, the ozone created by the proposed project will impact a far wider area than the immediate mining site and will increase air pollution in the entire area. A focus on air quality solely on the project site and sensitive receptors within ½ mile is insufficient.

SUSPENDED PARTICULATE MATTER:

Current state and federal air quality standards measure PM-10 (particulate matter with diameter less than about 10 micrometers) as an air pollutant. TMC acknowledges that, "PM-10 dust emissions are also anticipated to create a significant impact for both Phases 1 and 2." (DEIR – Pg. 3-183; DEIS – Pg. 3-176) Compared to the SCAQMD Threshold Level for PM-10, the estimated production of PM-10 for the proposed project makes "significant" seem to be a very weak description:

	No Blasting (lbs per day)	With Blasting (lbs per day)	SCAQMD Threshold (lbs per day)
Phase 1	1,273.2	1,335.2	150
Phase 2	2,168.2	3,230.2	150

8

TMC's calculations do not include PM-10 generated by Offsite Truck Movement. If these figures were included, it would increase the quantities quoted above from material dropped from haul trucks, blown off by wind erosion during transport, and from turbulance generated by large haul trucks moving at a high rate of speed on winding roads such as Soledad Canyon Road. (DEIR – Pg. 3-168 & 172; DEIS – Pg. 173 & 177)

The AQMD identifies deposit of materials on public roadways to be a major source of airborne PM-10. Sources for deposition of material onto paved roadways include vehicle-related deposition, mud and dirt carryout, and spills. (Final 1997 AQMD Plan, Final Appendix IV-A, "Stationary and Mobile Source Control Measures", Pg. IV-1-161). The 1997 AQMP proposes three "preventive" and one "mitigative" control option(s) which are not addressed in the DEIR/DEIS (DEIR – Pg. 3-182; DEIS – Pg. 3-186-187):

a.) Paving the last 100 feet from an unpaved roadway connection with a paved road;
b.) Chemical stabilization of the last 100 feet from an unpaved roadway connection with a paved road at sufficient frequency and concentration to maintain a stabilized surface at all times;
c.) Installation of dirt removal devices (e.g., tire cleaning device, grizzlies, etc.);
d.) Cleaning of public paved road surface at any time visible track-out occurs. (IBID, Pg. IV-1-162)

In addition to track-out of particulate matter onto Soledad Canyon Road, there is a concern for the mining debris which will adhere to trucks and then be deposited on the Antelope Valley Freeway (Highway 14). Approximately 76,000 vehicles currently use this freeway on a daily basis (Caltrans 1996). 24-hour per day truck traffic will cause increased diesel emissions, and increased dust emission, as well as many broken/chipped windshields, paint jobs and other damage caused by flying debris. 8

AQMD Rule 403 requires that, "Any person in the South Coast Air Basin shall: (A) prevent or remove within one hour the track-out of bulk material onto public paved roadways as a result of their operations; or (B) take at least one of the actions listed in Table 3 (see enclosure) and: (I) prevent the track-out of bulk materials ... and (ii) remove all visible roadway dust tracked-out upon public paved roadways as a result of active operations at the conclusion of each work day when active operations cease." (AQMD, Rule 403, (d), (5)) The mitigation measures for track-out of mining debris onto both Soledad Canyon Road and the Antelope Valley Freeway are not provided in the DEIR/DEIS. *(INCLUDE Rule 403 as an appendix)*

TOXIC AIR CONTAMINANTS:

On August 27, 1998, the California Air Resources Board (CARB), which is the state agency responsible for protecting the public's health from exposure to toxic air contaminants, approved a staff proposal to list particulate emissions from diesel-fueled engines as a Toxic Air Contaminant (TAC). In addition, Proposition 65 , a 1990 California state initiative, identified crystalline silica as a TAC. SCAQMD Rule 1401, although it does not apply to quarries and processing plants, does however identify asbestos and crustal metals such as copper, nickel and mercury as TACs. All of these contaminants may be found in the mining process as outlined by TMC.

The following information is quoted from the California Environmental Protection Agency, Air Resources Board, "Fact Sheet: The Toxic Air Contaminant Identification Process: Toxic Air Contaminant Emissions from Diesel-fueled Engines" and dated October 1998:

- Emissions from diesel-fueled engines are mainly composed of particulate matter and gases, which contain potential cancer-causing substances such as arsenic, benzene, formaldehyde, nickel and polycyclic aromatic hydrocarbons. 9
- Particulate matter (PM) from diesel-fueled engine emissions is small enough to be inhaled deep into the lungs.
- In 1990, the State of California, under Proposition 65, identified diesel exhaust as a chemical known to cause cancer.
- The U.S. EPA has proposed classifying diesel exhaust as a probable human carcinogen.
- There is also a link between emissions from diesel-fueled engines and non-cancer damage to the lung.

"On-road mobile sources (heavy-duty trucks, buses, light-duty cars and trucks) contribute the majority of total diesel exhaust PM-10 emissions in California." ("Findings of the Scientific Review Panel on THE REPORT ON DIESEL EXHAUST as adopted at the Panel's April 22, 1998, Meeting", submitted to the California Air Resources Board and the Office of Environmental Health Hazard Assessment (OEHHA))

TMC does acknowledge PM emissions from heavy equipment, haul trucks, and other sources, but does not separate out the PM contributed by diesel-fueled engines from the PM airborne contaminants which are generated by earth disturbance. 9

Because their particular operation is not subject to a specific rule, or their DEIR/DEIS was written years prior to a rule's enactment, TMC is not exempt from revising their analysis to address the use, presence, or production of toxic chemicals. Their revised DEIR was published and distributed in February 1999, and the DEIS after that date. Certainly, TMC had sufficient time to include revisions on this most important topic in their latest versions. This exclusion of an air toxics impact assessment is a fatal flaw in the air quality impact analysis.

PUBLIC HEALTH:

"The U.S. EPA recently completed a review of the scientific and technical information on the known and potential adverse health effects of ozone and PM-10 because results from recent studies have suggested that attainment of the existing National Ambient Air Quality Standards (NAAQS) for these pollutants may not provide adequate public health protection." (Final 1997 AQMP, Chapter 10, Pg. 10-5) (See Appendix I "Health Effects" from Final 1997 AQMP)

"In light of new epidemiological and other health data, the U.S. EPA is currently reevaluating the federal standards for particulate matter and ozone. For ozone, it is likely that the current 1-hour standard will be replaced by an 8-hour standard. For particulate matter, it is likely that a new fine particulate standard (PM-2.5) will be established for both a short-term (24-hour) and long-term (annual) averaging period. It is also probable that a form of the current PM-10 standards will be retained." (Final 1997 AQMP, Pg. ES-8) 10

TMC's air quality evaluation should adhere to new AQMD standards.

OZONE:

"Identified in human and/or animal studies with varying exposure duration, the adverse health effects which are either induced by ozone or associated with ambient ozone exposures include: breathing pattern changes; reduction in breathing capacity and exercise performance; increase in airway resistance; susceptibility to infections; excess hospital admissions and emergency room visits; and acute inflammation of the respiratory tract including some cellular changes." (Final 1997 AQMP, Chapter 10, Pg. 10-5 – Appendix 12) 10

"The major subgroups of population considered to be at increased risk from ozone exposure are outdoor exercising individuals including children and people with preexisting respiratory disease(s) such as asthma." (Final 1997 AQMP, Final Appendix I, Health Effects, Pg. I-2, November 1996, Appendix 29)

PARTICULATE MATTER (PM):

"The major categories of adverse health effects associated with PM-10 include: increase in mortality associated with acute and chronic exposures; exacerbation of preexisting respiratory and cardiovascular disease leading to an increase in hospital admissions and emergency room visits; school 10

absences; work loss days and restricted activity days; changes in lung function and structure; and altered lung defense mechanisms." (Final 1997 AQMP, Chapter 10, Pg. 10-6, Appendix 12)

"...long-term effects studies have reported an increased risk of mortality from lung cancer associated with PM exposures." (Final 1997 AQMP, Final Appendix I, Health Effects, Pg. I-7, November 1996, Appendix 12)

"A review and statistical analysis of recent population studies published on acute adverse effects of PM-10 indicates that an incremental increase of PM-10 by 10 ug/m3 can lead to a significant increase in both mortality and morbidity risks. The elderly, people with preexisting respiratory and/or cardiovascular disease(s) and children appear to be most susceptible to the effects of PM-10. These findings suggest that even when an area meets the existing NAAQS (National Ambient Air Quality Standards) for PM-10 the community is likely to continue to have the adverse impact from ambient PM-10 exposures." (Final 1997 AQMP, Pg. 10-6)

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DIESEL EXHAUST:

"Diesel exhaust is a complex mixture of gases and fine particles emitted by a diesel-fueled internal combustion engine. The gaseous fraction is composed of typical combustion gases such as nitrogen, oxygen, carbon dioxide, and water vapor. However, as a result of incomplete combustion, the gaseous fraction also contains air pollutants such as carbon monoxide, sulfur oxides, nitrogen oxides, volatile organics, alkenes, aromatic hydrocarbons, and aldehydes, such as formaldehyde and 1,3-butadiene and low-molecular weight polycyclic aromatic hydrocarbons (PAH) and PAH-derivatives." ("Findings of the Scientific Review Panel on THE REPORT ON DIESEL EXHAUST as adopted at the Panel's April 22, 1998, Meeting", submitted to the California Air Resources Board and the Office of Environmental Health Hazard Assessment (OEHHA))

"Many of these PAHs and PAH-derivatives, especially nitro-PAHs, have been found to be potent mutagens and carcinogens. ...Nitro-PAH compounds can also be formed during transport through the atmosphere.." (IBID)

"Diesel exhaust includes over 40 substances that are listed by the U.S. EPA as hazardous air pollutants and by the CARB as toxic air contaminants. Fifteen of these substances are listed by the International Agency for Research on Cancer (IARC) as carcinogenic to humans, or as probable or possible human carcinogens." (IBID)

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"Almost all of the diesel particle mass is in the fine particle range of 10 microns or less in diameter (PM-10). Approximately 94% of the mass of these particles can be inhaled and a portion will eventually become trapped within the small airways and alveolar regions of the lung." (IBID)

Other routes of exposure to diesel exhaust are ingestion and dermal absorption.

"A number of adverse long-term noncancer effects have been associated with exposure to diesel exhaust: cough; phlegm; chronic bronchitis; reduction in pulmonary function; histopathological changes in the lung; inflammation of the lung tissue; immunological reactions; intranasal challenge; increased nasal IgE antibody production; and a significant increase in mRNA for pro-inflammatory cytokines." (IBID)

"Diesel exhaust contains genotoxic compounds in both the vapor phase and the particle phase. Diesel exhaust particles or extracts of diesel exhaust particles are mutagenic in bacteria and in mammalian cell systems, and can induce chromosomal aberrations." (IBID)

"...long-term occupational exposures to diesel exhaust were associated with a 40% increase in the relative risk of lung cancer. The lung cancer findings are consistent and the associations is unlikely to be

due to chance. These epidemiological studies strongly suggest a causal relationship between occupational diesel exhaust exposure and lung cancer." (IBID)

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"Based on available scientific information, a level of diesel exhaust exposure below which no carcinogenic effects are anticipated has not been identified." (IBID)

SAN JOAQUIN VALLEY FEVER (Coccidioidomycosis):

"...Coccidioides immitis, a dimorphic fungus that grows in the topsoil layers in limited semiarid areas of the Western Hemisphere...Infection is caused by inhalation of airborne arthrospores that have been dislodged from the soil. While dust storms, archaeological excavations, and specific climatic conditions (e.g., severe drought followed by heavy rains) have been implicated in coccidioidomycosis outbreaks, earthquakes have not." "Primary prevention strategies (e.g., dust-control measures) for cocidioidomycosis in endemic areas have limited effectiveness. However, during brief and transient dust-generating events (e.g., an earthquake or dust storm in an endemic area), avoidance of dust clouds or areas of heavy dust may be beneficial." (Journal of the American Medical Association – JAMA, "A Coccidioidomycosis Outbreak Following the Northridge, Calif, Earthquake", March 19, 1997 – Vol 277, No. 11)

"The Acute Communicable Disease Control Unit of the L.A. County Department of Health Services reported that 9 of 28 new cases (*of Coccidioidomycosis*) in 1998 in L.A. County were in the San Fernando and Antelope Valley Health Districts, following a year in which 13 out of 40 were from that area (*32% in each year*). The city of Santa Clarita lies in both districts. Dr. Gary Ordog, a toxicologist at Henry Mayo Newhall Memorial Hospital, said many people have the disease and do not even know it. Ordog said he has probably diagnosed 30 cases over the last 5 years, a number he believes is low in relation to the number in the Santa Clarita Valley." (The Signal, "Exposing Valley Fever, Anonymous Illness", February 18, 1999)

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"The lung infection is difficult to treat, and can spread to the bones, joints, and brain (meningitis). Death can occur despite treatment with antifungals." (Harrison's Principles of Internal Medicine, 14th ed., McGrawhill, 1998, Pg. 1151)

TMC has shown complete disregard for health impacts created by airborne pollutants and diseases which may be caused by their mining project. The DEIR/DEIS underestimates the quantity and the breadth of distribution, as well as the impact of the air pollution they will add to the atmosphere in the Santa Clarita Valley. Mitigations proposed in the DEIR/DEIS in regard to air quality are restricted to onsite air impacts, and do not address ozone, particulate matter, or toxic air contaminant pollution which will impact workers, residents and visitors in the region. Paragraph (x) and paragraph (v) of Appendix G (Significant Effects) of the California Environmental Quality Act (CEQA), apply.

CUMULATIVE IMPACTS:

The TMC project is designed to extract 57.1 millions tons of product from an area identified in the Designation Process to have 1.6 billion tons of sand & gravel resources. ("Designation of Regionally Significant Construction Aggregate Resource Areas in the Saugus-Newhall and Palmdale Production-Consumption Regions", January 1987, The California Department of Conservation, Division of Mines and Geology, under the direction of the State Mining and Geology Board, Pg. 10)

12

CalMat Company prepared a Surface Mining and Reclamation Plan, dated September 1991, which is identified as County Project No. 91-307, and proposes to mine 240 million tons of sand and gravel over 30 years on a site adjacent to TMC. According to the L.A County Department of Regional Planning, Staff Report of April 21, 1999 (Project No. 91-165), (page 3 of 18), this CalMat project is "undergoing environmental review." CalMat has purchased land on either side of Agua Dulce Canyon Road, south of the Antelope Valley Freeway (Highway 14) as part of their proposed mining site.

There are plans being formulated, according to some professional sources, for six (6) additional mining operations contemplated by the BLM, in concert with TMC, CalMat or other mining entities, for the Soledad Canyon area.

Therefore, the lack of documentation in the DEIR/DEIS of the cumulative effects of multiple new mining operations in the same area, running in roughly the same time frame, is a serious flaw. The DEIR/DEIS must be rewritten in accordance with CEQA requirements to take these additional mining operations, already discussed, into consideration in evaluation of the air quality impacts on the region. 12

ALTERNATIVE:

Rail transportation of both product and fines will reduce the impacts of this project on the air quality in the region. This transportation alternative may prove alternate sites as viable for aggregate production. TMC should be requested to do a thorough analysis of this alternative, presenting facts regarding the pros and cons. 13

CONCLUSION:

Due to errors and omissions in this area of the DEIR/DEIS, the Air Quality section is fatally flawed.

Water Issues – Impacts on Water Supplies

Without a predictable and adequate supply of water available to the TMC project, mitigation measures referenced in the DEIR/DEIS are not feasible.

Water usage of 594 acre feet (20 Year average) is projected. Water needed for this project is projected to come from a variety of sources: groundwater; surface water (riparian rights); surface water (appropriate rights) and recycling of water.

Emphasis on recycling water is problematic as desilting basins described in the DEIR/DEIS are not adequately described to delineate whether they are large enough to be capable of recycling water on a timely basis to insure that more appropriated water will be needed than stated. An adequate maintenance plan to insure that the desilting basins would maintain functional capacity is not described by the DEIR/DEIS. 14

Water availability is and will be severely challenged. Protests from public agencies and private individuals based on impact on habitat and water allocation have been filed with the State Water Resources Board . (Please see the enclosed documents in the Appendix section.) Much of the challenge and ambiguity of water availability particularly during drought is developed thoroughly in Remy, Thomas and Moose, LLP letter to Dr. Daryl Koutnik dated July 14th for review. The water issue substance is included in this passage for review to refresh the issues that the Task Force would rather not duplicate with results of redundant research. The DEIR/DEIS does not address the issue of dishcharge of water into th e the Santa Clarita River either. Operation of a concrete batch plant on site implies evidence of toxic material on the mining site because between hydraulics, lubricants, concrete and fuel used and stored on site can pollute the river which is downhill from the mining site. It is not clear from the DEIR/DEIS how toxins, also including herbicides used on site we be prevented particularly during rainy seasons will not end up in the river and contaminate nearby water supplies and impact river habitat. 15

The DEIR/DEIS does not adequately address how the project will conform to requirements published in the State Mining and Geology Board's Special Report no.163, "SURFACE AND GROUNDWATER MANAGEMENT IN SURFACE MINED-LAND RECLAMATION" published in 1989. (Please see report enclosed in Appendix labeled – Special Report 163).

Protocol suggests that perhaps the DEIR/DEIS should receive data from a hearing to be held by the State Water resources Board that are scheduled in late September that will rule on the TMC's appropriation permit and perhaps require with conditions a discharge permit and include response in this DEIR/DEIS prior to the close of hearings. Hearings are also scheduled that might affect what data is included in the DEIR/DEIS that will determine what the jurisdiction of the State Water Quality Board is and how that might affect or regulate TMC's requests for water allocation permits. 16

Again the DEIR/DEIS should be rewritten to clearly address the above issues and should be recirculated.

Traffic:

GENERAL:

AVAILABLE ROADWAYS:

There are 3 access roads connecting the Santa Clarita Valley to the Antelope Valley in the northeast:

- Soledad Canyon Road, which runs along the southern border of the project site (2,600 ADT in the vicinity of the project site, according to TMC – DEIR Pg. 3-283);
- Antelope Valley Freeway (Highway 14), which runs in a northeasterly direction along the northern border of the project site (76,000 ADT, according to Caltrans, 1996); and
- Sierra Highway, approximately 5 miles north of the project site.

These three roadways carry all of the traffic between the Antelope Valley and the Santa Clarita Valley, with the majority traveling on the A.V. Freeway.

Although the Antelope Valley Freeway has recently been expanded, much of it remains two-lane in each direction between Palmdale and the Sand Canyon exit in Canyon Country. Caltrans added a carpool lane, which is of limited value to the majority of commuters. According to California motor vehicle laws, heavy trucks are allowed to use the two right lanes of any freeway. In the case of the Antelope Valley Freeway, this law allows trucks to mingle freely with the majority of passenger cars in the two lanes available. Since a sound wall has been built on the east side of the freeway between Shadow Pines Boulevard and Sand Canyon, it is obvious that Caltrans plans no further expansion of this section of the freeway.

ROADWAY AND TRAFFIC IMPACTS:

Soledad Canyon Road, the intersection with the Antelope Valley Freeway and the redesign of the proposed project site entrance were addressed in the DEIR/DEIS. There are several points, however, where the conclusions are suspect:

- It is assumed in the DEIR/DEIS that TMC will execute the project over a period of 20 years, rather than maximizing production in order to produce the 57.1 million tons of product in a shorter time frame. Road and traffic impacts should be calculated on a worst case scenario (maximum production in the shortest time frame possible). (DEIR Technical Appendices – Pg. D-1; DEIS – Technical Appendices – Pg. D-1) **17**
- One haul truck, weighing approximately 80,000 tons, is equated to 2.0 passenger cars (PCEs). Although this appears to be a Los Angeles County guideline, common sense would indicate that the ratio should be 4.0 passenger cars to one haul truck for the purposes of roadway impacts. (DEIR Technical Appendices – Pg. D-4; DEIS Technical Appendices – Pg. D-4) **18**
- Population growth of 1.5% each year over the next 20 years is addressed separately below. (DEIR Technical Appendices – Pg. D-12; DEIS Technical Appendices – Pg. D-12)
- TMC has included mitigations regarding roadway surface on Soledad Canyon Road and traffic signals at the intersection of Soledad Canyon Road and the Antelope Valley Freeway with a reactive, rather than a proactive approach. How severe must the problems be before the mitigation will take place? (DEIR Technical Appendices – Pg. D-19; DEIS Technical Appendices – Pg. D-19) **19**
- The access road to the proposed project site is proposed to be relocated. From the diagram provided, it appears that this new access road will be on a fairly steep grade. Does this grade present a danger both to trucks entering and exiting the site, and to passenger cars traveling along Soledad Canyon Road? (DEIR Technical Appendices – Pg. D-24; DEIS Technical Appendices – Pg. D-24) **20**

During rush hours, or when a traffic accident severely curtails speeds on the A.V. Freeway, drivers divert to the only other roads available – Soledad Canyon Road and Sierra Highway. Both are one lane in **21**

each direction. Sierra Highway goes through relatively more populated areas, to include the communities of Acton, Agua Dulce, and Canyon Country. Impatient with the delays they have experienced, drivers frequently travel these secondary roads at excessive speeds, endangering residents, or slower moving vehicles.

Approximately 5% of the project traffic is proposed to travel along Agua Dulce Canyon Road (DEIR – Pg. 292; DEIS – Pg. 3-298). The amount of truck traffic on this road would then be approximately 17.5 ADT during Phase 1, and 58.2 ADT in Phase 2 (or a total of 276,305 ADT during the course of the 20 year project.)

1. The DEIR/DEIS does not identify the destination of trucks taking this route, other than Acton.
   A. Will this route be used exclusively to join the Antelope Valley Freeway northbound, enroute to Acton? If so, the DEIR/DEIS grossly overestimates the quantity of aggregate required in that small town.
   B. Will this route be used to join the Antelope Valley Freeway northbound, enroute to the Antelope Valley area (where they are already mining aggregate)? 21
   C. Will this route be used to transit through the community of Agua Dulce enroute to Sierra Highway during periods of heavy congestion or traffic accidents on the A.V. Freeway, or to access areas of the Santa Clarita Valley via surface streets? Unlike Soledad Canyon Road east of the A.V. Freeway, heavy trucks are allowed on Sierra Highway. If the latter is the intended use, the community of Agua Dulce strenuously protests against this use. In addition to being a narrow, winding canyon road, Agua Dulce Canyon Road goes through the heart of our residential and commercial areas, and passes beside our elementary school.

2. The DEIR (Pg. 3-142) and DEIS (Pg. 3-146) state that the anticipated volume of truck traffic on Agua Dulce Canyon Road "will not present a significant impact." The community does not consider over a quarter of a million truck trips on this road to be insignificant, in either traffic or roadway degradation. Agua Dulce Canyon Road was not built to sustain heavy truck traffic. Mitigation measures to insure maintenance and repair of Agua Dulce Canyon Road should be included in the DEIR/DEIS.

3. Any use of Agua Dulce Canyon Road should be fully detailed in the DEIR/DEIS, and heavily restricted in writing in any permit issued.

Several other freeways will also experience additional heavy truck traffic from the TMC project, which will increase congestion on already over burdened infrastructure. Since "95% of the project traffic would travel to the Antelope Valley Freeway via Soledad Canyon Road", and, "The major destinations for the materials shipped from the proposed Soledad site are Santa Clarita Valley, Inglewood, Los Angeles, Hollywood, Sun Valley and other areas nearby", it is assumed that there would be impacts on the 5, 405, 118, and 210 freeways. (DEIR – Pg. 292; DEIS – Pg. 3-298) These project impacts are not addressed in the DEIR/DEIS.

POPULATION:

TMC's conclusions in the Traffic Section of the DEIR/DEIS are based on data partially developed by using the Department of Transportation ambient traffic growth factor of 1.5% annually to account for development located outside of the project study area (DEIR – Pg. 3-286; DEIS – Pg. 3-292). 22

There has been substantial population growth in the region in which the TMC project would be located:

1. Agua Dulce's population has grown by an annual average of approximately 12% since 1984.

2. In addition, new developments have been built containing 1,600 units, and additional developments containing 924 units are in the planning process in the Canyon Country area, increasing the population of those areas by more than the 1.5% annual growth rate predicted in TMC's data.
3. Kaufman & Broad have recently announced a new, planned community called City Ranch, which will contain 4,200 single family homes and 300 apartment units in the west Palmdale area. These homes will be sold between the year 2000 and 2008.
4. In addition, the cities of Palmdale and Lancaster each have approximately 50,000 acres of land zone for housing development.
5. The City of Santa Clarita and Newhall Land & Farming have approximately 14,000 acres of land zoned for housing development.

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All of the residents in these areas are or will be dependent on the roadways which will be used by the TMC project.

Los Angeles has announced that it will have a housing shortfall of approximately 10% between 1999 and 2020. Since the northeast corner of the county is one of the last areas with land available for development within a reasonable commute time to the Greater L.A. Basin, it can be assumed that the Santa Clarita Valley and Antelope Valley areas will see a much higher population growth than the 1.5% on which TMC's analysis is based.

TMC did not address the cumulative effect of increased density on area roadways beyond the immediate radius of its project, and ignored the major housing developments which can be reasonably assumed to be built during the life of the project in the Antelope and Santa Clarita valleys, whose residents will be using the same roadways.

PUBLIC HEALTH AND SAFETY:

The TMC project will add approximately 659 dual hauler trucks daily to Soledad Canyon Road, the Antelope Valley Freeway, and other roadways to the southwest of the project site in Phase 1 and 1,105 heavy, dual hauler trucks daily to these same roadways in Phase 2) (DEIR – Pg. 3-292; DEIS – Pg. 3-298). According to Caltrans (1996) the total ADT on the Antelope Valley Freeway is 76,000 vehicles, of which 4,408 are trucks (Caltrans 1996) (DEIR – Pg. 3-125; DEIS – Pg. 3-129). Therefore, TMC will increase truck traffic on the southbound Antelope Valley Freeway by 15% in Phase 1 and 25% in Phase 2.

23

The increase of 15% to 25% in truck traffic along the Antelope Valley Freeway southbound will create public health and safety problems to include:

- Additional traffic accidents, caused by the merging of slow moving trucks onto the freeway at the juncture with Shadow Pines Boulevard;
- Increased roadway traffic, motivating more drivers to take the two alternate, secondary roads (Soledad Canyon Road and Sierra Highway), creating additional traffic through the communities of Acton, Agua Dulce and Canyon Country. This will result in increased traffic, accidents and roadway degradation on these secondary roads, which is a direct impact of the project but is not addressed in the DEIR/DEIS;
- Additional air pollutants, to include 25% more diesel fuel particulates which have been identified as carcinogenic, as well as fugitive dust from uncovered trucks.;
- Additional roadway debris from truck trackout, with the potential to cause an impaired visual environment for motorists when the particulate matter dries and then is recirculated by the winds;
- Damage from flying debris off the mining trucks, which may cause broken windshields, paint damage, and may startle a driver sufficiently to cause an accident.

CUMULATIVE IMPACTS:

The TMC project is designed to extract 57.1 millions tons of product from an area identified in the Designation Process to have 1.6 billion tons of sand & gravel resources. ("Designation of Regionally Significant Construction Aggregate Resource Areas in the Saugus-Newhall and Palmdale Production-Consumption Regions", January 1987, The California Department of Conservation, Division of Mines and Geology, under the direction of the State Mining and Geology Board, Pg. 10 – Appendix 16)

CalMat Company prepared a Surface Mining and Reclamation Plan, dated September 1991, which is identified as County Project No. 91-307, and proposes to mine 240 million tons of sand and gravel over 30 years on a site adjacent to TMC. According to the L.A County Department of Regional Planning, Staff Report of April 21, 1999 (Project No. 91-165), (page 3 of 18), this CalMat project is "undergoing environmental review." CalMat has purchased land on either side of Agua Dulce Canyon Road, south of the Antelope Valley Freeway (Highway 14) as part of their proposed mining site. 24

There are plans being formulated, according to some professional sources, for six (6) additional mining operations contemplated by the BLM, in concert with TMC, CalMat or other mining entities, for the Soledad Canyon area.

Therefore, the lack of documentation in the DEIR/DEIS of the cumulative effects of multiple new mining operations in the same area, running in roughly the same time frame, is a serious flaw. The DEIR/DEIS must be rewritten in accordance with CEQA requirements to take these additional mining operations, already discussed, into consideration in evaluation of the traffic impacts on the region.

Noise and Vibration

GENERAL:

The project will result in increased noise levels throughout the area from an increase in industrial activities, to include blasting, operation of haul trucks, on-site extraction and processing equipment, and a concrete batch plant. However, there is insufficient, relevant data provided in the DEIR/DEIS, both in quantity and quality, for proper analysis.

AZUSA MEASUREMENTS:

"In order to assess the noise produced by the proposed plant operations, noise level measurements were obtained on September 16, 1992, at the TMC Azusa aggregate processing facility. Four measurements were made around the plant at a distance of 100 feet." (DEIR – Pg. 3-138; DEIS – Pg. 3-142)

Azusa is located in an alluvial plain, devoid of canyons that might channel noise. The TMC Azusa operation is open pit mining, with many of the noise generating activities taking place within a 200' pit. 25

In April 1999, representatives of the Agua Dulce Town Council and the Agua Dulce Civic Association visited the Azusa TMC plant. Our representatives were issued earplugs for use while on the project site. Digging, blasting, and rock crushing take place on various levels within the open pit, surrounded by high, earthen walls which aid in deadening the sound. Therefore, noise impacts on surrounding sensitive receptors in the Azusa area are buffered.

Comparison of noise levels to the Azusa TMC plant are meaningless.

SOLEDAD CANYON / AGUA DULCE:

The Soledad Canyon site is elevated, with none of the production activities scheduled to be below ground level at any time during the 20 year life cycle. Unlike the Azusa operation, there will be no high walls to capture the sound. Sound travels based on wind patterns, and moisture in the air. In fact, since the site is elevated above an area of many canyons, the sound generated by the Soledad Canyon proposed site will actually serve to distribute the sound to a wider area. There are a number of areas within Agua Dulce with direct line of sight to the TMC project area. The comments shown regarding attenuating of noise due to the intervening ridge and undulating topography over the distance to Agua Dulce are not correct (DEIR – Pg. 3-138; DEIS – Pg. 3-142)

OFFSITE TRAFFIC: 26

There are a number of sensitive receptors on or in the vicinity of Agua Dulce Canyon Road, as well as along Soledad Canyon Road on both sides of the Antelope Valley Freeway. Noise generated by heavy haul trucks will be significant, particularly since it will begin as early as 5:00 a.m. and operate 7-days per week.

Additional noise and vibration impacts will be felt by the community of Agua Dulce, due to the diversion of additional vehicles onto secondary roads (Sierra Highway, Soledad Canyon Road, Escondido Road, and Davenport) to avoid increased congestion on the Antelope Valley Freeway. This issue is not addressed in the DEIR/DEIS.

CUMULATIVE IMPACTS:

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Therefore, the lack of documentation in the DEIR/DEIS of the cumulative effects of multiple new mining operations in the same area, running in roughly the same time frame, is a serious flaw. The DEIR/DEIS must be rewritten in accordance with CEQA requirements to take these additional mining operations, already discussed, into consideration in evaluation of the noise and vibration impacts on the region.

BIOTA

GENERAL:

The Agua Dulce Town Council and Civic Association do not have any expertise in this area. Therefore, we support the questions raised and positions taken by the City of Santa Clarita and their experts in the responses which have already been submitted to both the L.A. County Department of Regional Planning and the Bureau of Land Management.

CUMULATIVE IMPACTS:

The TMC project is designed to extract 57.1 millions tons of product from an area identified in the Designation Process to have 1.6 billion tons of sand & gravel resources. ("Designation of Regionally Significant Construction Aggregate Resource Areas in the Saugus-Newhall and Palmdale Production-Consumption Regions", January 1987, The California Department of Conservation, Division of Mines and Geology, under the direction of the State Mining and Geology Board, Pg. 10 – Appendix 16)

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Aesthetics / Visual Qualities

GENERAL:

The Agua Dulce Town Council and Civic Association do not have any expertise in this area. Therefore, we support the questions raised and positions taken by the City of Santa Clarita and their experts in the responses which have already been submitted to both the L.A. County Department of Regional Planning and the Bureau of Land Management.

CUMULATIVE IMPACTS:

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Therefore, the lack of documentation in the DEIR/DEIS of the cumulative effects of multiple new mining operations in the same area, running in roughly the same time frame, is a serious flaw. The DEIR/DEIS must be rewritten in accordance with CEQA requirements to take these additional mining operations, already discussed, into consideration in evaluation of the impacts on the aesthetic and visual resources in this region. 29

Cultural Resources

GENERAL:

The Agua Dulce Town Council and Civic Association do not have any expertise in this area. Therefore, we support the questions raised and positions taken by the City of Santa Clarita and their experts in the responses which have already been submitted to both the L.A. County Department of Regional Planning and the Bureau of Land Management.

CUMULATIVE IMPACTS:

The TMC project is designed to extract 57.1 millions tons of product from an area identified in the Designation Process to have 1.6 billion tons of sand & gravel resources. ("Designation of Regionally Significant Construction Aggregate Resource Areas in the Saugus-Newhall and Palmdale Production-Consumption Regions", January 1987, The California Department of Conservation, Division of Mines and Geology, under the direction of the State Mining and Geology Board, Pg. 10 – Appendix 16)

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Geology

GENERAL:

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Consumption Regions", January 1987, The California Department of Conservation, Division of Mines and Geology, under the direction of the State Mining and Geology Board, Pg. 10 – Appendix 16)

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Therefore, the lack of documentation in the DEIR/DEIS of the cumulative effects of multiple new mining operations in the same area, running in roughly the same time frame, is a serious flaw. The DEIR/DEIS must be rewritten in accordance with CEQA requirements to take these additional mining operations, already discussed, into consideration in evaluation of the project impacts which may be created in this region.

Recreation (Trails)

GENERAL:

"The City of Santa Clarita has identified the Santa Clara River in its proposed River Plan, which includes recreational amenities and a multi-use river trail." (City of Santa Clarita Letter to Julie Moore, Project Planner, Department of Regional Planning, dated April 14, 1999, RE: Response to Draft EIR for the Soledad Canyon Sand and Gravel Mining Project – Pg. 14 & 15)

The Agua Dulce Town Council and Civic Association do not have any expertise in this area. Therefore, we support the questions raised and positions taken by the City of Santa Clarita and their experts in the responses which may have already been submitted to both the L.A. County Department of Regional Planning and the Bureau of Land Management.

PACIFIC CREST TRAIL:

The Pacific Crest Trail (PCT) crosses Soledad Canyon Road approximately 4 miles east of the TMC project site. Enroute from the Mexican border to the Canadian border, hikers continue northerly through Robins Nest, Vasquez Rocks Natural Area, and the community of Agua Dulce. 32

In the event of a major traffic tie up on the north bound Antelope Valley Freeway, haul trucks may decide to use Soledad Canyon Road northbound as an alternative. This presents a potentially dangerous situation for recreationists along the Santa Clara River, as well as hikers on the PCT.

Flooding

GENERAL:

The Agua Dulce Town Council and Civic Association do not have any expertise in this area. Therefore, we support the questions raised and positions taken by the City of Santa Clarita and their experts in the responses which may have already been submitted to both the L.A. County Department of Regional Planning and the Bureau of Land Management.

CUMULATIVE IMPACTS:

The TMC project is designed to extract 57.1 millions tons of product from an area identified in the Designation Process to have 1.6 billion tons of sand & gravel resources. ("Designation of Regionally Significant Construction Aggregate Resource Areas in the Saugus-Newhall and Palmdale Production-Consumption Regions", January 1987, The California Department of Conservation, Division of Mines and Geology, under the direction of the State Mining and Geology Board, Pg. 10 – Appendix 16)

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Therefore, the lack of documentation in the DEIR/DEIS of the cumulative effects of multiple new mining operations in the same area, running in roughly the same time frame, is a serious flaw. The DEIR/DEIS must be rewritten in accordance with CEQA requirements to take these additional mining operations, already discussed, into consideration in evaluation of the project impacts which may create flooding in this region.

Alternative Analysis

The DEIR/DEIS is also inadequate because it does not offer a range of alternatives. Other than the "No Project" alternative only one alternative offers communities an alternative of reduced mining rather than present more alternatives that reduce the scale of mining. Other alternatives simply change the way the mine operates, which does not lessen the impact on environmental factors. These four alternatives are:

1. The reduced fines storage alternative;
2. The reclaimeds water alternative; 34
3. The product transportation alternative and
4. The alternative north fines storage alternative.

None of these alternatives are truly alternatives as defined by CEQA. Tthe concern is that the scale of mining can only get larger once established. The community's concern is also that establishing this mine will validate the existence of large scale mining in the Designated Resource Area. Other methods of mining in other locations or on different scales of production are not referenced in the DEIR/DEIS.

Conclusion

Over the past years, major environmentally invasive companies have moved out of the Santa Clarita Valley region as non-polluting businesses and new homeowners have moved in. We must question why TMC, CalMat and the BLM are just now trying to implement a master plan originally conceived in the mid-1980s to mine the Soledad Canyon area. The volume of identified sand and gravel resources in the identified area (1.6 billion tons) warns the residents of 35

this area that we would be naïve to believe that TMC is the only project planned. We would also be naïve to believe the BLM representative who claimed that the BLM has no intention of soliciting bids for further mining in the area.

Large scale mining and the propensity for it to expand to the limit described by the Designation of Regionally Significant Construction Aggregate Resources in the Saugus-Newhall Production-Consumption Region disturbs the members of our community. The cumulative impacts of mining, whether they are generated by this TMC project or an epanded project on this site or anywhere in the area is problematic.

35

The existing Los Angeles County General Plan and the Santa Clarita General Plan and, subsequently, the communities involved in those plans, can and will be overwhelmed by large scale mining operating in this area.

Clearly the requirements of SMARA have not been integrated into these plans and this DEIR/DEIS only deals with this TMC project in isolation, not addressing cumulative impacts. We suggest that the DEIR and DEIS be revised and recirculated taking into account the massive injustice that would be inflicted on the people of Santa Clarita, and particularly Agua Dulce, if environmental issues are not addressed honestly and on a cumulative level.

Sincerely,

JAMES F. DUZICK, President
Agua Dulce Town Council

DIANE TERITO, Land Use Chair
Agua Dulce Civic Association

estimates only and could change on an annual basis because of market conditions or other factors." (DEIR, p. 1-37.) However, the DEIR does say how these estimates were formulated.

The DEIR's faulty assumption of the most a leisurely rate of extraction allowable under the federal contracts infects all aspects of the DEIR, especially those describing impacts attributable to ongoing operations. For example, higher production rates will entail more truck trips each year on area roads. In order to validly evaluate the environmental impacts of TMC fulfilling its federal contracts, the DEIR must not take the liberty of presuming which of the two permissible modes of contract performance—product weight or years of operation—TMC will choose. If the DEIR must make some assumption, the DEIR should not assume that TMC will choose what appears to be the more environmentally benign alternative of spreading mining over 20 years. The DEIR must be revised to assume the most likely rate of extraction and to provide a sound explanation of how that rate was chosen.

In a similar vein, the DEIR states that "[t]he Project has been designed and the environmental impacts assessed using a worst-case fines storage requirement of 30 percent of the total excavation quantity." (DEIR, p. 1-27.) The DEIR provides no factual basis for this assumption. Moreover, the characterization of the 30 percent figure as a "worst-case" scenario is confusing. Does "worst-case" scenario mean the scenario in which on-site storage is maximized or the scenario in which on-site storage is minimized? This reference to the "worst-case" should be clarified.

2. Analysis of Impacts

The DEIR's impact analysis must be revised, as described below.

a. Water Resources

(1) Overdraft and Draw-down

The DEIR's analysis of "overdraft" and "draw-down" must be revised. The DEIR concludes that area groundwater resources are not in "overdraft." (DEIR, p. 3-43.) The DEIR's conclusion regarding overdraft is premised on an analysis of the total volume of water in the ground. (DEIR, pp. 3-42 through 3-43.) "Overdraft," however, is not defined by the amount of water in the ground. Rather, "'[o]verdraft' means the conditions of the

groundwater basin where the average annual amount of water extracted exceeds the average annual supply of water to the basin, plus any temporary surplus." (Water Code Appendix, § 128-314.) The DEIR indicates that in 1989 the amount of extraction was about equal to the amount of recharge in the area. (DEIR, p. 3-44.) Even if the groundwater basin is not presently in overdraft, therefore, TMC's planned extractions will quickly put the basin into that condition.

Similarly, the DEIR states that its analysis of water resources is premised upon an assumption of "no net drawdown of water stored in the aquifer." (DEIR, p. 3-63.) The DEIR provides no factual basis for this assumption. If extractions and recharges were at rough equilibrium in 1989, it is not safe to simply assume that the addition of TMC's project to the extraction side of the equation would preserve a condition of "no net drawdown."

DEIR also states that "[d]uring the dry season of any average rainfall year. pumping would draw down the aquifer. However, the aquifer quickly recharges with annual rainfall: thus, the amount of drawdown is temporary and therefore not significant." (DEIR. p. 3-64.) The DEIR's conclusion that this draw-down is insignificant is premised on two faulty assumptions: (1) the rate of draw-down after TMC starts pumping will be less than or equal to the rate of recharge; and (2) "significant" means "permanent." Neither assumption holds water. The DEIR does not provide any mechanism for TMC to adjust its withdrawals in sync with actual annual rainfall. The "action levels" in the habitat protection plan are not triggered by pumping rates that exceed recharge/precipitation rates. If the *volume* of extraction exceeds the *volume* of precipitation and recharge, it is irrelevant *how fast* precipitation percolates into the ground. Thus, the presumption that drawdown will necessarily be remedied by rainfall is unsound. Furthermore, the DEIR's significance criteria say nothing about otherwise significant impacts being deemed insignificant if they occur only temporarily. (DEIR, p. 3-58.)

The DEIR states that "periods of deficient rainfall and reduced runoff tend to cause only a gradual reduction in basin-wide water levels . . . ." (DEIR, p. 3-45.) Rather than *presuming* that this slow rate of draw-down is unchangeable regardless of the volume of pumping going in the area, the DEIR should instead *analyze the project's effect* on the rate of draw-down levels during dry years.

The DEIR states that "[i]t is suggested that the total extraction of water within the western portion at the current time amounts to less than 1,000 acre-feet per year." (DEIR, p. 3-45; see also DEIR, p. 3-44 [table at middle of page].) The DEIR provides no factual

basis for this assumption. The DEIR does not even state the source for this "suggestion." The DEIR should report the results of actual measurements or reliable estimates of extraction. If the DEIR simply assumes away the demand on groundwater resources, the DEIR cannot validly inform readers regarding the nature of the Project's impacts upon groundwater users. Later, the DEIR states that "No impacts were identified relative to local water users." (DEIR, p. 3-67.) The phrase "no impacts were identified" obscures the fact that no attempt was made to identify them. It appears that the DEIR's conclusion regarding local water users is founded on an incomplete evaluation.

(2) Impacts on Water Supplies

Except for the DEIR's estimation of the water demands of the Project, this section is confusing. The DEIR seems to identify three sources of water for the Project: groundwater: surface water (riparian rights); and surface water (appropriative rights). In particular, the DEIR does not articulate how the water demands for the Project will be met. Indeed, the DEIR seems internally inconsistent on this point. The DEIR first states that "[t]he Santa Clara River . . . is the only practically feasible source of water available to the Project." (DEIR, p. 3-23.) Then, however, the DEIR declares that "TMC plans to obtain its Project water by means of a series of well pumps that will pump water out of subsurface water storage . . . ." (DEIR, p. 3-62.) The first statement suggests the Project will rely on surface water obtained via riparian or appropriative rights: the second seems to allude to the use of groundwater. Which is it? Because the proposed groundwater pumping seems to affect surface flows does that mean that the water pumped is actually *surface* water? The EIR must explain what type(s) of water supply (i.e., groundwater or surface water) and amounts of water TMC intends to use for the Project. The EIR must also demonstrate that sufficient supplies exist to satisfy Project demands or explore alternatives, such as water conservation or development of additional sources.

To the extent the Project will use surface water supplies, the DEIR does not adequately discuss the availability of these supplies. Assuming TMC possesses riparian rights to Santa Clara River water, what evidence shows that sufficient flows exist in the river to supply the Project?

The fact that TMC made an application to appropriate water for the Project suggests that insufficient riparian and groundwater supplies exist (at least during certain times of the year) to meet Project demands. As the DEIR notes, appropriative rights are limited. Before granting a permit to appropriate the State Water Resources Control Board ("SWRCB") must

determine sufficient excess water exists for appropriation. (DEIR, p. 3-26.) The DEIR must discuss whether water is available in the Santa Clara River. To that end, the DEIR should consider the status of the proposed CalMat Agua Dulce Quarry, which, I understand the County of Los Angeles previously denied based on lack of water in the Santa Clara River.

Appropriative rights are also limited because they are subordinate to riparian rights and other higher-priority appropriative rights. In light of these constraints, the DEIR must explain what amount of water is reasonable to expect assuming TMC receives a permit to appropriate.

(3) Impacts of Water Shortage

The DEIR's analysis of the impacts of water shortage must be revised. The DEIR posits a significance criterion that purports to protect municipal users: "Potential water use impacts will be considered significant if [¶] use of water by the Project substantially affects water resource availability for *municipal*, agricultural, industrial, private, or recreational uses." (DEIR, p. 3-58 (emphasis added).) Earlier, the DEIR takes note of the plans of the City of Santa Clarita for use of the Santa Clara River. (DEIR, p. 2-19.) The DEIR concludes, however, that since the Project lies outside the City's jurisdiction, the City's plans are irrelevant to the DEIR's analysis. (Ibid.) The DEIR's approach is improper. First, disregarding the City of Santa Clarita is inconsistent with the DEIR's own significance criterion of protecting "municipal" uses. Second, environmental impacts do not observe jurisdictional boundaries. Impacts that occur beyond the boundaries of a lead agency's jurisdiction may nonetheless be within the scope of a required CEQA analysis. The DEIR should be revised to evaluate the impacts of the Project on current and planned uses in the City of Santa Clarita, including recreational, educational, habitat, open space, and water recharge uses. (Ibid.)

The DEIR states that "[b]ased on the historic volume of water in storage in the aquifer, it is anticipated that even with the Project there will *almost always be* some level of surface and subsurface flow in the river downstream of the constriction point at the site of the Old Lang Gaging Station." (DEIR, p. 3-62 (emphasis added).) Why does the DEIR say "[a]lmost always?" Does this mean that sometimes there will be no flow downstream of the Project? TMC apparently plans, on occasion, to pump the system dry. The DEIR states that any pumping that caused the habitat of the unarmored threespine stickleback to run dry would result in a significant adverse impact. (DEIR, p. 3-229.) The DEIR should be revised so that it states unequivocally that TMC will never pump when doing so would cause downstream

flows to dry up. In the alternative, if TMC will sometimes exhaust the stream, the DEIR should say so clearly and analyze that impact.

The DEIR states that "[w]ith regard to surface flow, the amount of water to be taken out of the aquifer by the Project, which would be considered significant, is the amount that would result in insufficient flow to maintain the downstream unarmored threespine stickleback habitat." (DEIR, p. 3-62.) While harm to the habitat of this one creature would constitute a significant impact, the DEIR did not cast its significance criteria in such narrow terms that the DEIR may limit its analysis to consideration of one species. The relevant significance criterion for the DEIR as a whole is that "[p]otential water use impacts will be considered significant if [¶] . . . use of water by the Project reduces or depletes water resources in such a manner that *sensitive ecological habitats* cannot be maintained." (DEIR, pp. 3-60 to 3-61 (emphasis added).) Thus, if any sensitive habitat could not be maintained due to pumping, the impact of pumping would have to be deemed significant. The DEIR's analysis should not be limited to the habitat needs of a single species.

(4) The Mere Appearance of Mitigation

The DEIR's mitigation measures for water resource impacts are illusory. Agencies cannot rely on mitigation measures of unknown efficacy in concluding that significant impacts will be substantially lessened or avoided. Courts have consistently invalidated EIRs for deferring the mitigation of significant impacts. (See, e.g., Sundstrom v. County of Mendocino (1988) 202 Cal.App.3d 296 [248 Cal.Rptr. 352]; Oro Fino Gold Mining Corporation v. County of El Dorado (1990) 225 Cal.App.3d 872, 884-885 [274 Cal.Rptr. 720] (planning staff of lead agency improperly recommended approval of use permit for exploratory gold drilling based on proposed negative declaration with proposed mitigation measures that included the post-approval formulation of plans to reclaim disturbed land, and to control erosion, dust, and fire danger; "in the absence of overriding circumstances, the CEQA process demands that mitigation measures timely be set forth, that environmental information be complete and relevant, and that environmental decisions be made in an accountable arena").)

The DEIR lacks the commitment to meaningful mitigation for water resources impacts mandated by CEQA. The DEIR states that TMC is planning to exercise riparian rights as well as appropriative rights, if granted. (DEIR, p. 3-28.) The DEIR acknowledges that "the

riparian right to take water is unquantified . . . ." (DEIR, p. 3-25.)[1] If TMC's application to appropriate water is denied, does TMC plan to operate the mine using only riparian rights? If so, how would TMC be constrained from impacting fish and wildlife? The DEIR emphasizes that riparian rights are not subject to SWRCB restrictions for fish and wildlife preservation. (DEIR, p. 3-25.) As mitigation for cumulative water resources impacts, the DEIR relies upon a contingency plan for use during water shortages. (DEIR, p. 3-354 through 3-355.)[2] The plan calls for the reduction of water utilization in time of shortage. (DEIR, p. 3-354.) If TMC is withdrawing water pursuant to riparian rights would this contingency plan be in effect? If not, how can the DEIR assert that "state regulation of water resources *precludes* the possibility of uncontrolled water use from the Santa Clara River, and cumulative impacts will not be significant." (DEIR, p. 3-359 (emphasis added).) If the contingency plan is inapplicable, the only other mitigation left for cumulative water resources impacts is the habitat protection plan. For the reasons stated below, that too provides only illusory protections.

In discussing mitigation measure WR1, the DEIR states that "The habitat protection plan contains action levels that will trigger adjustments to mining operations to reduce Project water consumption to avoid significant degradation of the ecologically sensitive habitats attributable to the Project." (DEIR, p. 3-67.) The DEIR also states that the habitat

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[1]/ The DEIR states that riparian rights are paramount. (DEIR, p. 3-25.) The DEIR's water rights analysis ignores public trust rights, pueblo rights, prescriptive rights, rights to imported water, and rights to percolating waters that are hydrogeologically connected with surface waters. Any one of these rights can be of higher priority than a riparian right or can, at a minimum, complicate the analysis of whether riparian owners will be allowed to take water from a stream. In short, without accounting for such rights, the DEIR's water resources analysis is incomplete.

[2]/ The contingency plan is missing from my copy of the appendices to the DEIR. Also, it is not listed in my table of contents to the appendices. If it is likewise missing from all copies of the DEIR circulated to the rest of the public so far, the DEIR will need to be recirculated with that mitigation measure included. Furthermore, the DEIR states that the plan was submitted to the "California Department of Water Resources" ("DWR") (DEIR, p. 3-354), when presumably it meant to say "SWRCB." On page 3-359, the DEIR states that TMC has applied to the "California Division of Water Rights (CDWR)" for permission to appropriate. The Division of Water Rights is within the organizational structure of the SWRCB, not DWR.

protection plan contains action levels based on "habitat requirements." (DEIR, p. 3-230 [mitigation measure B6].) When one turns to the text of the action levels themselves, one sees that the emphasis is on the impacts attributable to the Project; the emphasis is not on habitat requirements. The preamble to the action levels states: "Any combination of two or more of the following levels of the average measured parameters for the monitoring reach *that do not simultaneously occur at the control site upstream of the Project area* will result in the initiation of management of the operations to reduce or cease water pumping[.]" (DEIR, appen. F, p. F6-16 (emphasis added).) The gist of the italicized language appears to be this: if the stream is in crisis already, TMC is allowed to make it worse. If the stream is in violation of all four action criteria upstream of the mine, the mitigation measure proposed in the DEIR allows TMC to keep pumping no matter how much that pumping may exacerbate the problem. Consequently, the habitat protection plan fails to mitigate for the project's incremental contribution to significant cumulative water resources impacts. Indeed, the measure seems more like an exemption from mitigation than an attempt to protect the stream.

The Action Levels in the habitat protection plan also contain another loophole. Action Level No. 3 states that pumping will be reduced or stopped if there is a "decrease of 25 percent or more of mean water depth at both the outer edge and mid-point of stream *compared with the previous measurement*[.]" (DEIR, appen. F, p. F6-16 (emphasis added); see also ibid. (action level no. 4).) Under this provision, if successive measurements each show 24% decreases in water depth, TMC takes no action. As the water depth declines, TMC can avoid reducing its pumping by instead taking a measurement every time the decrease approaches 25%. Some "action" level.

As just explained, the habitat protection plan contains action levels riddled with loopholes, and TMC's contingency plan for water shortages seems to be irrelevant to the control of TMC's riparian water usage for the sake of fish and wildlife. The DEIR, therefore, proposes no feasible mitigation for cumulative water resources impacts. In addressing this defect, the County cannot merely point to the SWRCB and say that, when the time comes, the SWRCB will impose any needed mitigation measures. The County is the lead agency for CEQA purposes. As such, the County has a duty to produce a comprehensive analysis of mitigation measures and alternatives that can be relied upon by responsible agencies including the State Water Board. (Save San Francisco Bay Assn. v. San Francisco Bay Cons. and Dev. Com. (1992) 10 Cal.App.4th 908, 921-922 [13 Cal.Rptr.2d 117]; CEQA Guidelines, § 15096, subds. (g) & (h).) A lead agency may not escape the consequences of proposing ineffective mitigation measures by arguing that a responsible agency may later

formulate measures with real teeth in them.

Accordingly, the EIR must formulate *specific* mitigation measures designed to ensure that impacts on water resources will be reduced to less-than-significant levels. If it is not possible at this juncture to develop detailed mitigation measures, Los Angeles County may "commit itself to eventually devising measures that will satisfy specific performance criteria." (Sacramento Old City Association v. City Council of Sacramento (1991) 229 Cal.App.3d 1011, 1028 [280 Cal.Rptr. 478].) Accordingly, if Los Angeles County can demonstrate an inability to formulate specific mitigation now, it must include in the EIR a pledge to achieve measurable reductions in impacts *before* allowing changes in the physical environment to occur. (See Al Larson Boat Shop, Inc. v. Board of Harbor Commissioners (1993) 18 Cal.App.4th 729, 747 [22 Cal.Rptr.2d 618]; Rio Vista Farm Bureau Center v. County of Solano (1992) 5 Cal.App.4th 351, 376-377 [7 Cal.Rptr.2d 307] (approval of future site-specific project approvals contingent on achieving specific mitigation performance standards).)

In sum, the EIR must be revised to include specific mitigation measures for water resources impacts rather than foisting that responsibility off onto the SWRCB. Alternatively, if precise mitigation cannot be developed, the EIR must contain general mitigation linked to specific performance criteria that will ensure impacts are reduce to less-than-significant levels.

TMC DEIR/DEIS – *Appendices*

1. **TMC's Soledad Canyon Sand and Gravel 1994 Brochure**

2. **BLM ENVIRONMENTAL ASSESSMENT Canyon Country Competitive Mineral Sale**

3. **MEMORANDUM OF UNDERSTANDING - Regarding Surface Mining and Reclamation Coordination**

4. **Chambers Group/TMC June 11th letter to Ron Lacayo - LA County Dept. of Public Works**

5. **BLM Notice of Sale September 15, 1989**

6. **BLM/TMC Contracts No. CA22901 and 20139**

7. **Appendix A - Review of the EIR by Dr. Susan O'Carrol, Wilden and Associates**

8. **Department of Mining and Geology Board, February 2, 1999, letter to Paul McCarthy, L.A. County Department of Regional Planning. RE: Bee Canyon Mobile Home Park (Proposed) /Designated Mineral area**

9. **California Environmental Quality Act of 1992 (CEQA)**

10. **Santa Clarita General Plan**

11. **"A Coccidioidomycosis Outbreak following the Northridge, California Earthquake"**

12. **Potential New Air Quality Standards for Ozone and Fine Particulates**

13. **AQMD – Health Effects of Outdoor Air Pollution**

14. **Valley Fever - Anonymous Illness**

15. **Air Resources Board - Fact Sheet**

16. **Designation of Regionally Significant Construction Aggregate Resources in the Saugus-Newhall and Palmdale Production-Consumption Regions.**

17. **Surface and Groundwater Management in Surface Mined Land Reclamation - Special Report #163**

18. **TMC Project - State Water Resources Control Board - Application and Protests**

19. **Letter to Julie Moore, Department of Regional Planning, July 7, 1999, from Burke, Williams and Sorenson, LLP**

TMC DEIR/DEIS – *Appendices*

20. **Surface Mining and Reclamation Act (SMARA) and associated Regulations**

21. **CalMat Company, Surface Mining and Reclamation Plan - September 1991**

22. **Aggregate Resources Report - Los Angeles and Ventura Counties - April 1995**

23. **Specific Plan for Bee Canyon, October 1995**

24. **Update to the Draft Environmental Impact Report Regarding the Revised Bee Canyon Project - November 1997**

25. **California Surface Mining and Reclamation Policies and Procedures - 1983**

26. **CFD 6 Mello Roos Document for Rio Dulce Ranch Project**

27. **Mining and Reclamation Plan for Soledad Canyon Sand and Gravel Mining Project**

28. **Code of Federal Regulations, Title 43**

29. **AQMD - Health Effects of Air Pollution**

C-14

ANGELES CHAPTER • SIERRA CLUB
3435 WILSHIRE BOULEVARD • SUITE 320 • LOS ANGELES • CALIFORNIA 90010-1904 • (213) 387-4287 • FAX (213) 387-5383

3-23-99

Los Angeles County Regional Planning Commission
320 W. Temple St.
Los Angeles, Ca. 90012

Re: Transit Mix Concrete SCH#91111066

Dear Sirs:

This project will have serious local and regional impacts to traffic and air quality. We are concerned that these areas be properly reviewed and all possible solutions be explored with the developer and the community. We are therefore writing to request that you extend the comment period on this project for an additional 60 days to allow adequate time for discussions and review. 1

Thank-you for your consideration of our request.

Sincerely,
Martin Schlageter
Conservation Coordinator

C-15

Center for Biological Diversity

Protecting and restoring natural ecosystems and imperiled species through science, education, policy, and environmental law.

NOV 29 PM 4:12

VIA CERTIFIED MAIL: RETURN RECEIPT REQUESTED

November 23, 1999

Mr. James Kenna
Bureau of Land Management
Palm Springs/South Coast Field Office
PO Box 1260
North Palm Springs, CA 92258-1260

Re: Soledad Canyon Sand and Gravel Mining Project DEIS OEPC #DES99-13

Dear Mr. Kenna:

Thank-you for giving us the opportunity to comment on this project. The Center for Biological Diversity is a non-profit, public interest, conservation organization dedicated to the protection of imperiled native species and their habitat. We are particularly interested in this project because of its impact on the unarmored three-spined stickleback ("UTS"), a federally listed endangered species. The Center wishes to incorporate by reference the objections of all other agencies and organizations such as the City of Santa Clarita, the Sierra Club, SCOPE and S.A.F.E. particularly pertaining to the sections regarding traffic analysis and air quality that we will not be addressing in our comments.

Background

This project proposes to mine 83 million tons of aggregate on a 460 acre site just east of the City of Santa Clarita and adjacent to the Santa Clara River. Transit Mix would mine the site to produce 56.1 million tons of Portland cement aggregates. A substantial amount of tailings will remain on site. Concrete processing is also proposed to occur on site.

Unarmoured Three-Spined Stickleback

Transit proposes to appropriate 500 acre feet of water from the Santa Clara River to operate its mining process. This is a significant unmitigated impact affecting a listed endangered species. Center for Biological Diversity has been actively seeking protection for the UTS and its habitat for some time. (See, *e.g.* Southwest Center v. Sprague, C-98-2434) and has recently filed a 60 day notice of intent to sue to establish critical habitat designations for the UTS. UTS Populations exist in the Santa Clara River downstream from this project. When critical habitat is established as required by law, it may affect entitlement currently in process. To avoid delays, we suggest that the 1

project not be approved without an adequate outside source of water. Since it is our understanding that such a source does not currently exist, this project should not go forward at this time. 1

Public Trust Rights Violated

The sustainable yield for this project is calculated to produce draw downs up to 40% (See supporting report by Western Technologies, 1989, introduction). Surface and subsurface flows in the area have been found to be inter-connected (see supporting report by Ground Water Systems, April 1993 Chapter 11.2 Section B). A 40% draw-down will therefore affect surface flows. The extent of this affect and its potential to impact, indeed, eliminate, the unarmored three-spined stickleback, was not investigated by any of the water resource reports or the DEIS. Failure to disclose this impact is an E'S deficiency and must be addressed. Such impacts would constitute a violation of Public Trust Law and a violation of the Endangered Species Act. Elimination of surface flow may also constitute an illegal take of a listed endangered species under §1604 of the State Fish and Game code. 2

Data Not Current

Further, all water resources studies are based on information compiled and analyzed between 1989 and 1991. This makes all data a minimum of eight years old. Considerable building has occurred both upstream and downstream from this site. Updated water usage data must be supplied prior to final consideration of this project to ensure that existing users will not be impacted. 3

Yield Not Sustainable

Total water usage for this project is estimated to be 442 AF for phase I and 746 AF after phase II is implemented (p.3-63). These figures are arrived at only after a 35% reduction for the use of clarifiers. Therefore, clarifiers must be made a project condition if even the water usage levels sited in the DEIS are to be achieved. This water usage will over-draft the existing water resources of the Santa Clara River. As indicated in the section labeled "Storage Capacity of the Alluvial Aquifer" (Introduction, no page numbers indicated), by Western Technologies, Inc., 1989, the sustainable yield in this area is 283 AF in a dry year to 419 AF in a wet yea based on 80% of water return from the project to the River. However, the DEIS states on page 3-63 "No waste or return to the River of water is planned". Further, for the purposes of this report sustainable yield is defined as "the maximum amount of water that can be withdrawn from the alluvial aquifer in the study area without creating average drawdowns greater than 40 percent of the original saturated thickness." This is an unusual definition of sustainable yield. Sustainable yield is commonly accepted to indicate water usage that will not degrade water quality or desiccate wetlands, yet the study definition would do both (a 40% draw down would affect surface flows since the are inter-related, see referenced report by Geo Water Systems, Chapter 11-2 B. "Surface Water Flows in the Santa Clara River Valley" and the Law/Crandell, 1991 Water Quality Analysis pg. 8 "There may be a slight increase in total dissolved solids content.") We therefore object to this definition of sustainable yield as being misleading. Simply labeling the project "sustainable" by semantic sleight-of-hand does not make it so. Real and substantial over-draft problems will occur if this project is approved. 4

The Santa Clara River is Already in Over-draft

The safe yield of the Santa Clara River eastern basin was calculated to be 25,000AF by the USGS in 1972 and 31,600-32,500AF by Richard Slade in 1986. Both these two figures have been exceeded by municipal and private pumping for the last 5 years as indicated in Table III-7 of the Santa Clarita Valley Water Report, 1998. Since the proposed project will exceed available water resources on site, it will add to over-draft of the alluvial aquifer. Such over-draft is inconsistent with the water resources section of the Santa Clarita Area Plan and violates the Clean Water Act, 33 U.S.C. §§1251 et seq. **4**

Water Quality

The effect of reduced water quality due to overdraft (potable increased hardness and TDS) on downstream populations was not investigated or addressed. Also, water quality changes such as possible increased nitrate levels from tailings run-off was not addressed. Water quality changes will not only affect the habitat of the UTS, but could also affect the potable water source for the City of Santa Clarita. These issues must be addressed and disclosed in the DEIS. **5**

Alternative Analysis

The DEIS fails to discuss a reasonable range of alternatives. According to 40 C.F.R. 1502.14(b), federal agencies shall "devote substantial treatment to each alternative considered in detail including the proposed action so that reviewers may evaluate their comparative merits. Several proposed "alternatives" are in reality not alternatives at all, but rather a method of mitigating the storage of fines, the movement of materials or the location of the batch plant. No discussion of alternate sites is included, although such sites exist. Also, no discussion of the potential for aggregate production from recycled materials such as glass or crushed demolition materials was included. Such sources were exploited after the 1994 earthquake and continue as a source of raw materials and a re-use of the waste stream. **6**

Cumulative Analysis

The DEIS fails to provide an updated and current analysis of nearby projects. This includes, but is not limited to the effect on water availability, surface flows and water quality from the cumulative effect of all newly approved housing projects in the area and of the CalMat surface mining proposal. **7**

Conclusion

Since there are no other water sources than the Santa Clara River identified for this project, approval under the present circumstances would constitute a violation of public trust law and a violation of the Endangered Species Act and the Clean Water Act. Therefore, this project may not be approved as proposed. Thank-you for your consideration of these issues.

Sincerely,

Peter Galvin

Peter Galvin
Conservation Biologist

Natural History Club of
"Protectors of Natural, Ecological & Cult

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January 10, 2000

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Re: OEPC # DEIS 99-57 Transitmixed Co. (Southdown Co.)

Dear Mr. Kenna:

We wish to thank your office for supplying our organization with copies of the Supplement to the Draft Environmental Impact Statement for the Project known as the Soledad Canyon Sand and Gravel Mining Project (Transit Mixed Company).

We have read the document, and find that the mitigating measures are still remiss.

The implementation of conveyor belts will only save a minimal amount of on-site pollution from emissions; however, the resulting dust and air congestion will probably only serve to exacerbate the situation tremendously. The conveyor belts will not alleviate the problem, off-site, of the tremendous increase in vehicular traffic on the scenic Soledad Canyon Road, and the adjoining Highway 14, and Agua Dulce Canyon Road. The emissions will further impact the surrounding area's air quality in a most negative manner. **1**

Air quality, in this area of almost continuous winds, remains the issue of paramount importance. The DEIR has admitted that this factor can not be mitigated.

Thanks for your ongoing interest in this most critical matter.

Sincerely,

Stacey Nickels Jd.

Stacey Nickels, President NHC, A/AD

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January 8, 2000

VIA FEDERAL EXPRESS AND E-MAIL

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Re: **Comments of SAFE Action For The Environment Inc. on the Draft EIS and Supplement to the Draft EIS Regarding the Proposed Soledad Canyon Sand and Gravel Mining Project**

Dear Mr. Kenna:

This letter is submitted on behalf of SAFE Action For the Environment, Inc. ("SAFE"), a non-profit, community-based organization, concerned about the potentially enormous adverse impacts on Soledad Canyon and on Los Angeles County generally if the proposed Soledad Canyon Sand and Gravel Mining Project (the "Project") is permitted to go forward. This letter addresses SAFE's comments on the Draft Environmental Impact Statement ("DEIS") and Supplement thereto.[1] Additionally, throughout the environmental review process, SAFE has provided both written and oral comments on both the DEIS and the Draft Environmental Impact Report ("DEIR"), all of which are incorporated by reference herein.[2]

Besides discussing the substantial shortcomings that are rampant throughout the environmental documents, this letter comments on problems that SAFE finds in the Project generally. As the Bureau of Land Management ("BLM") doubtless is aware, the Los

[1] Because the Draft EIS is virtually identical to the Draft EIR issued by the Los Angeles County Planning Department, these comments are comments on both environmental documents.

[2] All comments provided by governmental agencies and interested individuals and organizations seeking additional information and otherwise critiquing the DEIS are also incorporated by reference herein.

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Angeles County Regional Planning Commission recently voted unanimously to deny the Project and directed its staff to prepare findings, including a specific finding that no statement of overriding considerations could be made under CEQA that would justify this Project's dramatic adverse impacts on the environment. *See* Los Angeles County Regional Planning Commission Minutes, dated December 1, 1999. SAFE implores BLM to take a similar position. In the alternative, BLM should revise and supplement the information and analysis set forth in the DEIS and recirculate the resulting environmental document to the general public and pertinent public agencies for their further comment.

SUMMARY

Transit Mixed Concrete Company ("TMC") proposes to extract 82.7 million tons of mineral materials from the subject Soledad Canyon site so as to produce and process 56.1 million tons of Portland cement concrete sand and gravel ("PCC aggregates") from the subject Soledad Canyon site over a period of twenty years. The proposed mining and processing Project is slated to occur in two "phases" with four mining cuts, and includes on-site concrete manufacturing where some of the mined material will be processed into ready-mixed concrete for delivery throughout Southern California. During Phase I of the Project, TMC proposes to produce between 1.4 and 2.15 million tons of product each year, an amount that will increase in Phase II to 4.2 million tons of product per year. According to the DEIS, delivery of TMC's product will involve hauling 694 large trucks during Phase I and 1,164 trucks during Phase II. After mining and manufacture is completed at the site, some 232 disturbed acres on the Project site will be reclaimed and ostensibly returned to the open space conditions that exist today.

The DEIS fails to evaluate TMC's proposed project in a manner that satisfies the requirements of the National Environmental Policy Act ("NEPA"). The DEIS does not analyze the whole of the Project as is required under NEPA (*Environmental Defense Fund v. Marsh*, 651 F.2d 983 (5th Cir. 1979), but examines only one portion of a significantly larger potential mining endeavor. The DEIS evaluates Project alternatives that address only isolated segments of the Project rather than alternatives to the Project as a whole, as is required under NEPA. 40 C.F.R. §1502.12. Beyond this, the DEIS substantially misrepresents how the Project fits into applicable land use policies and regulations; in particular, the DEIS misconstrues California's Surface Mining And Reclamation Act ("SMARA") and the Los Angeles County general plan and implementing plans and regulatory programs. Furthermore, through haphazard selection and use of criteria to determine the environmental "significance" of the Project's impacts, as well as by dramatically understating the adverse impacts the project will have, the DEIS misrepresents the Project's impacts and, accordingly, provides illusory and/or inadequate mitigation measures for each of these impact areas.

I. THE PROJECT DESCRIBED IN THE DEIS IS NOT THE WHOLE OF THE PROPOSAL THAT MUST BE EXAMINED UNDER NEPA.

For the purpose of environmental review under NEPA, "[p]roposals or parts of proposals which are related to each other closely enough to be, in effect, a single course of action shall be evaluated in a single impact statement." 40 C.F.R. §1502.4(a); *Sierra Club v. Marsh*, 769 F.2d 868 (1st Cir. 1985) (related projects must be evaluated in a single EIS); *City of Rochester v. U.S. Postal Service*, 541 F.2d 967 (2d Cir. 1976) (same); *see also People of Enewetak v. Laird*, 353 F.Supp. 811 (D. Haw. 1973). Connected actions must be considered together if they: (1) automatically trigger other actions requiring an EIS; (2) are simultaneous or preceded by other actions; or (3) are interdependent parts of a larger action and depend on the larger action for their justification. 40 C.F.R. §1508.25(a)(1).

The Council on Environmental Quality ("CEQ") Regulations also require evaluation of broader federal actions when those actions (1) occur in the same general location, and (2) have relevant similarities, such as common timing, impacts, alternatives, methods of implementation, media or subject matter. 40 C.F.R. §1502.4(b). The Supreme Court has ruled that federal agencies must prepare a single EIS where actions are sufficiently related to constitute a single overall proposal. *Kleppe v. Sierra Club*, 427 U.S. 390 (1976). 1

In our case, the *entirety* of the mineral materials likely to be mined and processed at the Project site is sufficiently known to constitute the appropriate overall proposal to evaluate in this DEIS, rather than arbitrarily limiting the Project Description to the mining and processing proposed to be accomplished under the initial TMC/BLM contract.[3] The Project Description ignores reasonably foreseeable future phases of mining at the site which will alter the project's impacts and mitigation measures. Specifically, the DEIS describes the project as producing a total of only 56.1 million tons of aggregate from this site or being mined for only twenty years, whichever is first.[4] Statements throughout the DEIS, however, make it clear that the quantity and timeframe presented have been inappropriately limited to TMC's present contract with BLM. DEIS, 1-3; 2-1.

The Soledad Canyon site contains enough mineral material to produce at least 64 million tons of product, fully *7.9 million tons more* than the 56.1 million tons discussed in the DEIS

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[3] The DEIS explains that it examines the impacts of mining only the first 56.1 million tons or the impacts of mining for twenty years, whichever comes first, simply because those are the parameters of TMC's current contract with the federal government. DEIS, 2-1.

[4] The DEIS describes the Project as the excavation of 82.7 million tons of mineral material expected to produce and process 56.1 million tons of PCC aggregate from the Soledad Canyon mining site over a twenty-year period under a contract for such extraction between TMC and the BLM. DEIS, 1-1, 23; 2-27.

– a shortfall in the DEIS analysis of more than 10%. DEIS, 1-3; 2-1. In fact, within the parameters of the "General (Original) Mining Concept Plan," the entire 64 million tons were expected to be mined. *Id.* Furthermore, claims in the DEIS, such as "[a]dditional aggregate product will be available from this property" (DEIS, 2-1) and "exact tonnage remaining to be mined will depend on the mining economics at that time and the requirements of additional contracts with the BLM" (*id.*), indicate that there is certainly at least a "reasonable possibility" of continuing mining the site beyond the scope of TMC's current contract. The DEIS Project Description discussion repeatedly provides flexibility in the amounts to be mined, due to potential changes in the market for PCC agregates, repeatedly using phrases such as "[t]he Mining and Reclamation Plan is subject to modification by the mine operator to compensate for unexpected conditions" (*id.*), and "the anticipated mining and production volumes are estimates only and could change on an annual basis because of market conditions or other factors." DEIS, 2-16. Even the hours of operation may be increased from 16 hours to 24 hours a day, and the workweek may extend from 6 days to 7 "depending on market demand." DEIS, 2-21, 23.

The DEIS contends that an ongoing demand will exist for PCC aggregate throughout the region that supposedly will not disappear by the close of the TMC contract period. DEIS, 1-9–10, 13. Considering that, as the DEIS itself explains, "it takes up to 9 years to bring a mine into production" and the "cost and time required to open a new mine are constantly rising," it seems eminently likely that the site will continue to be mined to reach its full potential of aggregate production. DEIS, 1-12, 13. It is certainly reasonably foreseeable that BLM will contract with some company, whether it be TMC or another mining company, to complete the mining at Soledad Canyon. [5] 1

Correcting the Project Description's scope to acknowledge the several million extra tons of aggregate likely to be mined from this site and the additional time it will likely take to accomplish that mining will impact the nature of the Project's environmental effects and the mitigation measures proposed to counter the Project's environmental damage. As one example, an essential component of Project mitigation is the site reclamation phase, when 232 disturbed acres on the project site will supposedly be returned to "open space conditions" at the completion of the mining. DEIS, 2-7, 27–45. ("TMC will revegetate disturbed ground surfaces, returning the site to an open space condition"). If mining is to continue on the site after the initial TMC contract has expired, however, revegetation is not likely to occur according to the DEIS's present timetable.[6]

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[5] Nothing in TMC's contract with BLM appears to prohibit TMC from bidding on the remaining portion of the mining, and TMC would normally be in an advantageous position to continue the job that it will have already been performing for up to two decades at that point.

[6] Reclamation of the site is slated to occur "at the end of mining at the site." DEIS, 2-27. The DEIS states that, upon expiration of TMC's contract, "mining will be discontinued and TMC will revegetate all of the disturbed areas that are not already vegetated." DEIS, 2-35.

II. THE PROJECT ALTERNATIVES EXAMINED IN THE DEIS ARE NOT TRUE ALTERNATIVES TO THE PROJECT BUT ARE PRINCIPALLY A FEW MISCELLANEOUS POTENTIAL MITIGATION MEASURES FOR INDIVIDUAL PARTS OF THE PROPOSED PROJECT.

The heart of an EIS is its alternatives analysis. 40 C.F.R. §§1502.14. Under NEPA, the alternatives analysis is the "linchpin" of a legally adequate EIS. *Monroe County Conservation Council v. Volpe*, 472 F.2d 693, 697-98 (2d Cir. 1972). NEPA requires federal agencies to examine a reasonable range of alternatives to projects in order to determine whether the project can be carried out in a less environmentally destructive manner and whether the action is necessary at all. An examination of "all possible approaches to a particular project (including total abandonment of the project)" ensures that "the most intelligent, optimally beneficial decision will ultimately be made." *Calvert Cliffs Coordinating Committee, Inc. v. Atomic Energy Comm'n*, 449 F.2d 1109, 1114 (D.C. Cir. 1971).

An EIS must evaluate a project's environmental impacts in comparative form and must "[r]igorously explore and objectively evaluate all reasonable alternatives." 40 C.F.R. §1502.14. An EIS must "[d]evote substantial treatment to each alternative considered in detail including the proposed action." 40 C.F.R. §1502.14. Agencies may not restrict the alternatives considered. The *spectrum* of alternatives considered must be reasonably complete. *State of California v. Block*, 690 F.2d 753 (9th Cir. 1982).

The so-called "alternatives" analyzed by the TMC Project DEIS, however, do not include a reasonable range of alternatives, because these options do not evaluate less environmentally intrusive choices to the Project "as a whole." In particular, besides the "No Action" alternative, no feasible alternative uses for the site at issue and no feasible alternatives for mining at other sites are evaluated.

A. INADEQUATE DISCUSSION OF A "NO ACTION" ALTERNATIVE.

An EIS must examine a "no action" alternative, which describes the environmental consequences of not undertaking the project at all. 40 C.F.R. §1502.14(2). On the 500-acre site as it now stands, 45 acres are comprised of an inactive quarry, while the remainder is "open space." DEIS, 3-386. According to the DEIS, maintaining the site as open space 2

But the DEIS contradicts itself, asserting that the reclamation plan will occur then only "based on the assumption that BLM does not contract out future mining." DEIS, 2-27. Furthermore, "[i]n the future, if BLM determines that additional mining is feasible, County, state, and federal approvals would be required, as would modification to this final Reclamation Plan." *Id.*

could preserve fully 450 acres of open space, including 187 acres of coastal sage scrub/semi-desert chaparral and mixed chaparral. DEIS, 3-387–88.

Instead of evaluating the environmental advantages and disadvantages of preserving 450 acres of open space, including 187 acres of sensitive habitat, however, the DEIS's "No Action" Alternative improperly focuses its evaluation on what it describes as a structurally precarious former 45-acre mine that it claims would pose potential impacts in the areas of flooding and water quality. DEIS, 3-386–89. Instead, the DEIS should evaluate in detail all of the "No Action" alternative impacts and should describe the clear environmental advantages of maintaining over 450 acres of open space. 2

B. INADEQUATE RANGE OF ALTERNATIVE USES FOR THE PROJECT SITE.

Federal courts have specifically required alternatives analyses to consider uses of the project sites which are *substantially* different from the project under consideration. *Save the Niobara River Association, Inc. v. Andrus*, 483 F.Supp. 844, 861 (1977) (agency must consider improvements to agriculture production as an alternative to a river channel project); Libby *Road & Gun Club v. Poteat*, 457 F.Supp 1177, 1186-89 (1978) (alternative sources of energy should have been considered as an alternative to a dam project). An EIS Alternatives section must not be conclusory. *Concerned About Trident v. Rumsfeld*, 555 F.2d 817 (D.C. Cir. 1977); *Swain v. Brinegar*, 517 F.2d 766 (7th Cir. 1975); *Chelsea Neighborhood Associations v. United States Postal Service*, 516 F.2d 378 (2d Cir. 1975). 3

The DEIS does not provide a reasonable range of alternatives for use of the Project site. Besides the "No Action" alternative, the DEIS considers a new on-site alternatives: a Batch Plant Location Alternative, a Reclaimed Water Alternative, a Product Transportation Alternative, an Alternative North Fines Storage Area Alternative, and a Reduced Quantity Mining Concept Alternative.[7] DEIS, 2-46–47. Besides the "No Action" alternative, however, one of these is simply a reduced mining concept, and the other four are merely possible mitigation options regarding the operation of the Project almost exactly as it has been proposed. Thus, the DEIS describes only a few partial alternatives to specific components of the TMC project,[8] as well as mining slightly less material and mining nothing.[9] These two

[7] In fact, one could consider each of these alternatives, other than the No Action Alternative, merely potential mitigation measures of the TMC Project proposal. Certainly, most of these "alternatives" are no greater in scope than the conveyor belt system proposed as a mitigation measure proposed in the Supplemental EIS. *See* SDEIS.

[8] The DEIS improperly claims that these are the only options that would achieve the Project's artificially defined objectives, which include the desire to "mine the Project site to produce 56.1 million tons of PCC aggregates and guarantee $28 million in royalties to the Federal Government in accordance with the Federal Contracts." DEIS, 2-46. Where project "objectives" are set forth too narrowly, the alternatives explored risk inadequate treatment as well.

options do not provide a sufficient spectrum of alternatives for use of the site from which to choose.[10] For instance, the DEIS could have considered recreational or agricultural uses for the property. Thus, the EIS alternatives section must be revised to include alternatives to the Project as a whole rather than just alternatives to the methods used to carry the Project out. 3

C. INADEQUATE ANALYSIS OF OFF-SITE MINING ALTERNATIVES.

The DEIS further assumes that there is no other less environmentally intrusive alternative location for a mining site. DEIS, 2-46–73. The DEIS lists five "off-site" alternatives for TMC to pursue a PCC aggregates mining venture, all of which the DEIS concludes are unsuitable and thus are not examined in detail. DEIS, 2-59. Not only are supposed the "off-site" mining alternatives not analyzed in depth,[11] but they, too, are summarized only in terms of the environmental impacts that presumably make them undesirable. *Id.*[12] In fact, given the summary descriptions of the off-site alternatives, they appear to have been chosen mainly as strawmen. The DEIS should evaluate an alternative mining site within the region that would not involve such peculiar adverse environmental impacts. 4

Although the DEIS summarizes the off-site locations' disadvantages, it does not provide the public with any information at all regarding the environmental *advantages* of

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[9] The alternatives discussed *presume* that, because of state law mandates, the only possible legal use of the property is mineral extraction and concrete manufacture. DEIS, 2-46–47. As explained below at pages 8-11, however, the mere fact that the state has identified the Project site as within a very large "regionally significant construction aggregate resources area" by no means exempts the County or BLM from conducting serious analysis of alternative uses for the site that are feasible, environmentally superior and do not involve mineral extraction.

[10] *Simmons v. United States Army Corps of Engineers*, 120 F.3d 664 (7th Cir. 1997); *Sierra Club v. Watkins*, 808 F.Supp. 852 (D.D.C. 1991) (full range of port alternatives for shipment of nuclear fuel should have been considered in EIS).

[11] The DEIS considers one "off-site" alternative in greater detail. This option is not an alternative to the Project as a whole, however, but addresses only a small portion of the Project: the storage of fines at a location off-site rather than in the North Fines Storage Area. DEIS, 2-61–70.

[12] All of the "off-site" alternatives evaluated would supposedly involve undesirable environmental impacts, such as two locations "designated as Areas of Critical Environmental Concern" and containing occupied habitat for endangered species and sensitive habitat (Western San Bernardino County alternative, *id.*, and Northern Riverside County, DEIS, 2-60), respectively, a location where the geological resources will not produce a similar type of aggregate (Northern Riverside County, DEIS, 2-59, and Angeles National Forest, DEIS, 2-60) and a site located at considerable distance (Southern Orange County, 3-364).

Although the DEIS summarizes the off-site locations' disadvantages, it does not provide the public with any information at all regarding the environmental *advantages* of these sites, such as the locations' further distance from sensitive receptors or their potential to utilize trains for transportation of product. Indeed, the DEIS does not explain why, if these sites are supposedly so unsuitable, TMC has chosen to purchase the rights to mine a number of them. 4

III. THE DEIS MISREPRESENTS THE PROJECT SITE'S LEGAL STATUS UNDER THE SURFACE MINING AND RECLAMATION ACT AND THUS DOES NOT ADEQUATELY ANALYZE THE PROJECT'S LAND USE IMPACTS.

NEPA requires that "[t]o better integrate environmental impact statements into State or local planning processes, [EIS] statements shall discuss any inconsistency of a proposed action with any approved State or local plan.... Where an inconsistency exists, the [EIS] statement should describe the extent to which the agency would reconcile its proposed action with the plan...." CEQ Regs. §1506.2(d).

The DEIS's Land Use impacts analysis concludes summarily that no adverse land use impacts will result from the TMC Project. The DEIS reaches this erroneous conclusion based on the fact that the Project site is presently zoned for mining and is located within a very large region designated by the state as a "regionally significant mineral resource area." Instead of fully analyzing the Project's land use impacts, the DEIS repeatedly and misleadingly admonishes that local land use planning must "be consistent with state policy concerning Regionally Significant Construction Aggregate Resource Areas." DEIS, 1-32; *see also* DEIS, 1-19. This analysis of land use impacts, however, misconstrues the state designation as well as the area's status under the Los Angeles County General Plan ("General Plan") and the Santa Clarita Valley Area Plan ("Area Plan").

A. THE DEIS'S MISCHARACTERIZATION OF THE PROJECT SITE'S DESIGNATION AS A "REGIONALLY SIGNIFICANT MINERAL RESOURCE AREA."

The TMC Project site is a small part of a much larger area that is designated by the State Geologist and the State Mining and Geology Board as an area "containing regionally significant mineral deposits." State Mining and Reclamation Act ("SMARA"), Cal. Pub. Res. Code, §2790; 14 C.C.R. §3550.9. The Project site is specifically located within the SMARA-designated "Construction Aggregate Resources, Saugus-Newhall and Palmdale Regions." This a very large geographic area that includes, *inter alia*, a 15-mile stretch of the Santa Clara River and its flood plain extending from Bee Canyon to the Los Angeles County Line, as well as portions of the Cities of Santa Clarita and Palmdale.[13] 14 C.C.R. § 3550.9; 5

[13] The extensive boundaries of the designated area include:

DEIS, Fig. 1.4-1. The mere fact these generously defined boundaries are designated as "regionally significant" by no means dictates that a huge PCC aggregates mining project can or must be located anywhere within that area. Nor does it suggest that such a mining project would result in no adverse land use impacts.

Neither Los Angeles County nor the BLM is precluded in any way from making land use decisions that may potentially threaten or preclude mineral extraction at the Project site simply because the site is located in a state-designated area of "regional significance."[14] To the contrary, SMARA expressly states that it is *not* a "limitation on ... the power of any city or county to regulate the use of ... land ...." Cal. Pub Res. Code §2715(f). The California Legislature expressly intended SMARA to prevent adverse environmental impacts and to take into account recreational and other values, as well as to encourage the production and conservation of minerals. Cal. Pub. Res. Code §2712(b). Furthermore, after identifying a "regionally significant" area in its local general plan's mineral resource management policies, a local government has numerous options in choosing and implementing these policies that can then effectively override the "regionally significant" designation. These options include the mere filing of a document stating why the planning agency wishes to override the SMARA "regionally significant" designation. 14 C.C.R. §3676(3). 5

> [p]ortions of the Santa Clara River and its immediate flood plain extending from Los Angeles County Line to Bee Canyon, parts of Castaic Creek, and Oak Spring Canyon ... An area bounded by Bee Canyon on the northwest, the Santa Clara River to the south, and extending approximately one mile east of the Agua Dulce Canyon and a triangle-shaped area with a boundary extending from the mouth of Pole Canyon west along an old railroad grade, south to Oak Spring Canyon then northeast back to the mouth of Pole Canyon ... A triangular area beginning at the mouth of Pole Canyon, running southeast along the canyon to Oak Spring Canyon then southwest to Coyote Canyon, turning northeast to close the triangle back at the mouth of Pole Canyon ... An area north of the California Aqueduct whose eastern boundary is along Little Rock Wash then turns west approximately one mile north of Boundary Avenue ... The western boundary runs south near 47th Street and Fort-Tejon Road ... An area of the Big Rock Wash bounded by the aqueduct on the south, North 165th Street on the east, Palmdale Boulevard on the north, and 116th Street on the west.

14 C.C.R. § 3550.9.

[14] The County is also not required to impose land use conditions on adjacent areas restricting their possible incompatible development uses as the DEIS implies. Under SMARA's statutory scheme, the County could choose, for example, simply to record a notice on property titles in the region, identifying the presence of identified mineral deposits. 14 C.C.R. § 3676(3).

B. THE DEIS'S MISCHARACTERIZATION OF THE PROJECT SITE DESIGNATION UNDER THE LOS ANGELES COUNTY GENERAL PLAN.

The DEIS's discussion of Los Angeles County's General Plan concerning the planning and zoning policies in and around the Project site is also misleading, asserting, *inter alia*, that the Project site "is surrounded by sites zoned either for heavy manufacturing or agricultural use." DEIS, S-12. In fact, the Bee Canyon Project, which lies immediately adjacent to the northern boundary of the Project site, falls under the General Plan land use designation "U1," which expressly allows for 1.1 to 3.3 dwelling units per acre. County of Los Angeles Land Use Policy Map (1993); DEIS, 3-313.

The DEIS further inappropriately suggests that County policies to protect mineral resources necessarily override other textual policies set forth in the General Plan's Land Use Element. DEIS, 1-32; General Plan, LU-1 to LU-9. The Land Use Element includes other important policies to "[e]stablish land use controls that afford effective protection for significant ecological resources, and lands of major scenic value" and to "[p]revent inappropriate development in areas that are environmentally sensitive ...." *Id.*, LU-7. Furthermore, the Land Use Element makes clear that "[a]t the time specific decisions are made, such as on land use, ... the appropriate decision-making authority must interpret and weigh various Plan policies based on the best information available at the time." *Id.*, I-4. Thus, the County's policy to protect mineral resources areas designated as "regionally significant" by no means mandates the DEIS's conclusion that the TMC Project will not adversely impact land use. **6**

C. THE DEIS'S MISCHARACTERIZATION OF THE PROJECT SITE DESIGNATION UNDER THE SANTA CLARITA VALLEY AREA PLAN.

The DEIS also misinterprets applicable Santa Clarita Valley Area Plan policies. The DEIS claims that there are "apparent inconsistencies" between, on the one hand, the Area Plan and, on the other hand, federal, state and county planning for areas surrounding the Project, because the Area Plan expressly contemplates development of a mobile home park within the adjacent Bee Canyon. DEIS, 1-32. The DEIS further argues that the Area Plan also contradicts its own objective to "encourag[e] mobile home parks to locate in residential areas where zoning permits and to specifically exclude them from industrial areas that would include M-2 designations (such as the Project site)." DEIS, 1-32. **7**

Bee Canyon's existing U-1 (not M-2) designation in the Area Plan allowing for residential development was formulated precisely because Bee Canyon is a "large, relatively flat area [that] is in close proximity to urban development to the west [and] ... [t]he urban designation on the Land Use Policy is intended for development of a mobilehome park." Area Plan, 8-10. The fact that the General Plan also permits mineral extraction within the overall region by no means deems the Area Plan's designation of Bee Canyon for a mobile home park inconsistent.

Equally important, the DEIS's misleading analysis misconstrues land use policy prioritization within the Area Plan. The Area Plan "cannot guarantee the achievement of any single goal or objective, nor the strict adherence to any single policy objective.... Consequently it is necessary to evaluate these competing needs and to select those courses of action that will result in the maximum benefit for all."[15] Area Plan, Intro. While the Area Plan has a policy to protect mineral resources, it also contains a policy directive to "[e]ncourage the development of manufactured housing and mobilehome parks as a means of augmenting the availability of affordable housing." Area Plan, 19, 26. Nothing in the Area Plan suggests that the protection of minerals is more important than its concurrent policy to encourage affordable housing development. 7

The DEIS also improperly contends that the approval of any "incompatible" Bee Canyon mobilehome project would be the cause of any conflicting land use impacts, rather than the approval of the TMC Project itself. DEIS, S-13. The DEIS states that, in order to maintain consistency among the General Plan, the Area Plan and SMARA's "regionally significant" designation, the Project site must be "protected" from any future incompatible land use such as a mobile home park. DEIS, 1-32. Instead of discussing its own potential land use incompatibility, the DEIS thus urges that in the future the Bee Canyon Project should not be permitted. Since the Bee Canyon Project has been in development since 1990, and the TMC Project application was itself not filed until 1992, the DEIS should analyze the applicable land use conflicts raised by locating the TMC Project so near to a residential development – rather than vice-versa.

D. THE DEIS'S INCORRECT ANALYSIS OF CUMULATIVE IMPACTS.

The DEIS's mischaracterization of the legal consequences of SMARA's "regionally significant" designation also impacts its cumulative impacts analysis. Merely because of the SMARA designation, the DEIS concludes that the Project will not result in cumulative land use impacts. DEIS, 3-346. Although the DEIS admits that the incompatibility between the project and nearby residential projects could result in adverse land use impacts, it erroneously claims that any proposed residential projects, including the Bee Canyon Project, are inherently inconsistent with the SMARA "regional significance" designation and therefore, the residential projects, not the TMC Project, would cause cumulative land use impacts. DEIS, 3-346. The DEIS must include a cumulative impacts section that adequately discusses the Project's own potential conflicting cumulative land use impacts. 8

[15] "The Santa Clarita Valley Area Plan ... is a coordinated statement of public policy by the County of Los Angeles...," and it contains many policies similar to those set forth in the County General Plan. Area Plan, Intro. Also, the County General Plan notes that "[l]ocal plans (community and areawide plans) are referenced and included here as localized refinements of General Plan land use policy." General Plan, LU-A1.

IV. THE DEIS DOES NOT ADEQUATELY ANALYZE AND DISCLOSE THE PROJECT'S ENVIRONMENTAL EFFECTS.

An EIS must analyze and disclose a project's environmental effects, fully explaining to its readers its inquiry, analysis and results. *Silva v. Lynn,* 482 F.2d 1282 (1st Cir. 1973). It must provide "environmental full disclosure" to the public, preventing problems and criticisms from being "swept under the rug." *Sierra Club v. Untied States Army Corps of Engineers*, 701 F.2d 1011, 1029 (2d Cir. 1983). A fundamental purpose of an EIS is to disclose a project's environmental consequences. 40 C.F.R. §1502.16. This task cannot be accomplished by mere conclusory statements that a project's impacts will or will not be "significant"; rather, the EIS must describe the full extent of project impacts so that the public and the decisionmakers can evaluate a project's true environmental effects. *Silva v. Lynn,* 482 F.2d 1282 (1st Cir. 1973). An EIS must provide "full and fair discussion of significant environmental impacts" and should especially focus on impacts determined to be significant. 40 C.F.R. §§1502.1, 1502.2(b).

Here, when the DEIS concludes that the TMC Project will not result in significant environmental impacts, it does so without adequate analysis. When the DEIS determines significant impacts will ensue, it nevertheless artificially minimizes the impacts, thereby "sweeping under the rug" the Project's full environmental effects and understating the level of needed mitigation measures.

A. AIR QUALITY EFFECTS.

The DEIS identifies numerous adverse air quality effects of the TMC project as "significant," even after application of all proposed mitigation measures.[16] DEIS, 3-188. Its analysis of these impacts, however, uses basic miscalculations and misapplications of NEPA principles thereby understating these impacts. The DEIS does not evaluate the full amount of material likely to be mined and processed under the permit requested. It improperly understates the extent of the impacts likely to result from the mining and processing of the material that it does consider. It also fails to analyze the relevant health risks associated with Project's air quality impacts.

[16] Although the public waited months for the Supplemental DEIS (the "SDEIS") on air quality issues to be circulated, the SDEIS showed that even the addition of the conveyor-belt to transport fines from the processing area to the NFSA could not bring the Project's air quality impacts below a level of significance. *See* Supplemental DEIS.

1. Artificially Low Project Annual Production Levels.

The DEIS should have based its air quality impacts analyses on production of the full quantities of minerals allowed to be mined and processed daily under the proposed permit, rather than on the quantities that the applicant hypothesizes will be processed annually. Although the problem of evaluating quantities well below the permitted daily level exists throughout the Technical Appendix, it is especially problematic in the DEIS's discussion of PM_{10} particulate dispersion. DEIS Technical Appendix ("Tech. App."), E2. For instance, the DEIS consistently evaluates material throughput levels for Phase 1 rock and sand processing that are far below the quantities permitted daily. Although the permitted level of material allowed to be processed in the primary crushing is 10,800 tons daily during Phase 1, the emissions calculations in the DEIS reflect a throughput of only 7,963 tons daily. DEIS, Tech. App. E2-4. Similarly, for secondary crushing and sorting, the requested permit allows 900 tons per hour of material throughput, while the DEIS calculations only account for 569 tons. DEIS, Tech. App. E2-5. And once again, for a permitted amount of 9,000 tons of aggregate to be loaded into trucks, the DEIS bases its calculations on 7,963 tons daily during Phase 1. DEIS, Tech. App. E2-5. Finally, in calculating PM_{10} particulate emissions from the concrete plant's operations, the DEIS assumes a daily throughput of only 750 cubic yards, whereas the permit would allow them to process fully 4,500 cubic yards each day. DEIS, Tech. App. E2-5-6. Thus, the emissions data throughout the DEIS, particularly in relation to daily PM_{10} emissions, need to be recalculated to account for the fully permitted quantities, rather than the amounts presently utilized as the Project's hypothetical production amounts. 9

2. Inappropriate Modeling Assumptions.

The DEIS uses inaccurate modeling assumptions for Project air quality impacts. This is well illustrated in the PM_{10} particulate emissions analysis.[17] In discussing PM_{10} dispersion, for instance, the DEIS uses "*urban* dispersion coefficients," despite the fact that the land use classification in the site area is "*rural.*" *See* Piazza Letter, 1, 8. The DEIS also inappropriately applies calculations of PM_{10} dispersion utilizing the "calms processing option" which is not applicable to the site conditions. *Id.* This "calms processing option" has not been approved by the pertinent Air Quality Management District ("AQMD"). Piazza Letter, 2. Further, more according to the U.S.E.P.A., the "calms processing option" is inappropriate in settings where wind speeds are below one meter per second, as here. *Id.* In conditions like those within the South Coast Air Basin, the AQMD applies actual wind speed, or a 1-meter per second value when wind speed falls below that number. *Id.* By utilizing its inappropriate dispersion modeling factor, the DEIS underestimates the Project's 10

[17] For a more detailed analysis, please see Letter submitted on behalf of Safe Action for the Environment, Inc., by Bill Piazza, Air Quality Dynamics, dated September 10, 1999, attached hereto as Exhibit A, hereinafter referred to as "Piazza Letter."

PM_{10} emissions by fully 16.8% in Phase I and by another 16.3% in Phase II. *Id*; *see also* Attachment C to Piazza Letter.

Additionally, the DEIS erroneously states that there are "few sensitive receptors" in the Project area. DEIS, 3-163–64. Although the residence ¼-mile to the south of the Project and the Rivers End Trailer Park are both mentioned in this section, the DEIS fails to evaluate impacts on the Bee Canyon Mobile Home Park, located immediately north of the Project boundary. The DEIS also does not identify the City of Santa Clarita as an area containing "sensitive receptors," even though the City has residents as close as 3 miles from the Project site. Under proper modeling, significant PM_{10} levels would reach as far as 3.1 miles north of the Project during Phase I and 4.6 miles during Phase II. Piazza Letter, 3. The DEIS must identify all sensitive receptors utilizing the appropriate modeling assumptions. 10

3. Inconsistent Measures of Air Quality Effects.

According to the DEIS, the Project's air quality effects would be "significant" if:

1. SCAQMD daily emissions criteria are exceeded;
2. the Project interferes with attainment of air quality standards by violating or contributing to an existing or projected air quality violation;
3. the Project violates SCAQMD Rule 402, governing nuisance;
4. the Project violates SCAQMD Rule 403, governing control and monitoring of fugitive dust; or
5. vehicle trips related to the Project cause localized emissions of CO exceeding state or federal standards.

DEIS, 3-164. 11

The DEIS uses these "significance" thresholds inappropriately and arbitrarily. For instance, although the DEIS indicates that a "nuisance" consequence from the Project's emissions is an applicable significance threshold under AQMD Rule 402, the DEIS seems to have applied that threshold only to the Project's *construction* phase – the Project phase with the lowest nuisance characteristics. Discussion of the "nuisance" of the numerous malodorous diesel trucks that will travel Soledad Canyon Road and the Antelope Valley Freeway day in and day out, for example, acknowledges that the "whiffs" of diesel exhaust emitted by the construction trucks entering and exiting the site will be adverse effects. DEIS, 3-164. Yet the number of trucks accessing the site during the construction phase will be far less than the 754 daily trips during the Project's operating Phase 1 and the 1,284 during operating Phase 2. DEIS, 3-168–69, 172. The DEIS also provides limited discussion of the "soiling" nuisance potential caused by PM_{10} dust settling on surfaces throughout the area, again only appearing

in the DEIS's construction section.[18] DEIS, 3-166. The DEIS must analyze and determine the "nuisance" of Project air quality impacts due to dirty, smelly traffic and other factors, throughout *all* Project phases.

Regarding NO_2 emissions, the DEIS explains that during the Project's construction phase, those emissions "*may* exceed the SCAQMD significance threshold" for that pollutant. DEIS, 3-165 (emphasis added). The NO_2 threshold for daily emissions is stated to be 100 pounds per day, which the Project's predicted 86 pounds per day during the construction phase does not appear to exceed. DEIS, Table 3.1.7-4, 3-166. Yet, footnote 3 to Table 3.1.7-4 explains that SCAQMD also has a "significance" threshold defining an average quarterly value of only 55 pounds per day. The DEIS fails to state whether the NO_2 emissions will exceed that quarterly threshold. An analysis needs to be made regarding whether NO_2 emissions from the Project's construction phase will periodically or consistently exceed the SCAQMD *quarterly* daily limit. 11

4. Inadequate Evaluation of the Project's Inconsistency with the Air Quality Management Program.

Acknowledging that the Project will produce "significant" adverse air emission impacts, the DEIS explains that it must evaluate whether the Project's emissions would conform with the current State Implementation Plan ("SIP") and be consistent with the Air Quality Management Plan (AQMP). DEIS, 3-190. Strangely, the DEIS determines that the Project *would* be consistent with both the SIP and the AQMP. *Id.* This conclusion is, in fact, disproved by the DEIS's own evidence. 12

The DEIS's data shows that the Project does *not* meet the AQMP's first consistency requirement. Specifically, the DEIS claims that "[w]hile ISCST3 dispersion modeling indicates that PM-10 dust will exceed the CAAQS [Ambient Air Quality Standards] and Federal AAQS immediately offsite, the standards will not be violated at proximate receptor locations, nor will the projected levels be measurable at the nearest air quality monitoring

[18] The "soiling" nuisance discussion is another example of the DEIS's inaccurate identification of sensitive receptors. The DEIS concludes that the "soiling nuisance" impact during construction is "potentially adverse but not significant," because the nearest sensitive receptors are 3,000 feet from processing facilities. DEIS, 3-167. But the Rivers End Trailer Park is only 1,000 feet from the Project boundary and only 50 feet from the Project's most traveled roadway; presumably PM_{10} from truck emissions will reach the nearby Trailer Park. Also, without information about the distance the proposed Bee Canyon Trailer Park sits from the processing facilities, it is not clear to the reviewer at all that the "soiling" nuisance is not significant. The DEIS should reexamine the "soiling nuisance" factor taking into consideration all the sensitive receptors including those that will be impacted by PM_{10} dust on their property from Project road use.

stations." DEIS, 3-190. But, the DEIS expressly indicates that the Project will violate air quality standards at the nearest residential area. DEIS, 3-189. The DEIS also explains that the City of Santa Clarita air quality monitoring station may produce an inaccurate (artificially low) measure of air quality impacts from the Project due to the altitude difference between the monitor and the Project site. DEIS, 3-167. Thus, the DEIS's claim that the monitoring sites will not register a violation does not seem to be an accurate indicator of impact.

According to the DEIS, a "significant" air quality effect includes "a significant change in the offsite ambient air concentration." DEIS, 3-190. Because the Project site lies in an area that presently exceeds the applicable California CAAQS for PM_{10}, any "significant change" in PM_{10} particulate concentration would necessarily increase the frequency and severity of existing air quality violations as well as presumably delay timely achievement of standards or interim reductions. DEIS, 3-189. A significant change for PM_{10} particulates for a 24-hour average is 2.5 micrograms per cubic meter.[19] DEIS, 3-188. Since the DEIS explains that Phase 1 and Phase 2 operations will cause downwind concentrations at the maximum exposed residential receptor of 11.51 and 17.74 micrograms per cubic meter (fully 4.6 and 7.1 times the "significant change" standard), the Project will cause a "significant change" in ambient air quality, thereby increasing the frequency and severity of existing air quality violations and delaying timely attainment of any standards or interim reductions. DEIS, Tech. App. E3-15. The DEIS needs to be corrected to set forth an accurate assessment of the Project's air quality impacts and its consistency under the SIP and the AQMP. 12

5. Inadequate Evaluation of Human Health Risks Resulting From the Project's Air Quality Emissions.

The DEIS explains that the California and Federal AAQS are "concerned with the *health effects* of [air] emissions" and are specifically intended to protect "sensitive receptors," which includes the elderly, the very young, asthmatics, the otherwise infirm and those engaging in strenuous work or exercise. DEIS, 3-156–57 (emphasis added), 189–90. Nevertheless, it provides no explanation of the relationship between the Project's air emissions and ensuing health effects. 13

As another DEIS commentor explains, the California Air Resources Board links PM_{10} to "airway conditions, such as asthma and bronchitis" with the PM_{10} "24-hour standard being the "most important [measurement] in addressing acute health effects." Piazza Letter, 4. According to the commentor's calculation based upon the DEIS's data, the lifetime cancer risk for the maximum exposed residential receptor would be fully 3.0 in one hundred thousand during Phase 1 and 5.7 in one hundred thousand in Phase 2. These projected results would exceed by factors of 3 and 5 the Proposition 65 (the Safe Drinking Water and Toxic

[19] For a graphic representation of the contour for PM_{10} dispersion of 2.5 microgram per cubic meter from the Project site, *see* Attachment A to Piazza Letter.

Enforcement Act ("Prop. 65")) cancer risk threshold of 1.0 in one hundred thousand. Piazza Letter, 6-7. In fact, Project emissions will likely exceed the Prop. 65 cancer risk threshold 3.2 miles beyond the Project site during Phase 1 and 5.9 miles during Phase 2. Piazza Letter, 7. The Town of Agua Dulce is only three miles north of the Project site, while some Santa Clarita residents live merely three miles away. DEIS, 3-164. The DEIS must analyze and draw connections between the Project's air quality impacts and the potential health risks borne by nearby residents. 13

B. NOISE IMPACTS.

The DEIS concludes that, after implementation of its recommended mitigation measures, the TMC Project will have no "significant" noise effects. The DEIS's discussion of the Project's noise impacts does not, however, accurately analyze of these impacts nor does it evaluate and propose adequate mitigation measures.

1. Inaccurate Identification of Sensitive Receptors Around Project Site.

a. City of Santa Clarita.

The DEIS states that "[p]otential distant receptors include the town of Agua Dulce." DEIS, 3-123. Agua Dulce's town center, as it is defined in the DEIS, is four miles from the Project site. *Id.* Yet, the DEIS noise section makes no mention of, nor analysis of, noise impacts on residences in the City of Santa Clarita, located even closer to the Project site than Agua Dulce residents – as near as 4,000 feet from the intersection of Soledad Canyon Road and the Antelope Valley Freeway with direct view of the Project site. DEIS, 3-242. The DEIS must evaluate the Project's noise impacts on those nearby residents of Santa Clarita. 14

b. Mobile home parks in Project site vicinity.

The DEIS discusses the Project's operational noise impacts and the transportation noise likely to be inflicted on nearby mobile home parks, but its assumptions regarding those residences' noise sensitivity are inaccurate. The walls of mobile homes are constructed of a far thinner material than conventional housing, providing less of a noise barrier than conventional housing. *See* Letter from George E. Leighton, Noise Control Consultant, dated Sept. 13, 1999, 1 (attached hereto as Exhibit B, hereinafter referred to as "Leighton Letter"). The DEIS should recalculate the Project's noise impacts on these homes using appropriate assumptions. 15

2. Inadequate Analysis of Projected Noise Levels.

a. Natural noise barriers.

Without providing the required explanation of its reasoning, the DEIS makes assumptions about the efficacy of various natural noise barriers, i.e., hills and cut slopes, that 16

supposedly will lower the Project's noise levels as noise travels from loud sources to sensitive residential receptors. DEIS 3-139, 142. For instance, the DEIS explains that attenuation of sound of *up to* 23 dBA can theoretically be achieved with barriers between a noise source and a receptor. DEIS, 3-142. Then the DEIS assumes that noise attenuation between Agua Dulce's town center and the Project site will be at the top of this range, 20 dBA, *without* any discussion of why this extreme assumption is made. Also, as described in the Visual Effects section, certain residences in the City of Santa Clarita do not have the benefit of visual barriers to block the view of the Project and, accordingly, are also apparently left without these natural sound barriers. DEIS, 3-242. 16

The DEIS also does not analyze the potential for noise to echo against the steep mountainsides, especially since the Project's first "cuts" will create a vertical backdrop against which sound will reverberate. The DEIS's assumptions regarding sound attenuation and echo must be clarified and attendant noise effects recalculated.

b. Traffic noise effects.

The DEIS concludes that the Project's off-site traffic effects on the Antelope Valley Freeway will not be "significant," stating that, in order for the Freeway noise level to rise by 3 dBA, traffic would need to double. DEIS, 3-145. The analysis does not, however, determine whether ensuing Antelope Valley Freeway noise levels will exceed County or local noise ordinances – both of which serve as DEIS "significance" criteria. DEIS, 3-131. The DEIS should analyze the "significant" noise effects of adding the numerous heavy truck and passenger car trips to the already noisy traffic on the Antelope Valley Freeway.

The DEIS also provides scant analysis of the Project's noise impacts on sensitive receptors located along Agua Dulce Road, concluding that 42 ADT will not have a "significant" impact on that thoroughfare. DEIS, 3-145. Later, however, the DEIS explains that the Project will not divert more traffic to Agua Dulce Road to relieve significant impacts along Soledad Canyon Road, indicating that Agua Dulce Road's "amphitheater-like setting" (with residences even closer to the roadway than at the River's End Trailer Park and at a higher elevation) is highly susceptible to amplification. DEIS, 3-150. In this setting, the addition of 42 heavy truck trips daily would logically appear to have potential substantial noise effects. Accordingly, the DEIS should provide appropriate analysis of the Project's noise effects on Agua Dulce Road. 17

3. Inappropriate Thresholds of Significance for, and Measurement of, Noise Effects.

Much of the noise associated with the Project is of the "intermittent" type, such as blasting and the roar of heavy trucks passing by residential communities. The DEIS, however, utilizes criteria that do not accurately measure the Project's effects on sensitive receptors. The DEIS significance criteria should reflect the intrusive nature of the noise the

community will most likely endure with the Project, i.e., a descriptor of the "shattering intrusion into the hush-quiet environment." *See* Leighton Letter, 1.

a. Construction phase noise.

According to the DEIS, no occupied areas fall within the Project's 65+ CNEL noise contours, but the delineation of that contour included neither the noise emitted from grading of the fines storage area nor the noise from Project-related traffic. DEIS, Fig. 3.1-5-3. It is not apparent why these potentially "significant" noise generators were excluded from the DEIS's noise contour calculations, especially considering that both of these activities would take place even closer to residential areas than the construction of the processing area. Thus, if CNEL is to be utilized to determine noise impacts, the contours should be recalculated utilizing *all* of the Project's potentially "significant" noise generators. 18

b. Noise from blasting.

The DEIS establishes a "significance" threshold for blasting vibration at 0.5 inches per second, although this criterion does not seem to be linked to when the vibration becomes "significant" to sensitive receptors. DEIS, 3-133. The DEIS explains that humans find blasting vibration "distinctly to strongly perceptible" at levels *as low as* 0.1 inches per second, however, at the level of 0.5 inches per second as "strongly perceptible to most" and "annoying to some." DEIS, 3-121, 132. Blasting impacts during "Cut 3" will reach 0.32 inches per second, but since this is below the DEIS's 0.5 inches per second "significance" threshold, it is inadequate to determine the importance of the blasting noise effect. DEIS, 3-136–37. 19

Similarly, the "significance" threshold used to analyze the Project's airblast effects is 133 Hz, even though the DEIS concedes that this is merely a regulatory limit to prevent *physical* damage and does not account for the annoyance to humans. DEIS, 3-121. The DEIS should clarify and better explain the Project's blasting effects by elucidating more appropriate and more sensitive "significance" criteria.

c. Traffic noise.

The DEIS concedes that Project-related off-site vehicular activity will cause "significant" noise impacts at the Rivers End Trailer park, which has residences only 50 feet from the main thoroughfare that will carry 95% of the truck traffic to and from the Project site. DEIS, 3-145. The CNEL is expected to rise to 58 dBA during Phase I of the project and then up to 60 dBA during Phase II. DEIS, 3-145–46. The DEIS established a baseline L_{eq}[20] for Rivers End Trailer Park at 50.8. DEIS, 3-128. Thus, according to the DEIS, the 20

[20] L_{eq} is essentially the same as CNEL, with no accounting for increased sensitivity to noise during nighttime hours.

ambient noise at the Rivers End Trailer Park due to the Project will apparently be *ten times louder* than the ambient noise when the area was studied in 1992. The DEIS should fully describe the dramatic impact of this huge leap of noise in an otherwise tranquil area. 20

4. Inadequate Noise Mitigation Measures.

Even using its questionable noise thresholds, the DEIS still concludes that the Project will produce "significant" noise effects in two residential areas: the Rivers End Trailer Park and at the Capra Road house. DEIS, 3-147. The DEIS also concedes that, when the Bee Canyon Mobile Home Park is constructed, seventy-two mobile homes within that Park would experience "significant" noise impacts from the Project's processing activity during "Cut 3" of the mining process. *Id.* The DEIS describes only minimal noise mitigation measures, however, and does not provide sufficient information to determine their feasibility.

The DEIS describes earthen berms, cut slopes and soundwalls as the primary mitigation measures for the Project's noise effects, but it provides no specifics regarding the design, feasibility and efficacy of these sound barriers. For instance, the DEIS concludes that mining operation noise impacts will be "significant" at the Bee Canyon Mobile Home Park, but that construction of berms or cut slopes will mitigate impacts to less than "significant" levels. DEIS, 3-139, 149. The DEIS reaches this conclusion without any discussion of proposed *locations* for these berms and cut slopes, nor does it analyze the feasibility of this type of mitigation considering the site's location. DEIS, 3-149. Similarly, regarding the "significant" off-site noise impacts from the Project's truck and passenger car trips, the DEIS claims that future berms or soundwalls could mitigate those effects to insignificant levels, without any analysis of the level to which the sound barriers will bring the sound or how this will be achieved. DEIS, 3-149–51. 21

Regarding the "potentially significant" blasting effects, the DEIS recommends merely creating a "Blasting Plan," which will be developed *at some future time* to ensure that the Project's blasting noise impacts will be less than "significant." DEIS, 3-147–49. Nothing in the DEIS's noise mitigation section explains whether, or by how much, this elusive, "Blasting Plan" would lessen the mining project's effects. The DEIS also states that "airblast can be effectively modified by altering the blast design, and it can be monitored for compliance," but it does not provide any blast design for evaluation. DEIS, 3-137. The DEIS should provide a description of proposed blast design changes, a description of the proposed Project "Blasting Plan," including procedures, staff and monetary commitment to its effectuation, as well as suitable performance standards that the "Blasting Plan" must meet to assure the mitigation measures will achieve their goal.

C. TRAFFIC IMPACTS.

1. Inappropriate Traffic Assumptions and Methodology.

The DEIS's traffic effects analysis improperly assumes that each heavy truck associated with the Project should be considered the equivalent of two passenger cars. DEIS, 3-292. This assumption does not even begin to accurately reflect the actual impact of the Project's five-axle trucks, each loaded with up to approximately 27 tons of PCC aggregates.[21] DEIS, 1-14; 3-292. These huge, fully-loaded trucks will impact the roads and Project vicinity far more dramatically than the equivalent of two passenger cars.[22]

The DEIS refers to a County Department of Public Works, Traffic and Lighting Division (TLD) analysis of the Soledad Canyon Road segment between Bee Canyon Road and the Antelope Valley Freeway that apparently concluded that existing traffic levels during the a.m. peak hours are at Level of Service ("LOS") D. DEIS, 3-299. This level of service is different from the County's traffic assessment of LOS A at that location, and the DEIS does not explain this huge discrepancy prior to basing its analysis solely on the County's numbers. 22

The DEIS fails to assess Project traffic impacts on road mobility and access. The DEIS rejects the traffic flow methodology set forth in the Highway Capacity Manual (the "HCM"), claiming that the HCM criteria do not apply to the Project area because of their emphasis on "high-speed operations" and "infrequent passing delays" for two-lane roads. DEIS, Tech. App. D, Associated Transportation Engineers Study (1998) ("ATE Study"), 6. Specifically, the ATE Study claims that "[e]fficient mobility with consistent high-speed operations is not the primary purpose" of Soledad Canyon Road. ATE Study, 7. Although speedy operations on Soledad Canyon Road may not be the road's *primary* purpose, the HCM identifies high-speed travel as "desirable" on two-lane roads such as Soledad Canyon Road. ATE Study, 6. In fact, the ATE Study explains that HCM criteria for Soledad

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[21] The DEIS's Traffic Index analysis includes a 1998 letter provided by Associated Transportation Engineers (in determining Share of Cost for a road overlay) that includes volume projections broken down by truck category according to the number of axles. In scenario year 2000, on the segment from Antelope Valley Freeway to Bee Canyon, there will be 606 2-axle trucks, 54 3-axle trucks, 25 4-axle trucks, and fully 1,135 trucks with 5 or more axles. DEIS, Tech. App. D, Letter from Associated Transportation Engineers, dated February 19, 1998. The number of trucks with 5 or more axles increases to 1,756 in the year 2008. *Id.*

[22] Notably, the DEIS utilizes this 2:1 ratio for LOS analysis, but it does not do so when measuring the traffic impacts on the Antelope Valley Freeway under the Los Angeles Congestion Management program. DEIS, 3-299.

Canyon-type roads are two-fold – first, efficient mobility, and, second, access.[23] ATE Study, 7. The DEIS identifies one function of Soledad Canyon Road as "accessibility." *Id.* Thus, the DEIS should utilize the HCM criteria to determine Project impacts on mobility and access on Soledad Canyon Road.

The DEIS artificially limits its traffic analysis to approximately 2.9 miles of Soledad Canyon Road between the Project site access road and Soledad Canyon Road's intersection with the Antelope Valley Freeway. DEIS, 3-289; 3-298; ATE Study, 9. This route is expected to be used by 95% of Project-related traffic. *Id.* Since a large part of the Project is distribution of tons of product *throughout the region*, this traffic analysis is too narrowly focused.

Off-site traffic is uncontrovertably a part of the TMC Project, since delivery of raw materials and ready-mix concrete throughout the Los Angeles region is a primary purpose of the Project. DEIS, S-4-5, 1-3. The DEIS identifies the Project traffic's major destinations as including Santa Clarita Valley, Inglewood, Los Angeles, Hollywood, Sun Valley and "other areas." DEIS, 3-298; ATE Study, 9. But the DEIS considers traffic impacts of the Project only from the Project access road to the intersections of Soledad Canyon Road and Agua Dulce Road with the Antelope Valley Freeway. DEIS, 3-298–99, Fig. 3, 4; ATE Study, 9-10. Although the DEIS mentions Interstate 5, there is essentially no discussion of how Project traffic will impact already congested roadways to the Project's points of distribution throughout the region. 22

The DEIS predicts that Phase I of the project will add 754 ADT to the Project site area and Phase II will add 1,284 ADT. DEIS, 3-298. Since the TMC Project will produce aggregate and cement product for use throughout the Los Angeles County region, most of the quarry's product will have to be delivered to sites for daily construction. Heavily loaded trucks making their daily deliveries of cement product could be leaving the site at a frequent pace throughout the morning hours. Nonetheless, the traffic analysis section narrows its focus to only one hour of traffic in the morning (6 a.m. to 7 a.m.) and one in the evening (5 p.m. to 6 p.m.), resulting in what appear to be extremely low traffic estimates for the

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[23] In choosing the Traffic Impact Guidelines to analyze Project traffic impacts, the DEIS also dismisses the need for passing on Soledad Canyon Road, another consideration in the HCM "significance" analysis. ATE Study, 7. This is especially interesting considering that the Project will add such a large number of slow-moving trucks to the traffic flow on a road on which passing is entirely prohibited. *Id.*. The ATE Study also concluded that traffic "Turnouts" are not advisable on Soledad Canyon Road to allow passing, explaining that it is a safety concern to allow extremely slow trucks to merge into oncoming traffic. ATE Study, 21. Since recovering speed from a "turnout" is problematic for these enormous vehicles, one would assume that passing would be a concern – especially considering that there are two or three short grades for which the DEIS states the truck speeds "would decrease." *Id.*.

Project's supposed "peak hours": 54 and 98 vehicles during the a.m. peak hour and 32 and 57 for the p.m. peak hour for Phases I and II respectively. DEIS, 3-289, 29; ATE Study, 16. Although these were determined to be the peak hours of traffic *without* the TMC Project, the DEIS does not make clear whether the Project will have its greatest traffic impacts daily during these hours.[24]

According to the DEIS, the "[p]eak hour inbound and outbound trips were estimated based on operations at similar mining facilities." DEIS, 3-298; ATE Study, 9. Nowhere does the DEIS describe those hours nor whether the peak Project hours are identical to the peak hours of traffic within the Project vicinity. Instead, the traffic analysis appears to have been performed with respect to an hour when the Project will *not* be putting most of its trucks onto Soledad Canyon Road. In order to reflect the most likely traffic impacts, the DEIS should evaluate the *Project's* peak hours, during which large, heavy trucks will enter and leave the Project site.

Utilizing only 77 a.m. and p.m. peak hour trips added during Phase I and 145 a.m. and p.m. peak hour trips added during Phase II, the DEIS does not conduct a Los Angeles Congestion Management Program ("CMP")-mandated "freeway analysis." DEIS, 3-299; ATE Study, 6. Again, the analysis should consider whether the Project's peak hour of traffic will actually be 6 a.m. until 7 a.m. or some different time. The DEIS should also determine whether the Project exceeds the CMP standard of 150 trips per hour within *any* of the area's peak hours, and, if the Project exceeds that number of trips, a CMP "freeway analysis" should be conducted and referenced in the DEIS. 22

The DEIS also lacks analysis of the Project's traffic safety impacts. The Project's site access road will be located on Soledad Canyon Road at a curve with limited visibility in either direction, despite the fact that vehicle speeds along that strip apparently average 50 miles per hour. DEIS, 3-308. The DEIS does not substantiate its claim that there will be no conflict between truck traffic and school buses. The DEIS states that fewer than two school buses per day use the segment of Soledad Canyon Road most impacted by the Project. DEIS, 3-308–09; ATE Study, 12. The Technical Appendix, however, describes substantial nearby residential growth. ATE Study, 12. Every small residential enclave without enough students to populate a school could be likely sources of school bus traffic. Since the DEIS's maps do not indicate where these future residential projects will be built, there is no way to

[24] In fact, the DEIS Noise Effects analysis identifies a far more extended rush hour period in the TMC Project site area: 6 a.m. until 9 a.m. and 4 p.m. until 7 p.m. DEIS, 3-127. Thus, the hour chosen to study the traffic impacts may presently be one of the busiest, but, if the peak hour of Project traffic is from 7 a.m. until 8 a.m., the numerous, heavy trucks will greatly impact Soledad Canyon Road during rush hour traffic conditions. Because the DEIS fails to identify the Project's peak hours of travel, it is unclear what times of day traffic in the area will be overwhelmed by dual-bedded trucks loaded with 18,000 tons of product.

accurately analyze the school bus safety concerns. The DEIS needs to indicate whether these expected small residential developments will lie east of the Project along Soledad Canyon Road and whether they will add school bus trips to this road segment, and only then can it determine the Project's traffic safety effects. It is also unclear from the DEIS whether the access road turn-lane, where trucks will await clearance to turn into the Project site, has sufficient length to accommodate the large number of trucks that will be entering the Project each day. The eastbound left turn pocket is slotted to be only 200 feet long, accommodating just three semi trucks. ATE Study, 24. 22

2. Inadequate Analysis of Traffic Mitigation Measures.

Although the DEIS cites the *current* LOS eastbound on Soledad Canyon Road from Bee Canyon to the Antelope Valley Freeway as LOS D, it summarily concludes that simply widening and re-striping this segment will bring the roadway impacts to levels below "significance." DEIS, 3-303. The DEIS must identify what the LOS will be *after* the Road has been widened and re-striped.

Together with other projects in the area, the Project is expected to bring the traffic at the Soledad Canyon Road northbound ramp intersection onto the Antelope Valley Freeway down to LOS levels of D, E and F during certain peak hours. The DEIS nonetheless concludes that signalization and re-striping of the intersection will adequately mitigate these poor levels of service. ATE Study, ii, 16. Yet, after the mitigation measures are instituted, there is apparently no modeling of the later LOS level. In fact, the ATE Study indicates traffic will be so heavy as to require signalization for the northbound and southbound intersections of the Antelope Valley Freeway and Soledad Canyon Road *as early as* the 1999 + Phase I + Related Projects scenario. ATE Study, 19. Consequently, it is not clear how, by the time the Project *doubles* its operations for Phase II, the attendant traffic LOS will supposedly again be at a level of D, E or F. Instead, the DEIS merely states that traffic data will be provided as *future* projects are evaluated. ATE Study, 19. Thus, the DEIS should describe and analyze mitigation for *this Project's* additional traffic when it passes through the northbound intersection of Soledad Canyon Road and the Antelope Valley Freeway. 23

D. WATER QUALITY IMPACTS.

The Santa Clara River (the "River") flows directly through the Project's 500-acre site. DEIS, 1-16. The Project site also drains north into the Bee Canyon wash, which again converges into the Santa Clara River one-half mile west of the site. DEIS, Tech. App. B, 5. The River flows westward and eventually empties into the Pacific Ocean at the City of Ventura. DEIS, 3-88. Principal tributaries downstream of the Project site include Castaic Creek, Bouquet Creek and the South Fork of the River. *Id.* Immediately upstream from the Project site, the River forms a regional wildlife movement corridor, while a downstream section of the River has been designated as "essential habitat" for a federally-listed 24

endangered fish species, the unarmored threespine stickleback (the "stickleback").[25] DEIS, 1-33, Fig. 1-4; *see also* DEIS, Tech. App. F, F5-1. **24**

1. Stale and Misleading Water Quality Data.

Several DEIS water quality studies are based on data compiled and analyzed as long ago as 1975, with the most recent data being gathered in 1992. *See* DEIS, 3-88, 93, 94, 97, 99-102. Thus, the water quality analysis data is from a minimum eight years ago, while some data is fully 25 years old. Since rapid development has occurred in the Soledad Canyon area, particularly downstream from the Project site, it is almost certain that the DEIS's state water quality data does not account for this recent building. Updated water quality data must be supplied to ensure that existing conditions are measured.

The DEIS claims that current water quality monitoring of the River at the Project site "indicates good water quality conditions." DEIS, 3-102. A DEIS footnote, however, acknowledges that these measured values "do not reflect water quality during stormflows." DEIS, 3-102, n.2. Not only does this DEIS textual assertion paint a distorted picture of water quality, but it is inconsistent with the DEIS's promise that the Project's "potential for groundwater degradation will be assessed based on the effects of *stormwater discharges* to local groundwater conditions." DEIS, 3-108 (emphasis added). In fact, an Environmental Assessment of the Project site conducted in 1990 revealed that a sampling of storm water discharge from the Project site already contained high concentrations of pollutants from previous mining activity on the site. DEIS, 3-107. **25**

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[25] The DEIS states in its "Habitat Protection Plan" that "essential habitat" describes "important habitat but does not in itself have any legal ramifications." DEIS, Tech. App., F6-2. "However, unarmored threespine stickleback is currently listed as a state and federal endangered species. Therefore, any habitat of unarmored threespine stickleback is also protected from major modifications, or degradation, where such modification actually kills or injures unarmored threespine stickleback by significantly impairing essential behavioral patterns including breeding, feeding, or sheltering." DEIS, Tech. App. F6, F6-4.

The "essential habitat" for the stickleback was in fact proposed to become critical habitat. Fed. Reg. 45: 76012. The DEIS states that "[d]esignation of critical habitat allows the USFWS [United States Fish & Wildlife Service] to take 'reasonable and prudent measures' and consider 'reasonable and prudent alternatives' that it believes are necessary to minimize impacts to the critical habitat." DEIS, Tech. App., F6-2. Although, the DEIS acknowledges that the "[d]esignation of an area as critical habitat has legal implications that designation of essential habitat does not have," it nonetheless relies on information regarding the pending status of the area's designation that was reported in 1993.

2. Inaccurate Analysis of Premining and Construction Discharge Conditions.

The DEIS acknowledges that "[d]isturbed surfaces from road construction and site grading will drain water more rapidly than natural or vegetated slopes" and that increased debris flow and sedimentation of downstream watercourses will occur "if road construction and site grading are scheduled during the rainy season and slope stabilization measures are not commenced before the winter rainy season." DEIS, 3-108. Since the Project site drains both directly into and indirectly through Bee Canyon into the Santa Clara River, the DEIS warns that "[p]remining and mining activities in these canyons could degrade water quality of the Santa Clara River by increasing ... TSS [total suspended solids] in runoff and debris flows." DEIS, 3-108. Accordingly, construction should not occur during any rainy season, precisely because it will result in increased sediment loading in the downstream waters thereby degrading surface water quality. *Id.*

The DEIS fails to heed its own warnings, because construction of the desilting basins is anticipated to occur during the rainy season. DEIS, 3-109. The only mitigation measure proposed to deal with this problem is "temporary sandbags," although the DEIS does not describe how these "temporary sandbags" will prevent sediment loading. Without such analysis, it is unclear whether the construction phase of the Project will significantly impact water quality. Therefore, the DEIS needs to evaluate whether and how it will prevent increased sedimentation or provide assurances that construction of the desilting basins and roads will not occur at all during the rainy season. **26**

The DEIS also fails to adequately evaluate and mitigate the "significant" groundwater contamination impacts caused by the Project's premining construction of two septic tank leach fields. The DEIS acknowledges that the County Planning Department has identified the Project site's location as "having severe septic tank limitations because of high groundwater, impermeable soils, fractured rock, or other geotechnical limitations." DEIS, 3-112. Nonetheless, the DEIS proposes to delay any detailed percolation test until immediately prior to construction, *after* Project approval, and summarily concludes that, "although severe hydrologic and substrate limitations exist in areas onsite, there is no possibility of a significant impact on surface water or groundwater quality occurring as a result of the disposal system." *Id.* Since the feasibility of these leach fields is still uncertain, the DEIS cannot reasonably determine that "significant" effects will not occur.

3. Inaccurate Analysis of Mining and Processing Discharges.

The Project's aggregate rock plant will use a water recycling system that produces a waste product in the form of a semi-dry solid, containing fines, clays and chemical polymer flocculating agents (acrylamide). DEIS, 3-112, 113. The flocculatry agents are identified carcinogens in the State of California. DEIS, 3-113. This waste product will be conveyed to the North Fines Storage Area ("NFSA"). *Id.* Oddly, despite acknowledging that "surface **27**

drainage from the NFSA causes some of the chemical flocculent to leach into the Bee Canyon watershed," the DEIS concludes that "[n]o significant [water quality] impacts will occur from use of this flocculating agent." *Id.*

Similarly, the DEIS summarily dismisses the water quality impact of runoff from the batch plant's truck washdown area, asserting that only "[m]inor amounts of washwater ... seep into the ground from truck washing." DEIS, 3-113. Additionally, although "storm-water runoff from the mining site will be diverted to desilting/debris basins ... [and] [f]ueling areas ... will be sloped toward a sump," the DEIS fails to discuss the volumes of contaminants entering the groundwater through on-site percolation. *Id.* On this basis, the Los Angeles Region of the California Regional Water Quality Control Board ("CRWQCB") comments that the DEIS is deficient, because it does not contain accurate estimates of contaminant volumes entering the groundwater. *See* CRWQCB Letter, dated April 20, 1999. Further, the DEIS's omission is inconsistent with its "significance" criterion that an impact is significant if "degradation of groundwater quality resulting from project implementation impairs beneficial uses of water of the Santa Clara River Basin." DEIS, 3-108.

Runoff contamination from fugitive dust generated from on-site roads and processing plants, as well as from the chemicals used to suppress the dust, can potentially degrade water quality in the surrounding area. DEIS, 3-113–14. Dust suppression measures using chemical dust palliatives (materials to control dust – including magnesium chlorides and ligno-sulfates) are an additional source of runoff contamination. DEIS, 3-114, 117. The CRWQCB warns that these dust suppression activities, including the application of chloride compounds, will be a source of contaminated runoff at the Project site feeding into the Santa Clara River, which is already listed on the Clean Water Act's section 303(d) list for chloride contamination. Accordingly, the CRWQCB properly disputes the DEIS's conclusion that the water table depth is a sufficient safeguard to prevent this chloride from entering the groundwater around the Project site. CRWQCB Letter, dated April 20, 1999; *see also* DEIS, 3-115. **27**

The DEIS acknowledges that the Project will include 16.6 acres of dirt roads, 3.3 acres of gravel roads, and 3.3 acres of asphalt roads, totalling 19.9 acres of roadway that will be constantly subjected to treatment with the chemical dust palliatives over the 20-year life of the Project. DEIS, 3-114, table 3.1.4-15. Strangely, the DEIS nevertheless concludes that "[g]iven the relatively *small* areas to be treated with chloride containing dust palliatives, ... it is expected that the limited amount of chloride released with stormwater discharges into the Santa Clara River will not be significant." DEIS, 3-115 (emphasis added). The *almost 20 acres* of mostly porous road to be treated with chemical dust palliatives is hardly an area so "small" as to be dismissable.

4. Inaccurate Analysis of Water Quality Effects on Federally Listed Endangered Species.

The Federal Clean Water Act, the Federal Endangered Species Act, and the California Endangered Species Act limit a project's ability to cause the loss of habitat for endangered or threatened species. *See* 16 U.S.C. §§1538(a)(1)(B), 1539; 33 U.S.C. §§1311, 1344; 40 C.F.R., part 230, §230.1 *et seq.*; Fish & G. Code, §§2080, 2081(b)(2). Because the DEIS's water quality analysis is misleading and inaccurate, it renders any discussion regarding the project's impacts on the essential habitat of the stickleback inadequate, and any mitigation measures to protect that essential habitat illusory.

The DEIS fails to explain how pollution from the Project's coagulants, surfactants, oil and grease will avoid the essential habitat of the endangered stickleback. Although the DEIS's "Habitat Protection Plan" includes periodic monitoring of water temperature, oxygen levels, stream depth and flow, it does not claim that Project operations will not discharge contaminants into Santa Clara River during wet periods when the settling ponds will be filled. DEIS, Tech. App. I, F6. **28**

The Project's contaminated runoff – including coagulant and surfactants used in dust suppression and oil and grease introduced to the site from mining equipment and truck operations – will purportedly pass through desilting/debris basins before discharging into Bee Canyon and the Santa Clara River. DEIS, 3-109; DEIS, Tech. App. Storm Water Pollution Prevention Plan ("SWPPP"), 11-12. While the CRWQCB agrees that under *optimal* conditions these contaminants can be contained using settling ponds, nonetheless stream flows are variable and knowledge of the location the 100-year flood levels relative to the settling ponds is necessary to determine whether *100-year storm* conditions will result in runoff that could breach the settling ponds and cause spillage. Letter from the CRWQCB, dated April 20. Notably, the DEIS indicates only that the "drainage facilities are designed to retain debris of a *50-year storm* event...," not a 100-year flood event as specified by the CRWQCB. DEIS, 3-112.

E. WATER RESOURCES IMPACTS.

The TMC Project will require water extraction at the rate of approximately 38.43 to 64.59 acre/feet per month. DEIS, 3-63. Project water use during the first ten years of production is estimated at 442 acre-feet annually, and thereafter it will almost double to 746 acre-feet annually for the following ten years. DEIS, 3-63. The DEIS does not adequately evaluate the Project's water resource impacts, including how the Project's water demands will be met and how those demands will impact water resources in surrounding areas.

1. Unclear Identification of Project Water Sources.

The DEIS is internally inconsistent regarding the critical issue of where the Project will obtain the enormous amounts of water it will require. First, the DEIS explains that the Project will rely on surface water, stating that the Santa Clara River is the only "practically feasible source of water." DEIS, 3-26. Later in the document, however, the DEIS asserts that the Project will also obtain its water supplies from a series of pumps that will raise water from *subsurface* storage in the alluvial aquifer. DEIS, 3-65.

The DEIS also fails to adequately describe the amount of water necessary for the Project that will be riparian and the amount that will be appropriated, resulting in an unsupported discussion regarding water availability.[26] The DEIS vaguely concludes that "TMC will exercise riparian water rights for a *portion* of the water necessary for the Project," noting that TMC has applied for a permit from the State Water Resources Control Board ("SWRCB") to appropriate some water for the project.[27] DEIS, 3-31 (emphasis added). It is unclear, however, whether TMC can be awarded, in any timely manner, the appropriative water rights for which it applied. TMC's application for appropriative rights on the Santa Clara River has been pending before the CRWQCB for a number of years, and numerous protests thereon have been filed by municipal water districts, environmental protection groups and private individuals. It is our understanding that these protests have been combined and are not scheduled to be heard until June 2000, at the earliest. Because the DEIS fails to describe what *portion* of TMC's enormous water supply needs will be obtained from riparian sources and what portion it expects to appropriate, any conclusion that the Project will have sufficient water supplies is unsupported. 29

2. Inaccurate Evaluation of Project Water Use Impacts on Endangered Species and on Nearby Residential Communities.

The DEIS misleadingly asserts that the Acton Basin, the "groundwater basin" within the Acton Valley Subunit from which the Project intends to obtain its groundwater, "has neither been in, nor is anticipated to be in, an "overdraft" situation," based on DEIS's incorrect definition of "overdraft" as the total volume of water in the ground. DEIS, 3-45–46. In fact, "overdraft" is "the condition[] of the groundwater basin where the average annual amount of water extracted exceeds the average annual supply of water to the basin, 30

[26] The DEIS identifies two sources of water for the project: *riparian* water (groundwater, and surface water) that is "part of a parcel of land that abuts a river, stream, lake, or pond" and *appropriated* water (surface water) that is "acquired without regard to the continuity or proximity of a given parcel of land to the water being appropriated." DEIS, 3-27.

[27] The DEIS also explains that the SWRCB limits appropriative water rights by granting a permit only after determining whether sufficient excess water exists for appropriation. DEIS, 3-65. This analysis does not appear to have been performed in this DEIS.

plus any temporary surplus." Water Code Appendix, §§128-314. According to the DEIS, in 1989 "the volume of water extracted ... [was] roughly comparable to the total yield of recoverable water estimated for the long-term average annual rainfall year...." DEIS, 3-47. Because the amount of extraction was approximately equal to recharge in the area, it seems highly probable that further extraction of water by the Project will overdraft the basin. Therefore, the DEIS must fully and accurately explain the Project's overdraft impacts on the area's water resources.

The DEIS also concludes that a temporary drawdown of water in the aquifer would be a "not significant" impact. DEIS, 3-67 (because "the aquifer quickly recharges with annual rainfall ... the amount of drawdown is temporary"). The assumption that drawdown will some day be neutralized by future rainfall does not explain whether the *rate* of drawdown by the Project's pumping will be less than or equal to the rate of recharge.

Beyond this, if the Project's water consumption significantly impacts surface flow, this would have potential dramatic effects on the unarmored threespine stickleback. The Santa Clara River flows through the southeast corner of the Project site and is essential habitat for the endangered stickleback. DEIS, 3-26, 224. The DEIS's own "significance" criteria state that *any* pumping that would cause the habitat of the unarmored threespine stickleback to run dry would result in a "significant" adverse impact. DEIS, 3-63. The DEIS claims that, "it is anticipated that even with the Project there will almost always be some level of surface and subsurface flow in the river downstream...." DEIS, 3-65. "Almost always" and "some level" are hardly quantifications that provide a sufficient degree of certainty that the water flow will be consistently adequate to support sensitive endangered species habitat in the River. Indeed, this statement essentially acknowledges that there will be situations, from time to time, when TMC's water consumption will result in cessation of surface flow in the river downstream. The DEIS states that it is "only during periods of prolonged drought characterized by several consecutive years of below-normal rainfall that project extractions could have a potentially significant impact on downstream flows." DEIS, 3-65. Yet, this Project is proposed to span twenty years in an area of Southern California where it is not uncommon to have several consecutive years of below normal rainfall. **30**

The DEIS also fails to evaluate the impacts of a potential water shortage on the City of Santa Clarita. DEIS, 1-32, 33. Because the project is located outside the City's jurisdiction, the DEIS concludes that any City Plans, including a proposed River Corridor Plan, "are not applicable to the section of the river within ... the Project site." DEIS, 1-32. This assumption directly contradicts the DEIS's own stated "significance" criteria that potential water impacts are significant if "use of water by the Project substantially affects water resource availability for municipal, agricultural, industrial, private, or recreational uses...." DEIS, 3-61. This significance criteria appropriately is not bounded by jurisdictional lines. But the conclusion that "[n]o impacts were identified relative to local water users" was clearly reached without consideration for the City of Santa Clarita. DEIS, 3-69. The DEIS

fails similarly to evaluate potential water shortage impacts on the proposed Bee Canyon Project, again summarily dismissing any such impacts by erroneously stating that Los Angeles County cannot permit a mobile home park at that site. DEIS, 3-330. (*See* discussion of SMARA above, at pages 8-11.)

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Accordingly, the DEIS water resources section must be revised to accurately evaluate Project impacts on current and planned uses in the Project vicinity, including the impact on "essential" habitat of the stickleback.

F. BIOTA IMPACTS.

1. Inaccurate Evaluation of Biota Effects on Endangered Species.

The DEIS explains that Soledad Canyon contains "essential habitat" for the unarmored threespine stickleback, which extends from the Project site downstream to the Town of Lang. DEIS, 3-197. The DEIS states that only "23 acres of riparian vegetation are present in the area adjacent to and downstream of the site." *Id.* Twenty-three acres appears to be an extremely low estimate considering that the Habitat Protection Plan indicates that the Soledad Canyon Zone of "essential habitat" extends a total of 8.5 miles.[28] DEIS, Tech. App. F, F6-3. According to the Habitat Protection Plan, "[t]he essential habitat extends laterally from the streambed to include associated floodplain that supports or is capable of supporting riparian vegetation under natural conditions." DEIS, 3-211. When it is wetted during high water flows, the River contains far more than 23 acres of vegetation. DEIS, Tech. App. F, Habitat Protection Plan, F6-2; *see also* Santa Clarita Valley Area Plan Map, 1991; L.A. County General Plan, Special Management Areas Map, 1988. The DEIS fails to explain how the 23-acre figure was reached or whether the area was surveyed for an accurate determination.

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Failing to evaluate for the stickleback's entire "essential habitat" is inconsistent with the DEIS's "significance criteria" which defines "significant" biological impacts if a project "substantially affects a rare or endangered species of animal or plant or the *habitat* of the species ... [and/or] loss of a critical or limited resource used by a Federal or State Threatened or Endangered Species...." DEIS, 3-228 (emphasis added). The Habitat Protection Plan states that its objective is "to protect the permanent habitat of ... unarmored threespine stickleback from significant project-related habitat modification and degradation." DEIS, Tech. App., F6-4. The DEIS must fully evaluate Project impacts on the stickleback's "essential habitat," clearly identifying the extent of the habitat area.

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[28] Notably, the only map referenced that highlights the stickleback's "essential habitat" provides no scale to measure distance. DEIS, Tech. App. F, F6-3, Fig. 1.

2. Stale Data Utilized in Analysis of Project's Effects on Biota.

The DEIS biota analysis relies on stale data provided in three technical reports for its biological studies, the latest of which was produced in 1992[29] – thus even the most recent technical report relied on data that is at least eight years old! Similarly, the DEIS's vegetation surveys, general wildlife surveys and sensitive wildlife surveys were conducted in 1990, while records used to evaluate impacts on sensitive plants date as far back as 1984. DEIS, 3-194–95. The DEIS states that "[i]n March 1992, vegetation was sampled over the proposed site to establish baseline data for reclamation performance standards." DEIS, 3-194. Considering the rapid urban and rural development occurring in the Soledad Canyon area, the Santa Clara River and its biota have endured substantial changes that are omitted from the DEIS's analysis and baseline determination. 32

3. Failure to Analyze the Project's Consistency With Area Plan Environmental Resource Policies.

The DEIS presents a misleading picture of the 1990 Santa Clarita Valley Area Plan (the "Area Plan") policies relating to "environmental resources management." The DEIS minimizes, if not wholly ignores, the Area Plan's numerous policy directives to protect "significant ecological areas," specifically the Santa Clara River Significant Ecological Area ("SEA") in Soledad Canyon.[30] Area Plan, 25-26, 58: SEA NO. 23. The Area Plan has, *inter alia*, a policy to "[p]rotect identified resources in Significant Ecological Areas ... by appropriate measures including preservation, mitigation and enhancement." Area Plan, 25. In particular, the Area Plan provides that "determination of specific protective mechanisms for each Significant Ecological Area requires individual site level analysis through the Conditional Use Permit process based on the resource present. *Specific* biotic surveys are required for review by the County Significant Ecological Area Technical Advisory Committee (SEATAC) as part of the environmental review process." Area Plan, 41-42 33

[29] Chambers Group, *Results of a Biological Survey for a Proposed Sand and Gravel Extraction Operation in Soledad Canyon*, March 1991; *Survey of Unarmored Threespine Stickleback Near Lang in Soledad Canyon,* March 1991; and *Results of Butterfly Survey, Transit Mixed Concrete Company, Soledad Canyon Project*, February 1992. DEIS, 3-193. Surveys for the unarmored threespine stickleback habitat in the river adjacent and downstream of the site were first conducted in 1990, "with permanent habitat monitoring sites selected ... [in] 1990." DEIS, 3-195. Monitoring of the habitat took place between January and May in 1991. *Id.* The most recent "habitat surveys" were conducted in 1992 and 1993.

[30] "Significant Ecological Areas are ecologically important or fragile land and water areas valuable as plant or animal communities ... Preservation techniques may include County land use regulations, density transfer, clustering, transfer of development rights, open space easements, deed restrictions, private land gifts and/or public acquisition...." Area Plan, 41.

(emphasis added). Such a review of biotic surveys is never mentioned in the DEIS. The DEIS must identify whether SEATAC has reviewed the relevant biotic surveys, particularly those related to the protection of the stickleback's "essential habitat" and those related to other biota within the Santa Clarita River SEA. 3

4. Inadequate Analysis of Project Effects on Sensitive Wildlife.

The DEIS admits that pumping the water necessary for the TMC quarry project will likely have adverse effects on surface flow in the Santa Clara River. DEIS, 3-65. The DEIS acknowledges that the decline of the endangered stickleback has occurred due to "[o]ngoing habitat destruction ... [and] [c]urrently, the only recognized populations of this [species] are confined to the headwaters of the Santa Clara River and its tributaries...." DEIS, 3-224. The DEIS's failure to accurately describe Project impacts on the Santa Clara River also results in an inaccurate description of adverse impacts on other sensitive wildlife dependent on the River in the Project site area. By the DEIS's own account "[s]ixty-one bird species were observed along the Santa Clara River ... adjacent to the Project site...." DEIS, 3-217. Additionally, many migrating birds use the Project site's riparian habitat for cover and as feeding areas in the spring and the fall. Moreover, an area of the river within the Project site provides a wildlife movement corridor between north and south sections of the Angeles National Forest. *Id.* But because the Habitat Protection Plan itself is based on inaccurate data regarding the River, any mitigation measures are illusory. 34

F. VISUAL EFFECTS.

TMC's massive quarry, its manufacturing plant and its huge, flat fines storage area are proposed to be sited in an area that is presently mountainous, serene and rural. The site, which lies at the intersection of new residential development to the west and primarily "natural terrain" to the east, at elevations ranging from 1,875 to 2,830 feet above sea level, has no naturally-occurring flat areas and is covered with a "complex mosaic of plant communities." DEIS, 3-241.

According to the DEIS, the Project site will be seen most prominently by passers-by on the Antelope Valley Freeway and on Soledad Canyon Road. *Id.* Residents of the City of Santa Clarita whose homes do not have the benefit of intervening topography will be able to view the Project site from their residences. DEIS, 3-242. Because the topography will be permanently altered, the Project will have "significant" visual impacts. *See* TMC Rebuttal Testimony before Los Angeles County Regional Planning Commission, December 1, 1999. 35

1. Night Light Issues.

The DEIS underestimates the Project's projected night light impacts. DEIS, 3-282. The night light level in the Project vicinity presently varies from "low to very low"; the town of Agua Dulce has chosen not to have nighttime street lighting "in order to maintain a rural

ambiance at night." *Id.* The DEIS nevertheless evaluates the Project's night light impacts by comparing them to an *urban* setting, stating that the Project's lighting density will be "less than half that of typical *urban* residential area." On that basis, the DEIS concludes that the Project's night light "would not be bright, uncomfortable or visually disturbing (based on the comparison to typical *urban lighting*)." DEIS, 3-282 (emphasis added). Further, the night light emitted from the Project will not be spread over a large rural area, as is the case with community street lighting, but rather the Project lighting will be concentrated, thus more intense, on one portion of the site. This will inevitably create a more intense glow than that that is emitted from dispersed residential area lighting.[31] In its assessment of the Project's night light impacts, the DEIS should compare the night light intensity to that typical for a rural area and should discuss the disturbance level for such a concentrated light source in that context. 35

2. Visual Effects on Users of the Antelope Valley Freeway.

The DEIS's description of the Project's "significant," unmitigatable visual impacts from the Antelope Valley Freeway is misleading. DEIS, 3-256. The DEIS's evaluation of visual impacts on Antelope Valley Freeway traffic makes the unlikely assumption that passing drivers will not be in slow traffic conditions, thus their view of the project will be brief. DEIS, 3-270. Further, the photograph of the view of the North Fines Storage Area ("NFSA") completely obscures any view from the Freeway using peripheral vision or view from a side window. DEIS, 3-256. That view of the Project site is only described from the perspective of drivers. The DEIS explains that the construction will draw vehicle passengers' eyes toward the site, but passengers' visual experience is treated only cursorily, assuming that drivers will be the primary viewers even though their visual concentration will be on the road. DEIS, 3-270. Additionally, the projected view of the NFSA misleadingly fails to include the 80-foot wide haul road, which services the many large trucks carrying the fines to the storage area, kicking up huge clouds of dust. It also fails to include the proposed elevated conveyor-carrying system for transportation of fines to the NFSA and ignores the impacts of the enormous trucks hauling product and fines that will be a constant eye-sore, raising clouds of dirt along the unpaved roads as they travel throughout the site. DEIS, 3-256–70; SDEIS. 36

The DEIS also inappropriately minimizes the visual impacts of the ridgeline modification that will occur along the Antelope Valley Freeway, a second priority study route for designation as a scenic highway. Area Plan, 61. Placement of the Project along the Freeway is acknowledged as a "potentially significant" impact on the Area Plan's aesthetic policy.

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[31] Strangely, the DEIS states that night light from residential areas in the City of Santa Clarita impacts the night lighting in Agua Dulce, but the DEIS does not examine the impacts of the Project's night lighting on Santa Clarita residents themselves, even though some of them live within sight of the Project. DEIS, 3-282.

DEIS, 3-255, 272. The DEIS minimizes this designation, however, by emphasizing the Freeway's "secondary" status, indicating that other areas have "more potential for scenic designation."[32] DEIS, 3-255. The DEIS also fully ignores the fact that both Soledad Canyon Road and Agua Dulce Road, both which border the Project site, are considered "First Priority Study Routes."[33] Area Plan, 61. In fact, up to the intersection of the Antelope Valley Freeway and Soledad Canyon Road, these two roads share "First Priority" status for designation as a scenic highway. *Id.* Within the Area Plan, which bestows these designations on roadways, non-residential development in rural areas, such as the Project herein, "should be landscaped, fenced, and screened to minimize visual impact on surrounding uses, and, where appropriate, structures in hillside areas should be designed to preserve scenic value. Major ridgelines should also be preserved wherever possible."[34] DEIS, 3-255; Area Plan, §V.C. Of course, the Project appears completely inconsistent with these policy directives, and this inconsistency, too, is ignored. **36**

3. Effect on Sensitive Viewers.

The DEIS misleadingly minimizes the visual effects on persons who utilize the region for recreational purposes. In particular, the DEIS observes that recreational hikers in the Angeles National Forest will have to view the Project on their travels but concludes that intrusion into this view will not be "significant," because the Project's disruption of the landscape will be "consistent with other disturbance" in the area (presumably other mining operations). DEIS, 3-242, 274. Recreational hikers will be *more* dramatically disturbed by the incompatible view of an enormous mining and manufacturing operation than most passersby. Since recreational hikers are more sensitive to the disturbance of type provided by this Project, and viewer sensitivity is one of the "significance measures" set forth in the visual qualities section (*see* DEIS, 3-256), the DEIS should revise its assessment accordingly. **37**

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[32] Of course, designation as a "secondary study" area indicates that this portion of the Antelope Valley Freeway, in fact, does have clear potential for designation as a scenic highway.

[33] Soledad Canyon Road is also considered a "Bikeway" under the Area Plan. Area Plan, 60.

[34] The DEIS identifies various visual quality effects as significant *only until* the site is reclaimed. Strangely, the DEIS notes that "[a]dditional filling of the mined-out area could be considered to help restore the terrain and ridgeline," the disturbance of which is one of the Project's significant visual impacts. DEIS, 3-283. The DEIS dismisses this mitigation measure for the Project view from Soledad Canyon Road, stating it "would require an extensive and major effort that is not considered feasible." *Id.* Yet there is absolutely no fleshing out of the feasibility of this seemingly considerable mitigation measure. *Id.* DEIS, 3-260, 283. As discussed above at pages 3-5, if mining may continue substantially after this contract has expired, this post-operation mitigation would be further delayed.

The Project's impacts on viewers from Bee Canyon is also inappropriate. DEIS, 3-270. The DEIS states that there would be a "significant" visual impact on Bee Canyon residents, but it reiterates its opinion that "present zoning does not include residential development" in Bee Canyon, thus erroneously implying that this impact is irrelevant and not worthy of mitigation. *Id. See* discussion above, at pages 10-11. 37

CONCLUSION

For the foregoing reasons, as well as those presented in the findings of Los Angeles County's Regional Planning Commission on the DEIR, SAFE Action For the Environment urges BLM to deny the TMC Project in its entirety. In the alternative, the Project DEIS should be substantially revised and recirculated to ensure that the issues and concerns discussed above are fully addressed.

Very truly yours,

Carlyle Hall

Carlyle W. Hall, Jr.
Attorney for SAFE Action for the Environment, Inc.

CWH:pmk
cc: Los Angeles County Department of Regional Planning
Attachments

EXHIBIT A

Letter submitted on behalf of
Safe Action for the Environment, Inc.,
by Bill Piazza, Air Quality Dynamics
(Sept. 10, 1999)

GEORGE E. LEIGHTON

CONSULTANT, NOISE CONTROL

September 13, 1999

To: Safe Action for the Environment
From: George E. Leighton
Subject: Soledad Canyon Sand & Gravel Mining Project CP-165-(5), Critique of Draft Environmental Impact Statement - Noise & Vibration Section

A review of the subject Environmental Impact Statement revealed basic flaws which distorts the true noise impact upon the affected residents:

1. Use of CNEL

CNEL is a 24 hr average noise descriptor. It is for land use planning only. It is typically never used as a noise ordinance limit, as stated in the report. In a hush-quiet pastoral environment with typical readings of 35 dBA, 65 dBA (cited in the report as acceptable) is 1,000 times the acoustic energy that sounds 8 times as loud as the ambient noise - a shattering intrusion. A-1

2. Intermittent Noise

This is the most intrusive type of noise. Average noise levels cannot assess the true impact of intermittent noise.

The example I like to use is someone shooting off a cannon under your bedroom window every hour on the hour throughout the night. In response to your reaction that this noise is intolerable, the cannoneer would reply that "the average noise level is acceptable. Averaging a few milliseconds of loud noise with the remaining hour of hush-quiet produces an average noise level (Leq or CNEL) which meets code and is acceptable". Of course, the absurdity of this reasoning is obvious.... not to the cannoneer, but certainly to the victim of his noise. A-2

This analogy is appropriate to heavy trucks fully loaded at maximum power passing the residences along Soledad Canyon Road at night or in the wee hours of the morning. If we assume an 80 dBA truck passby noise at the nearest receptor with a 30 dBA lower ambient level, this is an abrupt 50 dBA noise increase. Since every 10 dBA increase represents 10 times the acoustic energy that sounds twice as loud. A 50 dBA increase represents 100,000 times the acoustic energy that sounds 32 times as loud... a shattering intrusion into the hush-quiet environment.

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Mobile Home Parks

Mobile homes are designed with light-weight construction for over-the-road portability. Walls are typically light-weight metal outer skin, a 1"- 2" Styrofoam core, and a thin plywood veneer interior. This is a thin, light-weight wall that is a poor noise barrier, incapable of blocking truck passby noise from invading the mobile home interior.

Thus, land use standards applicable to conventional homes are totally inappropriate for mobile home parks.

Summary

The noise section of the Environmental Impact Statement is seriously flawed. Although it is impressive in its sheer size and data presentation it obscures the actual impact on the residents and the environment. It proposes to justify invading a hush-quiet, pastoral wilderness area with a round-the-clock industrial mining operation with accompanying noise and air pollution that will destroy the peaceful serenity of people's lives and lifestyle.

Recommendations

If this project is to be seriously considered, the noise impact report should be rewritten to present the true impact of the project on the affected residents. It should not be obscured by inappropriate use of noise descriptors.

George E. Leighton

George E. Leighton
Certified Acoustical Consultant

Attached: Appendix

GEORGE E. LEIGHTON

CONSULTANT, NOISE CONTROL

CONSULTING SERVICES

Mr. Leighton is an acoustical consultant with an impressive list of clients. Some of the more well known are listed below:

Chevron	Texas Instruments
Digital Equipment	Textron
General Electric	3M
Gulf Oil	U.S. Navy
International Harvester	United Technologies

He has over 35 years of professional engineering experience with over 25 years exclusively in the field of industrial, commercial, and residential noise control:

INDUSTRIAL

His industrial experience covers the entire range of noise abatement. He has worked with OEM's (Original Equipment Manufacturers) to design quiet equipment and provide field retrofit kits. He has designed, built and installed noise-control systems involving single items of equipment through entire plants for the metalworking, automotive, construction, printing, chemical and petrochemical industries. Techniques ranged from initial noise surveys through computer prediction and computer modeling to insure compliance with in-plant and community noise standards . . . OSHA compliance experience ranges from noise surveys, corrective action to meet OSHA standards, consulting with clients and attorneys under OSHA citations, and negotiating with OSHA to develop abatement plants for cited clients.

COMMERCIAL

His commercial experience covers new construction and corrective action for churches, recreation halls, existing schools, restaurants, factory and office buildings, hospitals, hotels and motels. Code-compliance reports prepared for interior and exterior (community) noise requirements. Mechanical systems analysis provided for new construction and corrective action for existing systems.

RESIDENTIAL

His residential experience covers new and existing apartments, condominiums, and private homes. Acoustical Analysis Reports prepared for Title 24, building and grading permits. He specializes in analysis and correction of problems in existing buildings. Expert-witness testimony provided in court actions.

Typical clients are industrial firms, architects, developers, contractors, homeowners, attorneys, consulting engineers, schools, city and national governments.

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GEORGE E. LEIGHTON
PROFESSIONAL QUALIFICATIONS

- BOARD-CERTIFIED ACOUSTICAL CONSULTANT
- REGISTERED PROFESSIONAL ENGINEER (MA)
- GRADUATE ENGINEER, MASTER'S DEGREE
- 35 YEARS PROFESSIONAL ENGINEERING EXPERIENCE
- 25 YEARS EXCLUSIVELY IN NOISE CONTROL
- MEMBER:

  Acoustical Society of America

  Institute of Noise Control Engineers

  National Council of Acoustical Consultants

  National Society of Professional Engineers

  Society of Testifying Experts

EXHIBIT B

Letter from George E. Leighton,
Noise Control Consultant
(Sept. 13, 1999)

September 10, 1999

Safe Action for the Environment
33333 Pewter Road
Agua Dulce, California 91350
Attn: Michael Karbacher

Re: Draft Environmental Impact Report for the Soledad Canyon Sand and Gravel Mining Project: Assessment of Air Quality Impacts

Dear Michael:

In response to your request to assess the adequacy of the air quality element for the above referenced project, the following is provided.

Upon review of the project's technical documentation, numerous deficiencies were noted in the approach and assessment methodology utilized by the applicant. Of relevance is the applicant's underestimation of ambient particulate (PM_{10}) concentrations, their claim that PM_{10} concentrations will not adversely affect local receptors and air toxic emissions are not associated with project operations. These assertions are incorrect and have no merit.

The following is a rebuttal to the applicant's assessment and discussion of the environmental documents technical inadequacy.

USE OF INAPPROPRIATE DISPERSION MODEL PARAMETER

The DEIR documents that operational impacts associated with particulate exposures "cannot be mitigated to a level that is less than significant." As a result, the applicant performed air dispersion modeling "to determine the potential for significant impacts on residential projects" and "on existing proximate receptors (i.e., the dwelling located across Soledad Canyon Road to the south of the site and that the River's End Trailer Park located west of the southwest corner of the site)." Although Air Quality Dynamics agrees with the use of air dispersion models to assess the downwind extent of contaminant emissions and predict relevant airborne concentrations, the applicant invoked the use of the dispersion model's calms processing option. This option is not approved by the South Coast Air Quality Management District (SCAQMD) when utilizing their preprocessed meteorological data. **B-1**

The U.S. Environmental Protection Agency recommends ignoring the meteorological hours when wind speeds are less than 1 meter per second (m/sec). When applied, however, the

highest potential downwind concentrations are ignored. This guidance is significant within the South Coast Air Basin where the average hourly wind speed is less than 1 m/sec for a significant fraction of the year. To account for this condition, SCAQMD applies the actual wind direction during the hour when the wind speed is less than 1 m/sec, then assumes a 1 m/sec value. This is done without regard to whether the wind speed instrument is recording wind speeds below the instrument's threshold for accuracy. As such, the calms processing routine must be turned off when utilizing SCAQMD's preprocessed meteorological data. B-1

Use of the SCAQMD data while invoking the clams processing routine, as was done by the applicant, underestimated residential PM_{10} exposures by a much as 16.8 and 16.3 percent for operational phases 1 and 2, respectively. Revised dispersion output files reflecting the applicant's original model design and corrected calms processing option are presented in Attachment C.

INACCURATE ASSESSMENT OF AIR QUALITY MANAGEMENT PLAN CONSISTENCY

In the applicant's consistency determination, two indicators are outlined. Of relevance is the determination of significance that the project "will not result in an increase in the frequency or severity of existing air quality violation or delay timely attainment of air quality violations or the interim emissions reductions specified in the AQMP."

The DEIR correctly notes that "a significant impact is associated with a project if the project causes a significant change in the offsite ambient air concentration." The level of significant change for PM_{10} particulates for a 24-hour average is 2.5 micrograms per cubic meter ($\mu g/m^3$). The DEIR also notes that ambient air quality in the project vicinity is in exceedance of the California Ambient Air Quality Standard (CAAQS) for PM_{10}. As a result, an incremental increase of 2.5 $\mu g/m^3$ over background levels will add to the continued degradation of local air quality and increase the frequency and severity of an existing or projected air quality violation. B-2

The DEIR appropriately documents that the project will "add to an existing (air quality) violation" for all phases of the project, yet, minimizes this determination by asserting that the project is consistent with the local Air Quality Management Plan (AQMP) "as the standards will not be violated at proximate receptor locations." Air Quality Dynamics is unclear as to the applicant's meaning of "standards." The applicant's dispersion analysis readily indicates that 24-hour concentrations at two residential receptor locations will exceed the 2.5 $\mu g/m^3$

significance threshold. For Phase 1 and Phase 2 operations, the maximum downwind concentrations at the maximum exposed residential receptor were predicted to be 13.44 $\mu g/m^3$ and 20.63 $\mu g/m^3$, respectively. As can be seen, the applicant's "first indicator of consistency" is incorrect as PM_{10} concentrations clearly violate SCAQMD's 24-hour threshold concentration of 2.5 $\mu g/m^3$. Project related emissions are, therefore, predicted to degrade local air quality and increase the frequency and severity of an existing air quality violation. B-2

Attachment A provides a graphical representation of the facility and associated downwind extent of PM_{10} concentrations which meet or exceed the SCAQMD's 24-hour threshold concentration. As noted in the contour diagrams, threshold concentrations are anticipated to extend a maximum of 4947 meters (3.1 miles) during phase 1 and 7421 meters (4.6 miles) for phase 2 operations northwest of the facility fenceline.

POTENTIAL HEALTH RISKS ASSOCIATED WITH PARTICULATE (PM10) EXPOSURE NOT DISCLOSED

Although the DEIR addresses significance and various "standards" by which to evaluate the proposed project, limited information is presented to identify the potential effects of PM_{10} emissions on an exposed population. In correspondence from Michael P. Kenny, Executive Officer, California Air Resources Board to Mary Nichols, U.S. Environmental Protection Agency, it is reported that:

> There is new information on respirable particulate matter from health and ambient monitoring studies. Important studies have been performed since the current federal PM_{10} standards were last established in 1987. These studies consistently find that exposures to ambient levels of PM_{10}, which includes $PM_{2.5}$, adversely impact health. These adverse effects include increased respiratory illness, hospitalizations, and mortality rates. B-3
>
> The health effects data do not point to a clear, no-effects or threshold level for PM (either 2.5 or 10) for these effects. Traditionally and under the federal Clean Air Act, such a no-effects level provides the basis to begin air standards considerations. Once a no-effects or safe level is identified, a margin of safety is added to assure adequate health protection that accounts for uncertainty. The absence of a no-effects level may be because no safe level exists (i.e., there is no threshold below which no effects occur), because methods to develop a safe, no-effects threshold are lacking, or because the studies have not been done that could identify a "safe" level.

The California Air Resources Board (ARB) additionally reports that PM_{10} is "known to be linked with airway conditions, such as asthma and bronchitis" and contends that the PM_{10} "24-hour standard is the most important (standard) in addressing acute health effects." The ARB continues by stating that:

> When the California Air Resources Board established its PM_{10} standard, it found 50 $\mu g/m^3$ to be a health-protective value. A review of recent findings strongly supports the merit of this determination, but suggests that a 50 $\mu g/m^3$ level provides little, if any, margin of safety.

B-3

As noted above, based on concerns raised by the ARB that there are no established safe levels of exposure and little margin of safety in our current 24-hour standard, the incremental emissions associated with the proposed project clearly present a potential to impact the health of individuals who reside within the local community.

AIR TOXIC IMPACTS WERE INAPPROPRIATELY ASSUMED TO BE INSIGNIFICANT

The DEIR reports that "no toxic air contaminants are associated with the Project", as such, "toxic air emissions will not be addressed." This approach clearly fails to recognize that the ARB has identified particulate emissions from diesel-fired engines as a toxic air contaminant (TAC). The ARB listed diesel particulate as a TAC on August 27, 1998. The ARB's decision to list the contaminant as a TAC followed an exhaustive scientific investigation by ARB staff, the Office of Environmental Health Hazard Assessment and an independent Scientific Review Panel.

B-4

In the absence of the applicant's assessment of diesel particulate exposures associated with the facility's operational emissions, Air Quality Dynamics considered it prudent to perform the appropriate health risk assessment.

To ensure the assessment accurately quantified carcinogenic risk, the analysis utilized all relevant and appropriate procedures presented by the U.S. Environmental Protection Agency and California Environmental Protection Agency. As such, the risk assessment methodologies and related technical approach utilized to quantify the dispersion and downwind extent of diesel particulate emissions is presented in the following discussion.

The analytical methodologies considered in the analysis were designed to determine the likelihood of an adverse health consequence arising from exposure to on-site diesel particulate emissions through the inhalation pathway. As such, the assessment considered all related

aspects of the federal and state risk assessment process. The unique aspects of the assessment process are hazard identification; dose-response assessment; exposure assessment; and risk characterization.

Hazard identification involves a determination of the specific health effects associated with exposure to a chemical compound. The dose-response assessment is designed to characterize the relationship between the amount or dose of a chemical agent and its toxicological effect on the human body. Exposure assessment involves the estimation of a chemical's concentration and the duration of exposure over a given period of time. Risk characterization is the integration and concluding step in the assessment process where information relative to a chemical's toxicity, concentration and length of exposure are combined to provide a quantitative probability of adverse health effects.

Although the process of hazard identification and the dose-response assessment are not explicitly addressed, the determination of a compound's toxicity and the dose required to elicit an adverse health effect are based on human health effects data developed by the Office of Environmental Health Hazard Assessment. As such, the latter steps of the assessment process will be addressed to determine the concentration and duration of the facility's emissions and integrate the resulting values with published toxicity data to produce a numerical estimate of risk. B-4

Exposure Assessment

Knowledge of the chemical's airborne concentration is integral to the characterization of risk and an essential part of the assessment process. To obtain these values, Air Quality Dynamics applied the applicant's assessment methodology used to quantify chronic exposures to nitrogen dioxide (NO_2) from heavy equipment operations. As such, both phase 1 and 2 "residual" particulate emission values (i.e., 18.4 and 35.0 pounds per day) were utilized. The emission rates were then equally divided among four discrete source configurations. This was done to replicate the applicant's assessment protocol presented in the DEIR.

Once the emission rates were identified, predictive modeling or a mathematical simulation to calculate the dispersion of diesel particulates was prepared. Air dispersion modeling is typically used to quantify the downwind extent of both criteria and toxic pollutants generated from an emitting source. To exemplify the viability of this predictive approach, the United States Environmental Protection Agency, Office of Air Quality Planning and Standards (OAQPS) reports that *"modeling is the preferred method"* and *"primary analytical tool"* for assessing emissions generated from new and existing sources.

To assess the impact of these emissions, the Industrial Source Complex Short-Term (ISCST3) model was employed. ISCST3 is an OAQPS preferred model for assessing pollutant concentrations from a wide variety of emission sources (i.e., point, area and line). This model was also utilized by the applicant to assess both mobile and fugitive emissions generated from the project's on-site operations.

Please note that with the exception of an emission rate adjustment from NO_2 to exhaust particulates and modification of the calms processing option to comply with SCAQMD guidance, the exposure assessment was prepared in a manner consistent with the approach utilized by the applicant to assess emissions generated from its on-site heavy equipment operations (i.e., release height, initial sigma values and source coordinates).

Risk Characterization

Carcinogenic compounds are not considered to have threshold levels (i.e., dose levels below which there are no risks). Any exposure, therefore, will have some associated risk. As a result, the State of California has established a threshold of one in one hundred thousand (i.e., 1.0E-5) as a level posing no significant risk for exposures to carcinogens regulated under the Safe Drinking Water and Toxic Enforcement Act (Proposition 65).

Traditionally, health risks associated with exposure to carcinogenic compounds can be defined in terms of the probability of developing cancer as a result of exposure to a chemical at a given concentration. The cancer risk probability is determined by multiplying the pollutant's concentration by its unit risk factor (URF). The URF is a measure of the carcinogenic potential of a chemical when a dose is received through the inhalation pathway. It represents an upper-bound estimate of the probability of contracting cancer as a result of continuous exposure to an ambient concentration of one microgram per cubic meter (μg/m3) over a 70 year lifetime.

22 CCR 12721(c) provides for the risk determination to be based on the assumption of a defined rate of exposure over a 70 year lifetime. This is accomplished by multiplying the level in question by the estimated exposure rate. To assess exposure, the compound's URF must first be converted to an appropriate inhalation cancer potency factor expressed in mg/kg-day. The conversion is derived by the following:

$$\chi \text{ mg/kg-day} \times (1/70) \times (20\ m^3) \times (1.0\ \text{mg} / 1000\ \mu g) = 3.0E\text{-}04$$

$$\chi = 1.05 \text{ mg/kg-day}$$

The cancer potency factor is then multiplied by the contaminant intake (i.e., inhalation dose) expressed in mg/kg-day. To convert airborne concentration estimates to the appropriate inhalation dose value, the following formula was utilized.

$$I = (C \times CR \times EF \times ED) / (BW \times AT)$$

Where:

I	=	intake of chemical via exposure route (mg/kg-day)
C	=	exposure point concentration (mg/m^3)
CR	=	contact rate (m^3/day)
EF	=	exposure frequency (days/year)
ED	=	exposure duration (years)
BW	=	average body weight over the exposure period (kg)
AT	=	averaging time over which exposure is averaged (days)

For the general population (i.e., residential receptor), an exposure duration of 365 days per year for 70 years, average human body weight of 70 kilograms and nominal breathing rate of 20 cubic meters per day was assumed.

Results of the analysis reveal lifetime cancer risks to be 3.0E-05 (i.e., 3.0 in one hundred thousand and 5.7E-05 (i.e., 5.7 in one hundred thousand) for the maximum exposed residential receptor (MEI). Carcinogenic risks which meet or exceed the one in one hundred thousand value were also predicted to extend beyond the facility fenceline by more than 5138 meters (3.2 miles) during phase 1 and 9500 meters (5.9 miles) for phase 2 operations.

Therefore, in consideration of the levels predicted in the assessment and carcinogenic potential associated with diesel particulate exposures, operational emissions from the facility are predicted to subject individuals to levels in exceedance of the no significant risk level of one in one hundred thousand established under Proposition 65.

Attachment B presents the risk calculation worksheet associated with the above referenced MEI receptor for both project phases. Attachment A provides a graphical representation of the facility and associated downwind extent of carcinogenic risks predicted in the model exercise. Attachment C presents the ISCST3 dispersion model output files.

I trust the preceding discussion and analysis exemplifies the applicant's limited assessment of the project's potential to impact local air quality. Simply, the analysis is deficient and inaccurate in that it fails to identify the project's operational impacts as well as address the generation of toxic compounds associated on-site mobile source activity.

Be advised it was not the intent of Air Quality Dynamics to produce a worst-case assessment, but rather, to examine project impacts based upon the operational characteristics presented by the applicant.

However, there is one consideration not addressed by Air Quality Dynamics relating to the project's surrounding land use designations. The U.S. Environmental Protection Agency and ARB recommend that different dispersion coefficients be used when performing a dispersion analysis for urban and rural land use classifications. A review of DEIR documentation and available zoning records identify land use in the project vicinity as "rural residential" where low to medium density single family dwellings predominate (i.e., 0.5 to 3.3 dwelling units per acre). Under existing regulatory guidance, a dispersion analysis would appropriately incorporate rural dispersion coefficients. This is most relevant as assessments conducted with rural coefficients consistently predict higher ground level concentrations than those which assume an urban design.

Notwithstanding, Air Quality Dynamics consulted with Mr. Tom Chico of the SCAQMD to validate the use of the rural land use classification. Mr. Chico reported that although the land use may be classified as rural, the SCAQMD currently recognizes use of the urban dispersion coefficients for projects located within the South Coast Air Basin. This "default" approach is designed to minimize the agency's regulatory/consultative review of local projects. Although Air Quality Dynamics recognizes SCAQMD's current methodology, it respectively disagrees with limiting a dispersion analysis for the sake of brevity. Air Quality Dynamics will continue to consult with members of the SCAQMD to validate the adequacy of their current protocol and/or revise their approach to compliment existing regulatory guidance. **B-5**

Please advise as to the disposition of this memorandum and subsequent response by the applicant. I can be reached at (310) 576-5837 should you have any questions or need additional information.

Sincerely,

Bill Piazza

:bp

Attachment A: Graphical Representations / Contaminant Dispersion
Attachment B: Diesel Particulate Exposure / Risk Calculation Worksheet
Attachment C: ISCST3 Dispersion Model Output Files
Attachment D: List of References

ATTACHMENT A

(Graphical Representations / Contaminant Dispersion)

Figure 1
Downwind Extent of PM_{10} 24-Hour Threshold Concentration
(Phase 1)

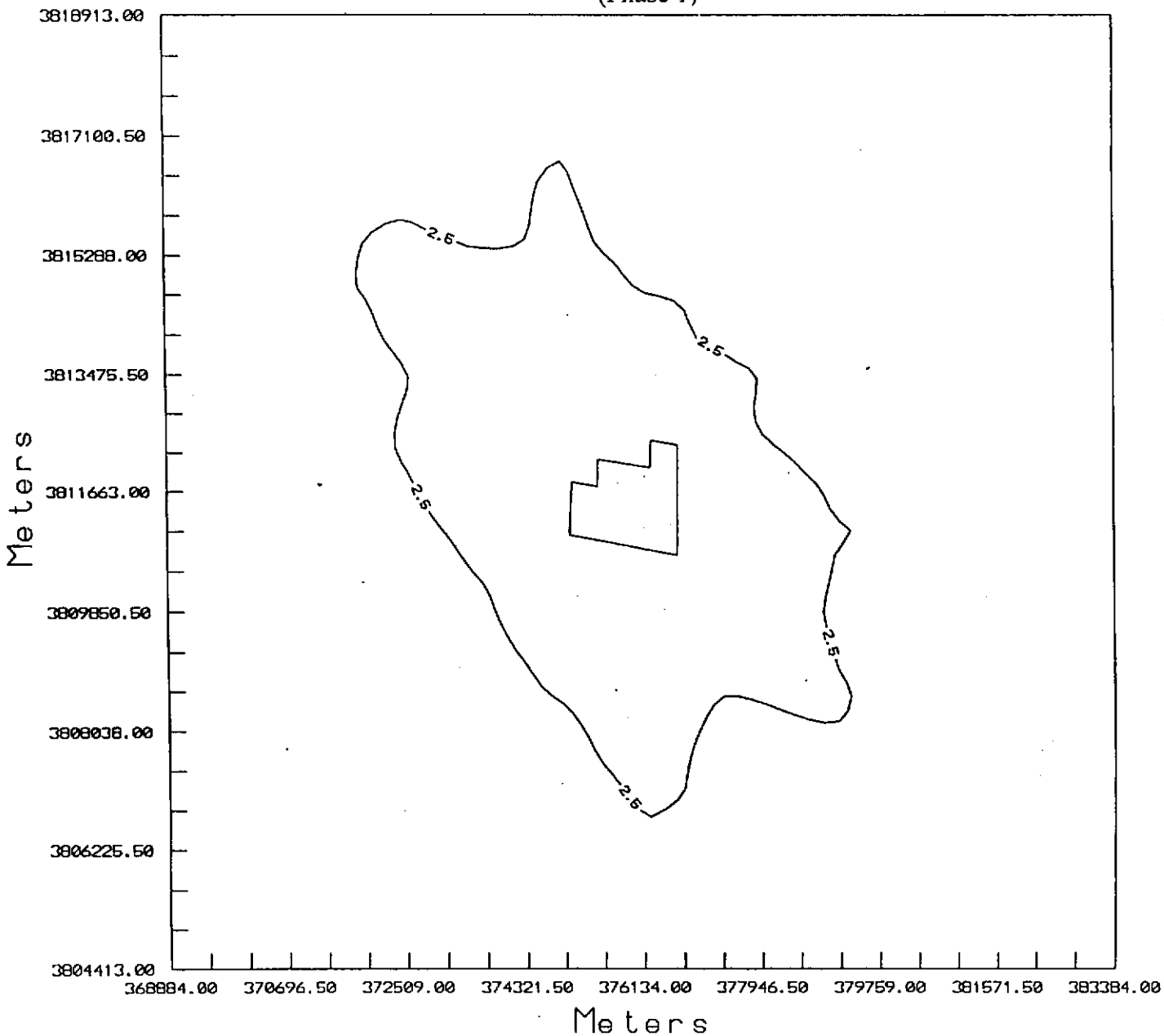


Figure 2

Downwind Extent of PM_{10} 24-Hour Threshold Concentration

(Phase 2)

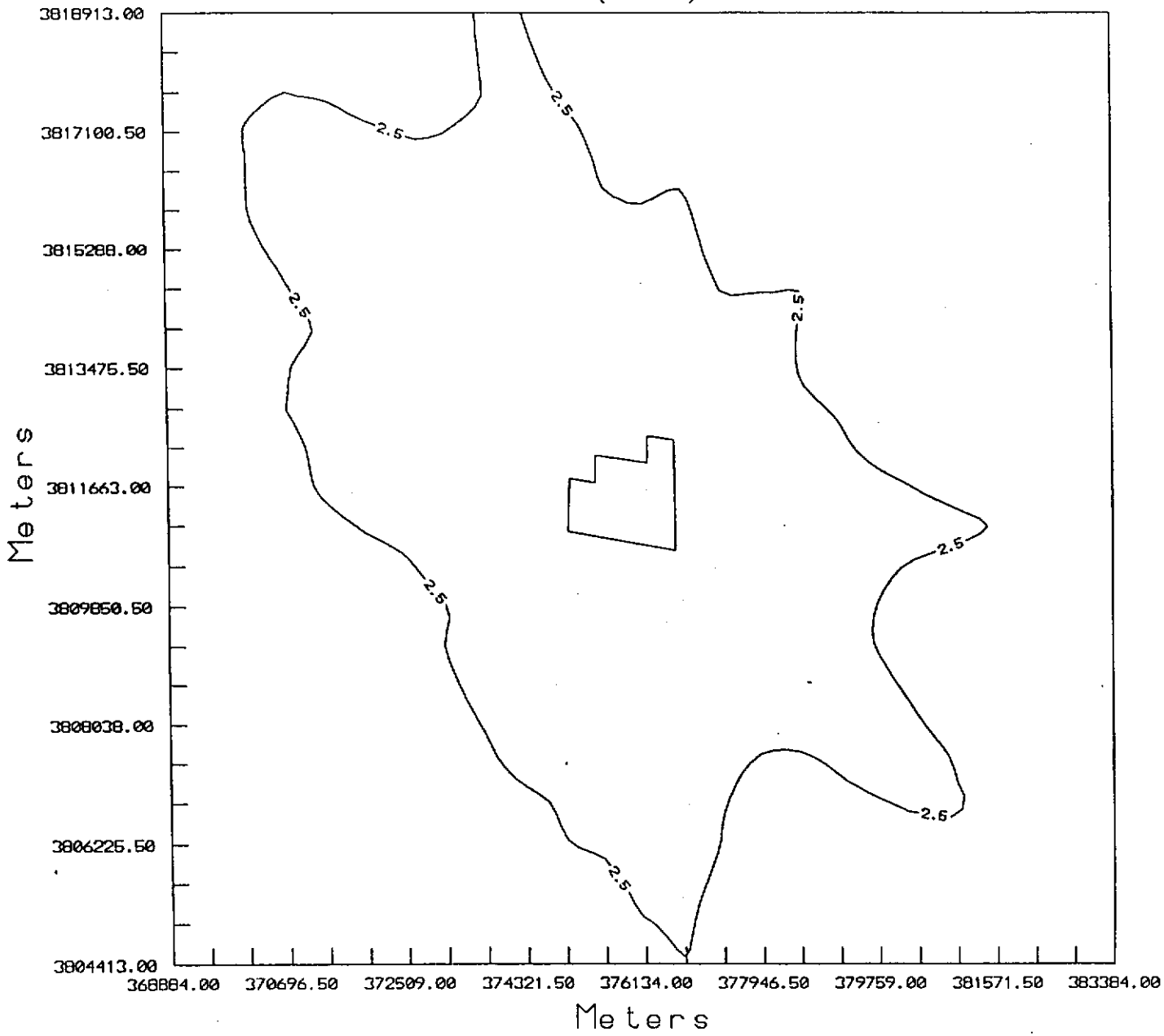


Figure 3

Downwind Extent of One in One Hundred Thousand (1.0E-05) Risk Isopleth
(Phase 1)

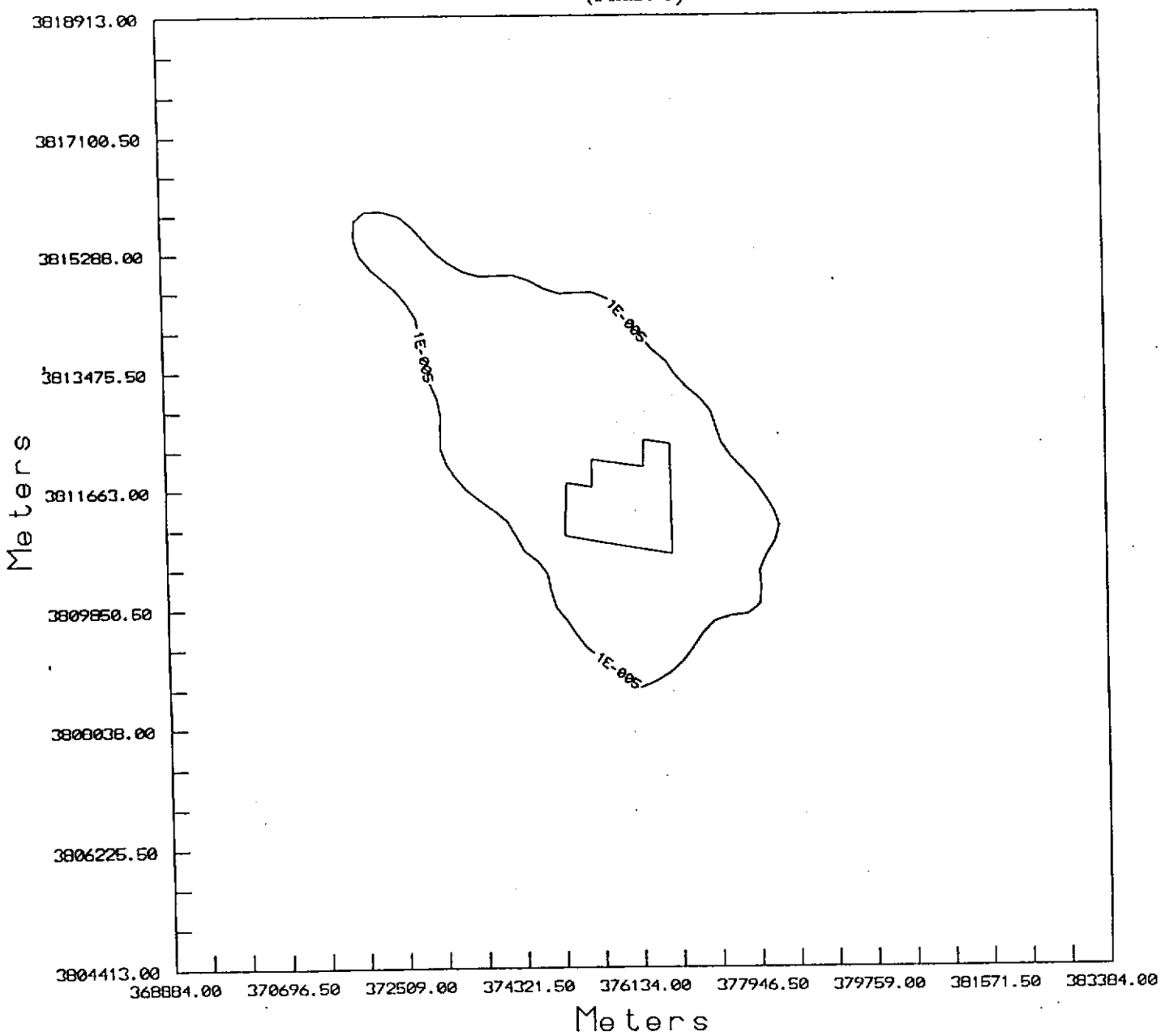
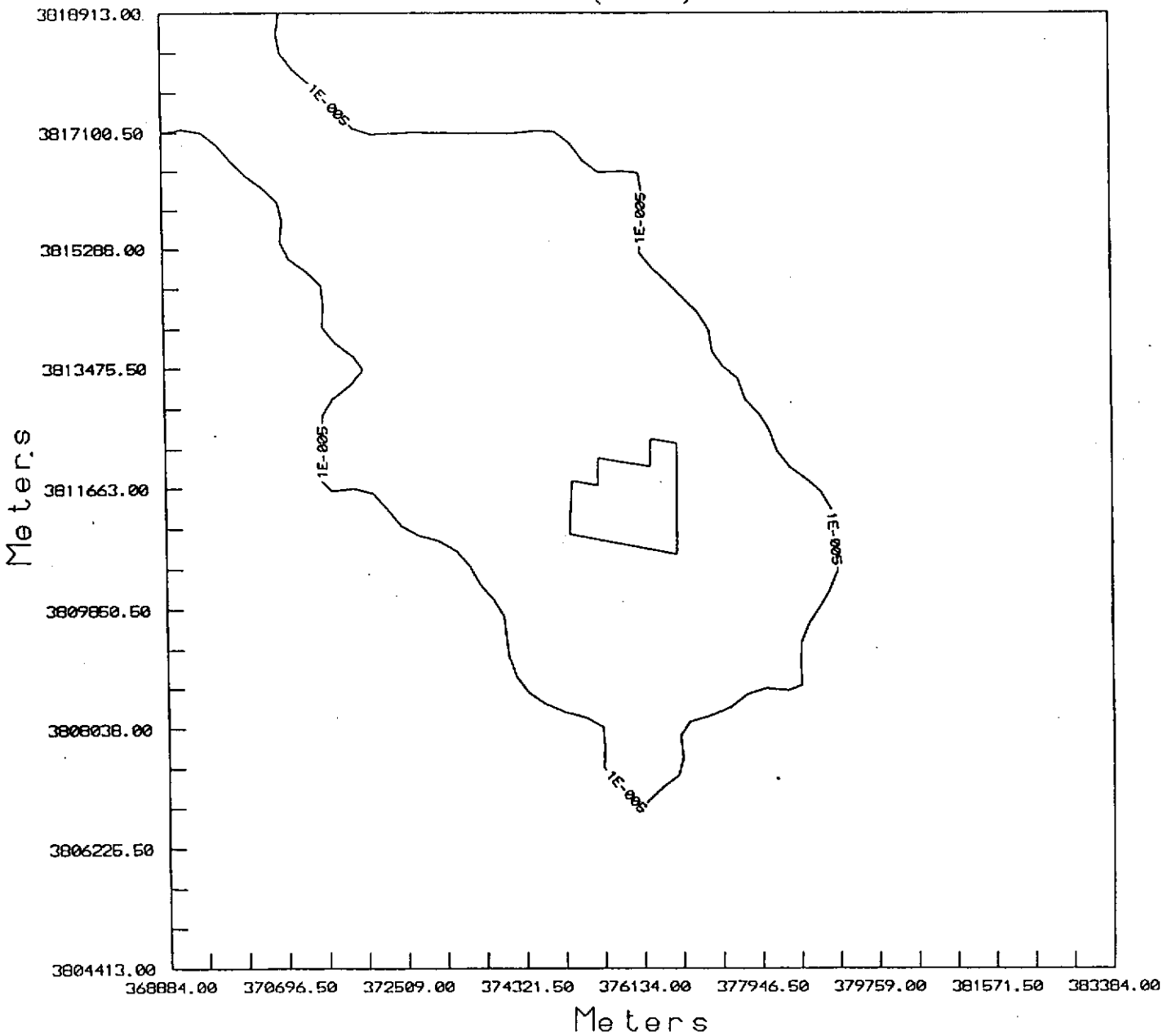


Figure 4

Downwind Extent of One in One Hundred Thousand (1.0E-05) Risk Isopleth
(Phase 2)



ATTACHMENT B

(Diesel Particulate Exposure / Risk Calculation Worksheet)

Risk Calculation Worksheet
Maximum Exposed Residential Receptor
(Diesel Particulate Emissions)

A. Contaminant Intake

$I = (C \times CR \times EF \times ED)/(BW \times AT)$

Where:

I =	intake of chemical via exposure route (mg/kg/day)
C =	exposure point concentration (mg/m3)
CR =	contact rate (m3/day)
EF =	exposure frequency (days/year)
ED =	exposure duration (years)
BW =	average body weight over the exposure period (kg)
AT =	averaging time period over which exposure is averaged (days)

B. Risk Quantification

$Risk = (I \times CPF)$

Where:

I =	intake of chemical via exposure route (mg/kg/day)
CPF =	inhalation cancer potency factor (mg/kg/day)-1

C. Calculated Values for the General Population (Phase 1)

C =	9.94E-05
CR =	20
EF =	365
ED =	70
BW =	70
AT =	25550
CPF =	1.05E+00
I =	2.8E-05
Risk =	3.0E-05

D. Calculated Values for the General Population (Phase 2)

C =	1.89E-04
CR =	20
EF =	365
ED =	70
BW =	70
AT =	25550
CPF =	1.05E+00
I =	5.4E-05
Risk =	5.7E-05

ATTACHMENT C

(ISCST3 Dispersion Model Output Files)

PM_{10} Emissions / No Calms Processing

(Phase 1)

**MODELOPTs:
CONC URBAN FLAT NOCALM

*** MODEL SETUP OPTIONS SUMMARY ***

- -

**Intermediate Terrain Processing is Selected

**Model Is Setup For Calculation of Average CONCentration Values.

-- SCAVENGING/DEPOSITION LOGIC --
**Model Uses NO DRY DEPLETION. DDPLETE = F
**Model Uses NO WET DEPLETION. WDPLETE = F
**NO WET SCAVENGING Data Provided.
**NO GAS DRY DEPOSITION Data Provided.
**Model Does NOT Use GRIDDED TERRAIN Data for Depletion Calculations

**Model Uses URBAN Dispersion.

**Model Uses User-Specified Options:
1. Final Plume Rise.
2. Stack-tip Downwash.
3. Buoyancy-induced Dispersion.
4. Not Use Calms Processing Routine.
5. Not Use Missing Data Processing Routine.
6. Default Wind Profile Exponents.
7. Default Vertical Potential Temperature Gradients.

**Model Assumes Receptors on FLAT Terrain.

**Model Assumes No FLAGPOLE Receptor Heights.

**Model Calculates 1 Short Term Average(s) of: 24-HR
and Calculates PERIOD Averages

**This Run Includes: 17 Source(s); 1 Source Group(s); and 402 Receptor(s)

**The Model Assumes A Pollutant Type of: OTHER

**Model Set To Continue RUNning After the Setup Testing.

**Output Options Selected:
Model Outputs Tables of PERIOD Averages by Receptor
Model Outputs Tables of Highest Short Term Values by Receptor (RECTABLE Keyword)
Model Outputs Tables of Overall Maximum Short Term Values (MAXTABLE Keyword)
Model Outputs External File(s) of High Values for Plotting (PLOTFILE Keyword)

**Misc. Inputs: Anem. Hgt. (m) = 10.00 ; Decay Coef. = 0.000 ; Rot. Angle = 0.0
Emission Units = GRAMS/SEC ; Emission Rate Unit Factor = 0.10000E+07
Output Units = MICROGRAMS/M**3

**Approximate Storage Requirements of Model = 1.2 MB of RAM.

**Input Runstream File: D:\soledad1.DTA
**Output Print File: D:\soledad1.LST

**MODELOPTs:
CONC URBAN FLAT NOCALM

*** VOLUME SOURCE DATA ***

SOURCE ID	NUMBER PART. CATS.	EMISSION RATE (GRAMS/SEC)	X (METERS)	Y (METERS)	BASE ELEV. (METERS)	RELEASE HEIGHT (METERS)	INIT. SY (METERS)	INIT. SZ (METERS)	EMISSION RATE SCALAR VARY BY
R3	0	0.25600E-01	375641.0	3811744.0	0.0	3.50	100.00	7.00	
R5	0	0.25600E-01	375841.0	3811744.0	0.0	3.50	100.00	7.00	
R7	0	0.25600E-01	375641.0	3811544.0	0.0	3.50	100.00	7.00	
R10	0	0.25600E-01	375541.0	3811344.0	0.0	3.50	100.00	7.00	
R14	0	0.25600E-01	375741.0	3811144.0	0.0	3.50	100.00	7.00	
R17	0	0.25600E-01	375841.0	3810944.0	0.0	3.50	100.00	7.00	
R20	0	0.25600E-01	376041.0	3810944.0	0.0	3.50	100.00	7.00	
R25	0	0.25600E-01	376241.0	3811144.0	0.0	3.50	100.00	7.00	
RCKPLNT	0	0.34000E+00	376366.0	3811119.0	0.0	3.50	50.00	7.00	
BTCHPLNT	0	0.30000E-01	376316.0	3811119.0	0.0	3.50	50.00	7.00	
R1	0	0.25600E-01	375441.0	3811644.0	0.0	3.50	100.00	7.00	

**MODELOPTs:
CONC URBAN FLAT NOCALM

*** AREA SOURCE DATA ***

SOURCE ID	NUMBER PART. CATS.	EMISSION RATE (GRAMS/SEC /METER**2)	COORD (SW CORNER) X (METERS)	Y (METERS)	BASE ELEV. (METERS)	RELEASE HEIGHT (METERS)	X-DIM OF AREA (METERS)	Y-DIM OF AREA (METERS)	ORIENT. OF AREA (DEG.)	INIT. SZ (METERS)	EMISSION RATE SCALAR VARY BY
FINES1	0	0.27500E-05	375691.0	3811794.0	0.0	0.00	100.00	100.00	0.00	0.00	
FINES2	0	0.27500E-05	375791.0	3811794.0	0.0	0.00	100.00	100.00	0.00	0.00	
FINES3	0	0.27500E-05	375691.0	3811694.0	0.0	0.00	100.00	100.00	0.00	0.00	
FINES4	0	0.27500E-05	375791.0	3811694.0	0.0	0.00	100.00	100.00	0.00	0.00	
STCKPILE	0	0.20000E-05	376491.0	3811194.0	0.0	0.00	100.00	100.00	0.00	0.00	
PITOPS	0	0.13000E-03	376041.0	3811244.0	0.0	0.00	100.00	100.00	0.00	0.00	

**MODELOPTs:
CONC URBAN FLAT NOCALM

*** SOURCE IDs DEFINING SOURCE GROUPS ***

GROUP ID	SOURCE IDs
ALL	FINES1 , FINES2 , FINES3 , FINES4 , STCKPILE, PITOPS , R3 , R5 , R7 , R10 , R14 , R17
	R20 , R25 , RCKPLNT , BTCHPLNT, R1 ,

**MODELOPTs:
CONC URBAN FLAT NOCALM

*** GRIDDED RECEPTOR NETWORK SUMMARY ***

*** NETWORK ID: CART1 ; NETWORK TYPE: GRIDCART ***

*** X-COORDINATES OF GRID ***
(METERS)

373634.0, 373884.0, 374134.0, 374384.0, 374634.0, 374884.0, 375134.0, 375384.0, 375634.0, 375884.0,
376134.0, 376384.0, 376634.0, 376884.0, 377134.0, 377384.0, 377634.0, 377884.0, 378134.0, 378384.0,

*** Y-COORDINATES OF GRID ***
(METERS)

3809163.0, 3809413.0, 3809663.0, 3809913.0, 3810163.0, 3810413.0, 3810663.0, 3810913.0, 3811163.0, 3811413.0,
3811663.0, 3811913.0, 3812163.0, 3812413.0, 3812663.0, 3812913.0, 3813163.0, 3813413.0, 3813663.0, 3813913.0,

**MODELOPTs:
CONC URBAN FLAT NOCALM

*** DISCRETE CARTESIAN RECEPTORS ***
(X-COORD, Y-COORD, ZELEV, ZFLAG)
(METERS)

(375707.0,	3810561.0,	0.0,	0.0);	(374756.0,	3810927.0,	0.0,	0.0);

**MODELOPTs:
CONC URBAN FLAT NOCALM

* SOURCE-RECEPTOR COMBINATIONS FOR WHICH CALCULATIONS MAY NOT BE PERFORMED *
LESS THAN 1.0 METER OR 3*ZLB IN DISTANCE, OR WITHIN OPEN PIT SOURCE

SOURCE ID	- - RECEPTOR LOCATION - - XR (METERS)	YR (METERS)	DISTANCE (METERS)
R3	375634.0	3811663.0	-133.70
R3	375634.0	3811913.0	-45.86
R5	375884.0	3811663.0	-123.29
R5	375884.0	3811913.0	-40.62
R7	375634.0	3811413.0	-83.81
R7	375634.0	3811663.0	-95.79
R10	375634.0	3811163.0	-11.51
R10	375384.0	3811413.0	-43.51
R10	375634.0	3811413.0	-99.20
R14	375634.0	3811163.0	-106.33
R14	375884.0	3811163.0	-70.74
R17	375634.0	3810913.0	-5.69
R17	375884.0	3810913.0	-161.99
R20	375884.0	3810913.0	-54.97
R20	376134.0	3810913.0	-116.97
R25	376134.0	3811163.0	-106.33
R25	376384.0	3811163.0	-70.74
RCKPLNT	376384.0	3811163.0	-59.96
BTCHPLNT	376384.0	3811163.0	-26.51
R1	375384.0	3811663.0	-154.92
R1	375634.0	3811663.0	-21.07

**MODELOPTs:
CONC URBAN FLAT NOCALM

*** METEOROLOGICAL DAYS SELECTED FOR PROCESSING ***
(1=YES; 0=NO)

```
1 1 1 1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1
1 1 1 1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1
1 1 1 1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1
1 1 1 1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1
1 1 1 1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1
1 1 1 1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1
1 1 1 1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1
1 1 1 1 1 1 1 1 1 1   1 1 1 1 1 1
```

NOTE: METEOROLOGICAL DATA ACTUALLY PROCESSED WILL ALSO DEPEND ON WHAT IS INCLUDED IN THE DATA FILE.

*** UPPER BOUND OF FIRST THROUGH FIFTH WIND SPEED CATEGORIES ***
(METERS/SEC)

1.80, 3.35, 5.41, 8.49, 11.07,

*** WIND PROFILE EXPONENTS ***

STABILITY	WIND SPEED CATEGORY					
CATEGORY	1	2	3	4	5	6
A	.15000E+00	.15000E+00	.15000E+00	.15000E+00	.15000E+00	.15000E+00
B	.15000E+00	.15000E+00	.15000E+00	.15000E+00	.15000E+00	.15000E+00
C	.20000E+00	.20000E+00	.20000E+00	.20000E+00	.20000E+00	.20000E+00
D	.25000E+00	.25000E+00	.25000E+00	.25000E+00	.25000E+00	.25000E+00
E	.30000E+00	.30000E+00	.30000E+00	.30000E+00	.30000E+00	.30000E+00
F	.30000E+00	.30000E+00	.30000E+00	.30000E+00	.30000E+00	.30000E+00

*** VERTICAL POTENTIAL TEMPERATURE GRADIENTS ***
(DEGREES KELVIN PER METER)

STABILITY	WIND SPEED CATEGORY					
CATEGORY	1	2	3	4	5	6
A	.00000E+00	.00000E+00	.00000E+00	.00000E+00	.00000E+00	.00000E+00
B	.00000E+00	.00000E+00	.00000E+00	.00000E+00	.00000E+00	.00000E+00
C	.00000E+00	.00000E+00	.00000E+00	.00000E+00	.00000E+00	.00000E+00
D	.00000E+00	.00000E+00	.00000E+00	.00000E+00	.00000E+00	.00000E+00
E	.20000E-01	.20000E-01	.20000E-01	.20000E-01	.20000E-01	.20000E-01
F	.35000E-01	.35000E-01	.35000E-01	.35000E-01	.35000E-01	.35000E-01

**MODELOPTs:
CONC URBAN FLAT NOCALM

*** THE FIRST 24 HOURS OF METEOROLOGICAL DATA ***

FILE: C:\METDATA\NEWHALL.LAH
FORMAT: UNFORM
SURFACE STATION NO.: 51115 UPPER AIR STATION NO.: 99999
NAME: NEWHALL, NAME: ONTARIO,
YEAR: 1981 YEAR: 1981

YR	MN	DY	HR	FLOW VECTOR	SPEED (M/S)	TEMP (K)	STAB CLASS	MIXING HEIGHT (M) RURAL	MIXING HEIGHT (M) URBAN	USTAR (M/S)	M-O LENGTH (M)	Z-O (M)	IPCODE	PRATE (mm/HR)
81	01	01	01	314.8	1.00	285.9	7	522.6	170.0	0.0000	0.0	0.0000	0	0.00
81	01	01	02	304.9	1.00	284.8	7	507.0	170.0	0.0000	0.0	0.0000	0	0.00
81	01	01	03	310.0	1.00	284.8	7	491.4	170.0	0.0000	0.0	0.0000	0	0.00
81	01	01	04	346.0	1.00	284.8	7	475.8	170.0	0.0000	0.0	0.0000	0	0.00
81	01	01	05	309.0	1.00	285.4	7	460.3	170.0	0.0000	0.0	0.0000	0	0.00
81	01	01	06	342.0	1.00	284.3	7	444.7	170.0	0.0000	0.0	0.0000	0	0.00
81	01	01	07	342.0	1.00	284.3	7	429.1	170.0	0.0000	0.0	0.0000	0	0.00
81	01	01	08	337.1	1.00	284.3	6	43.0	190.2	0.0000	0.0	0.0000	0	0.00
81	01	01	09	6.5	1.00	287.6	5	89.2	211.8	0.0000	0.0	0.0000	0	0.00
81	01	01	10	9.1	1.00	291.5	4	135.3	233.4	0.0000	0.0	0.0000	0	0.00
81	01	01	11	291.6	1.00	297.0	3	181.5	255.1	0.0000	0.0	0.0000	0	0.00
81	01	01	12	80.6	1.00	298.7	2	227.7	276.7	0.0000	0.0	0.0000	0	0.00
81	01	01	13	87.2	1.00	299.3	2	273.8	298.4	0.0000	0.0	0.0000	0	0.00
81	01	01	14	326.7	2.24	299.3	3	320.0	320.0	0.0000	0.0	0.0000	0	0.00
81	01	01	15	337.3	2.24	298.7	3	320.0	320.0	0.0000	0.0	0.0000	0	0.00
81	01	01	16	345.7	2.24	297.6	4	320.0	320.0	0.0000	0.0	0.0000	0	0.00
81	01	01	17	20.1	1.34	294.8	5	325.5	318.6	0.0000	0.0	0.0000	0	0.00
81	01	01	18	97.6	1.00	293.1	6	357.1	310.3	0.0000	0.0	0.0000	0	0.00
81	01	01	19	178.0	1.00	290.9	7	388.7	302.1	0.0000	0.0	0.0000	0	0.00
81	01	01	20	303.2	1.00	289.8	7	420.3	293.9	0.0000	0.0	0.0000	0	0.00
81	01	01	21	358.6	1.00	289.3	7	451.9	285.7	0.0000	0.0	0.0000	0	0.00
81	01	01	22	272.0	1.00	287.6	7	483.5	277.4	0.0000	0.0	0.0000	0	0.00
81	01	01	23	0.7	1.00	287.6	7	515.1	269.2	0.0000	0.0	0.0000	0	0.00
81	01	01	24	337.2	1.00	287.6	7	546.7	261.0	0.0000	0.0	0.0000	0	0.00

*** NOTES: STABILITY CLASS 1=A, 2=B, 3=C, 4=D, 5=E AND 6=F.
FLOW VECTOR IS DIRECTION TOWARD WHICH WIND IS BLOWING.

**MODELOPTs:
CONC URBAN FLAT NOCALM

*** THE PERIOD (8760 HRS) AVERAGE CONCENTRATION VALUES FOR SOURCE GROUP: ALL ***
INCLUDING SOURCE(S): FINES1 , FINES2 , FINES3 , FINES4 , STCKPILE, PITOPS , R3 ,
R5 , R7 , R10 , R14 , R17 , R20 , R25 , RCKPLNT , BTCHPLNT, R1 ,

*** NETWORK ID: CART1 ; NETWORK TYPE: GRIDCART ***

** CONC OF OTHER IN MICROGRAMS/M**3 **

Y-COORD (METERS)	X-COORD (METERS) 373634.00	373884.00	374134.00	374384.00	374634.00	374884.00	375134.00	375384.00	375634
3813913.00	1.16539	1.20710	1.17331	1.03366	0.86660	0.78622	0.78651	0.79681	0.73
3813663.00	1.25612	1.36557	1.41104	1.34009	1.13883	0.96570	0.92167	0.93949	0.88
3813413.00	1.28882	1.48528	1.63139	1.67759	1.54111	1.26987	1.12211	1.12458	1.08
3813163.00	1.21791	1.51593	1.79425	1.99794	2.03617	1.78629	1.46017	1.38322	1.36
3812913.00	1.02045	1.38894	1.81405	2.22792	2.52931	2.53575	2.10016	1.79296	1.76
3812663.00	0.80787	1.11395	1.59358	2.21667	2.86970	3.35613	3.26224	2.57808	2.39
3812413.00	0.71435	0.89959	1.23492	1.84505	2.78349	3.89227	4.78644	4.39504	3.54
3812163.00	0.71402	0.84974	1.05885	1.42977	2.18468	3.64288	5.73132	7.76117	6.65
3811913.00	0.74787	0.88074	1.06249	1.33417	1.79578	2.75320	5.14948	9.97766	18.35
3811663.00	0.74678	0.89281	1.09035	1.36956	1.79158	2.50425	3.96524	6.89984	17.61
3811413.00	0.69451	0.82500	1.00200	1.25371	1.63693	2.28601	3.60778	6.03439	11.66
3811163.00	0.64843	0.76363	0.91831	1.13363	1.45135	1.95923	2.83731	4.45751	6.78
3810913.00	0.55229	0.62230	0.70656	0.81465	0.96529	1.19732	1.60245	2.42595	4.47
3810663.00	0.38656	0.42508	0.48358	0.57051	0.69176	0.87561	1.26102	2.02851	3.28
3810413.00	0.29973	0.34314	0.39666	0.46927	0.60021	0.83800	1.17098	1.67981	2.18
3810163.00	0.26423	0.30090	0.35983	0.46331	0.61363	0.79250	1.03981	1.33502	1.57
3809913.00	0.24453	0.29655	0.37572	0.47473	0.58485	0.72268	0.89744	1.01981	1.23
3809663.00	0.25373	0.31342	0.38159	0.45489	0.54091	0.64773	0.74054	0.81246	1.01
3809413.00	0.26681	0.31538	0.36661	0.42492	0.49463	0.56491	0.60481	0.68105	0.85
3809163.00	0.26620	0.30331	0.34519	0.39393	0.44600	0.48106	0.50671	0.58955	0.73

**MODELOPTs:
CONC URBAN FLAT NOCALM

*** THE PERIOD (8760 HRS) AVERAGE CONCENTRATION VALUES FOR SOURCE GROUP: ALL ***
INCLUDING SOURCE(S): FINES1 , FINES2 , FINES3 , FINES4 , STCKPILE, PITOPS , R3
R5 , R7 , R10 , R14 , R17 , R20 , R25 , RCKPLNT , BTCHPLNT, R1 ,

*** NETWORK ID: CART1 ; NETWORK TYPE: GRIDCART ***

** CONC OF OTHER IN MICROGRAMS/M**3 **

Y-COORD (METERS)	X-COORD (METERS) 375884.00	376134.00	376384.00	376634.00	376884.00	377134.00	377384.00	377634.00	3778
3813913.00	0.68410	0.67272	0.60413	0.45153	0.30365	0.23138	0.20288	0.18507	0.
3813663.00	0.80919	0.78440	0.68652	0.48767	0.32550	0.25763	0.22643	0.20684	0.
3813413.00	0.97782	0.93122	0.78882	0.52850	0.35817	0.29086	0.25598	0.23364	0.
3813163.00	1.21426	1.13123	0.91733	0.57884	0.40646	0.33273	0.29449	0.26389	0.
3812913.00	1.56357	1.41732	1.07945	0.65100	0.47370	0.38921	0.34043	0.29807	0.
3812663.00	2.11804	1.85508	1.28502	0.76890	0.56478	0.46247	0.39298	0.34401	0.
3812413.00	3.09503	2.58694	1.55664	0.96200	0.68844	0.55386	0.47082	0.40266	0.
3812163.00	5.14521	3.95808	1.97414	1.25172	0.87752	0.70696	0.56675	0.44240	0.
3811913.00	13.82189	6.99441	2.93611	1.77980	1.20834	0.85344	0.61812	0.48065	0.
3811663.00	27.06284	15.26079	5.31852	2.63687	1.47831	1.03465	0.79900	0.64942	0.
3811413.00	52.47410	76.18093	12.50331	4.48583	2.40192	1.53029	1.08916	0.82706	0.
3811163.00	16.97383	82.89198	10.46660	7.92072	3.31936	1.97121	1.33047	0.97173	0.
3810913.00	7.90545	15.07625	13.34683	5.55501	2.62793	1.64570	1.19308	0.92850	0.
3810663.00	4.74481	6.99517	5.18596	3.56108	2.27917	1.41426	0.98162	0.75053	0.
3810413.00	3.11693	3.97062	3.10071	2.22823	1.77531	1.32347	0.94041	0.69116	0.
3810163.00	2.21102	2.63280	2.16567	1.55038	1.30796	1.11024	0.89008	0.68929	0.
3809913.00	1.66696	1.90986	1.63126	1.20090	0.97450	0.89493	0.77778	0.65191	0.
3809663.00	1.31769	1.46646	1.28860	0.98136	0.77352	0.70707	0.66242	0.58425	0.
3809413.00	1.07671	1.17142	1.05204	0.82589	0.65178	0.57089	0.54931	0.51561	0.
3809163.00	0.90099	0.96351	0.88007	0.71036	0.56793	0.48116	0.45493	0.44378	0.

**MODELOPTs:
CONC URBAN FLAT NOCALM

*** THE PERIOD (8760 HRS) AVERAGE CONCENTRATION VALUES FOR SOURCE GROUP: ALL ***
INCLUDING SOURCE(S): FINES1 , FINES2 , FINES3 , FINES4 , STCKPILE, PITOPS , R3
R5 , R7 , R10 , R14 , R17 , R20 , R25 , RCKPLNT , BTCHPLNT, R1 ,

*** NETWORK ID: CART1 ; NETWORK TYPE: GRIDCART ***

** CONC OF OTHER IN MICROGRAMS/M**3 **

Y-COORD (METERS)	X-COORD (METERS) 378134.00	378384.00
3813913.00	0.16028	0.14830
3813663.00	0.17550	0.16176
3813413.00	0.19319	0.17806
3813163.00	0.21483	0.19712
3812913.00	0.24093	0.21637
3812663.00	0.26519	0.22639
3812413.00	0.27688	0.23171
3812163.00	0.29021	0.24856
3811913.00	0.34651	0.31159
3811663.00	0.46228	0.39808
3811413.00	0.53470	0.44687
3811163.00	0.60103	0.49644
3810913.00	0.61697	0.51751
3810663.00	0.52045	0.45501
3810413.00	0.45209	0.38704
3810163.00	0.42780	0.36080
3809913.00	0.42952	0.35153
3809663.00	0.43079	0.35899
3809413.00	0.40650	0.35690
3809163.00	0.37509	0.33696

**MODELOPTs:
CONC URBAN FLAT NOCALM

*** THE PERIOD (8760 HRS) AVERAGE CONCENTRATION VALUES FOR SOURCE GROUP: ALL ***
INCLUDING SOURCE(S): FINES1 , FINES2 , FINES3 , FINES4 , STCKPILE, PITOPS , R3
R5 , R7 , R10 , R14 , R17 , R20 , R25 , RCKPLNT , BTCHPLNT, R1 ,

*** DISCRETE CARTESIAN RECEPTOR POINTS ***

** CONC OF OTHER IN MICROGRAMS/M**3 **

X-COORD (M)	Y-COORD (M)	CONC	X-COORD (M)	Y-COORD (M)	CONC
375707.00	3810561.00	2.98055	374756.00	3810927.00	1.09266

**MODELOPTs:
CONC URBAN FLAT NOCALM

*** THE 1ST HIGHEST 24-HR AVERAGE CONCENTRATION VALUES FOR SOURCE GROUP: ALL ***
INCLUDING SOURCE(S): FINES1 , FINES2 , FINES3 , FINES4 , STCKPILE, PITOPS , R3 ,
R5 , R7 , R10 , R14 , R17 , R20 , R25 , RCKPLNT , BTCHPLNT, R1 ,

*** NETWORK ID: CART1 ; NETWORK TYPE: GRIDCART ***

** CONC OF OTHER IN MICROGRAMS/M**3 **

Y-COORD (METERS)	X-COORD (METERS) 373634.00	373884.00	374134.00	374384.00	374634.00
3813913.0	5.00786 (81010924)	5.44419 (81120624)	5.11645 (81120624)	4.10991 (81050924)	4.69599 (811108
3813663.0	5.37258 (81112024)	5.79929 (81121824)	6.33087 (81120624)	5.54780 (81050924)	4.69626 (811108
3813413.0	5.61121 (81112224)	6.26328 (81112224)	6.83006 (81121824)	7.43499 (81120624)	6.23412 (810509
3813163.0	5.34775 (81011824)	6.55799 (81112224)	7.50735 (81112224)	8.21173 (81121824)	8.80842 (811206
3812913.0	4.62371 (81011824)	6.20541 (81011824)	7.77183 (81112224)	9.23965 (81112224)	10.14514 (811218
3812663.0	3.88455 (81120324)	4.70442 (81011824)	7.12175 (81011824)	9.34214 (81112224)	11.76870 (811122
3812413.0	4.42211 (81122624)	4.83029 (81120324)	5.36895 (81120324)	8.01709 (81011824)	11.37152 (811122
3812163.0	4.50567 (81120324)	5.08320 (81122624)	6.20580 (81122624)	7.14717 (81120324)	8.57407 (810118
3811913.0	4.17130 (81120324)	5.24972 (81120324)	6.40323 (81120324)	7.58926 (81120324)	9.60000 (811226
3811663.0	3.95125 (81030324)	4.48548 (81030324)	5.03471 (81030324)	6.41957 (81122424)	8.94755 (811203
3811413.0	3.54802 (81080424)	3.94799 (81080424)	4.56616 (81030324)	5.72363 (81030324)	7.41680 (810303
3811163.0	4.12706 (81080424)	4.64423 (81080424)	5.28959 (81080424)	6.12641 (81080424)	7.29425 (810804
3810913.0	3.14473 (81081524)	3.61229 (81081524)	4.06938 (81081524)	4.39624 (81081524)	5.09245 (810416
3810663.0	2.37685 (81091724)	2.93294 (81041624)	3.63173 (81041624)	4.24696 (81041624)	4.48219 (810416
3810413.0	2.56893 (81041624)	2.76341 (81041624)	2.76843 (81041624)	3.13858 (81091724)	3.73086 (810917
3810163.0	1.88149 (81041624)	2.09932 (81091724)	2.50623 (81091724)	3.27508 (81082424)	4.65785 (810824
3809913.0	1.82958 (81091724)	2.04713 (81111224)	3.07492 (81082424)	3.70974 (81082424)	3.66558 (810731
3809663.0	2.02550 (81082424)	2.76478 (81082424)	3.00157 (81082424)	2.99394 (81043024)	3.04187 (810430
3809413.0	2.43919 (81082424)	2.46417 (81082424)	2.52601 (81043024)	2.58529 (81043024)	2.93804 (810623
3809163.0	2.04799 (81082424)	2.17839 (81043024)	2.23418 (81043024)	2.37826 (81062324)	2.77160 (810623

**MODELOPTs:
CONC URBAN FLAT NOCALM

*** THE 1ST HIGHEST 24-HR AVERAGE CONCENTRATION VALUES FOR SOURCE GROUP: ALL ***
INCLUDING SOURCE(S): FINES1 , FINES2 , FINES3 , FINES4 , STCKPILE, PITOPS , R3 ,
R5 , R7 , R10 , R14 , R17 , R20 , R25 , RCKPLNT , BTCHPLNT, R1 ,

*** NETWORK ID: CART1 ; NETWORK TYPE: GRIDCART ***

** CONC OF OTHER IN MICROGRAMS/M**3 **

Y-COORD (METERS)	X-COORD (METERS) 374884.00	375134.00	375384.00	375634.00	375884.00
3813913.0	4.59805 (81022324)	4.74900 (81102324)	7.19016 (81102324)	5.21880 (81102324)	3.21180 (811111
3813663.0	5.20728 (81110824)	5.29286 (81022324)	7.81087 (81102324)	6.74770 (81102324)	3.68247 (811111
3813413.0	6.18422 (81110824)	6.24495 (81022324)	7.93669 (81102324)	8.69874 (81102324)	4.26928 (811111
3813163.0	6.81460 (81050924)	7.30968 (81110824)	7.41009 (81102324)	11.04211 (81102324)	5.67593 (811023
3812913.0	10.49062 (81120624)	8.73744 (81110824)	9.22967 (81022324)	13.43446 (81102324)	8.07297 (811023
3812663.0	13.33351 (81120624)	12.51611 (81120624)	11.64975 (81110824)	14.98833 (81102324)	12.04114 (811023
3812413.0	15.69932 (81112224)	18.70841 (81120624)	15.34984 (81050924)	15.82409 (81022324)	19.08511 (811023
3812163.0	15.04545 (81011824)	22.34861 (81112224)	28.92091 (81120624)	24.73779 (81110824)	31.67616 (811023
3811913.0	11.81242 (81120324)	19.14653 (81011824)	36.01482 (81112224)	58.46364 (81120624)	54.35512 (811023
3811663.0	13.00791 (81120324)	18.48618 (81120324)	25.60174 (81120324)	61.59015 (81112224)	78.26754 (810517
3811413.0	10.06538 (81030324)	14.52986 (81030324)	21.51092 (81030324)	50.40422 (81120324)	197.32307 (810118
3811163.0	8.86611 (81080424)	11.33074 (81040124)	17.48674 (81081524)	30.49023 (81041624)	75.94486 (810824
3810913.0	7.29886 (81041624)	9.30892 (81041624)	12.05761 (81091724)	22.95483 (81082424)	34.64356 (811115
3810663.0	5.41212 (81091724)	7.15454 (81082424)	10.91760 (81073124)	15.98999 (81062324)	20.24674 (810725
3810413.0	5.90054 (81082424)	6.78557 (81073124)	8.48015 (81062324)	10.00921 (81080324)	17.22667 (810725
3810163.0	4.82667 (81073124)	5.27835 (81062324)	7.26421 (81081724)	8.57113 (81080324)	12.03106 (810725
3809913.0	3.87321 (81073124)	5.14262 (81062324)	5.43585 (81080324)	5.65024 (81072524)	8.55875 (810725
3809663.0	3.79535 (81062324)	4.45812 (81081724)	5.35394 (81080324)	6.08062 (81072524)	6.89650 (810706
3809413.0	3.68216 (81081724)	3.64727 (81080324)	4.16386 (81080324)	5.76179 (81072524)	5.84319 (810424
3809163.0	3.08740 (81081724)	3.79910 (81080324)	3.12868 (81080324)	5.16192 (81072524)	5.24410 (810424

**MODELOPTs:
CONC URBAN FLAT NOCALM

*** THE 1ST HIGHEST 24-HR AVERAGE CONCENTRATION VALUES FOR SOURCE GROUP: ALL ***
INCLUDING SOURCE(S): FINES1 , FINES2 , FINES3 , FINES4 , STCKPILE, PITOPS , R3 ,
R5 , R7 , R10 , R14 , R17 , R20 , R25 , RCKPLNT , BTCHPLNT, R1 ,

*** NETWORK ID: CART1 ; NETWORK TYPE: GRIDCART ***

** CONC OF OTHER IN MICROGRAMS/M**3 **

Y-COORD (METERS)	X-COORD (METERS) 376134.00	376384.00	376634.00	376884.00	377134.00
3813913.0	3.84771 (81110324)	3.88602 (81110324)	3.78622 (81110324)	2.49173 (81110324)	1.74006 (8110242
3813663.0	4.43711 (81110324)	4.50304 (81110324)	4.12124 (81110324)	2.31958 (81110324)	2.15504 (8110082
3813413.0	5.18586 (81110324)	5.29045 (81110324)	4.38776 (81110324)	2.48870 (81102424)	2.55647 (8110082
3813163.0	6.15718 (81110324)	6.32612 (81110324)	4.48449 (81110324)	2.84459 (81100824)	3.12226 (8105202
3812913.0	7.46165 (81110324)	7.70389 (81110324)	4.29180 (81110324)	3.65079 (81100824)	4.69483 (8105202
3812663.0	9.32500 (81110324)	9.44185 (81110324)	4.18841 (81102424)	5.16684 (81052024)	5.72418 (8105202
3812413.0	12.47498 (81110324)	11.28914 (81110324)	6.34849 (81100824)	8.04500 (81052024)	4.20606 (8105202
3812163.0	19.31844 (81110324)	11.36418 (81110324)	11.69809 (81052024)	6.42245 (81052024)	4.25604 (8105212
3811913.0	33.59523 (81110324)	16.25564 (81100824)	12.29849 (81052024)	7.32348 (81121524)	6.15956 (8110202
3811663.0	79.20303 (81110324)	39.87610 (81052024)	15.23612 (81102024)	9.69924 (81102024)	7.51437 (8108162
3811413.0	335.78836 (81110324)	51.18493 (81102024)	20.24468 (81032024)	12.66594 (81102424)	9.51355 (8111192
3811163.0	389.51578 (81100924)	62.77267 (81111924)	45.30207 (81111924)	22.37537 (81111924)	14.10878 (8111192
3810913.0	96.90778 (81100924)	70.59188 (81010524)	39.67885 (81022224)	17.08211 (81111924)	12.91534 (8111192
3810663.0	45.23789 (81100924)	23.42405 (81080724)	32.04036 (81010524)	22.86520 (81022224)	9.33572 (8102202
3810413.0	26.90839 (81100924)	15.23942 (81072824)	13.41503 (81010524)	18.77263 (81010524)	15.07093 (8102272
3810163.0	18.52584 (81100924)	12.09539 (81100924)	8.66786 (81080724)	10.02470 (81010524)	12.74395 (8101052
3809913.0	13.87961 (81100924)	10.86573 (81100924)	6.49590 (81103024)	5.89130 (81010524)	7.91646 (8101052
3809663.0	10.96268 (81100924)	9.77206 (81100924)	5.90446 (81072824)	4.97395 (81080724)	4.93197 (8101052
3809413.0	8.97804 (81100924)	8.68339 (81100924)	5.29787 (81072824)	4.03313 (81080724)	3.39864 (8108072
3809163.0	7.54399 (81100924)	7.66495 (81100924)	4.57265 (81072824)	3.53355 (81052624)	3.39081 (8108072

**MODELOPTs:
CONC URBAN FLAT NOCALM

*** THE 1ST HIGHEST 24-HR AVERAGE CONCENTRATION VALUES FOR SOURCE GROUP: ALL ***
INCLUDING SOURCE(S): FINES1 , FINES2 , FINES3 , FINES4 , STCKPILE, PITOPS , R3
R5 , R7 , R10 , R14 , R17 , R20 , R25 , RCKPLNT , BTCHPLNT, R1 ,

*** NETWORK ID: CART1 ; NETWORK TYPE: GRIDCART ***

** CONC OF OTHER IN MICROGRAMS/M**3 **

Y-COORD (METERS)	X-COORD (METERS) 377384.00	377634.00	377884.00	378134.00	378384.00
3813913.0	1.96701 (81100824)	2.25114 (81052024)	2.62659 (81052024)	2.37346 (81052024)	1.56796 (810520
3813663.0	2.22383 (81052024)	2.89062 (81052024)	2.84597 (81052024)	1.95813 (81052024)	1.59909 (810911
3813413.0	3.08752 (81052024)	3.40585 (81052024)	2.48224 (81052024)	1.83920 (81091124)	1.55895 (810408
3813163.0	4.03999 (81052024)	3.20414 (81052024)	2.15203 (81091124)	1.80603 (81040824)	1.47795 (810408
3812913.0	4.22489 (81052024)	2.57719 (81091124)	2.13588 (81040824)	1.62289 (81040824)	1.77644 (810224
3812663.0	3.18954 (81091124)	2.58984 (81052124)	2.01014 (81121524)	2.12186 (81022424)	2.07695 (811020
3812413.0	3.27338 (81052124)	2.78675 (81022424)	2.68714 (81102024)	2.64279 (81102024)	2.33909 (811020
3812163.0	3.63677 (81102024)	3.76947 (81102024)	3.29859 (81102024)	2.52059 (81102024)	2.56222 (810816
3811913.0	5.12259 (81102024)	4.02500 (81081624)	3.57585 (81081624)	2.76813 (81081624)	2.33198 (810320
3811663.0	5.41591 (81032024)	4.28061 (81032024)	3.50576 (81101924)	3.28268 (81121724)	2.96246 (811217
3811413.0	7.36374 (81111924)	5.94000 (81111924)	4.95219 (81111924)	4.22135 (81111924)	3.65765 (811119
3811163.0	10.92731 (81122524)	8.89495 (81122524)	7.39502 (81122524)	6.26420 (81122524)	5.39517 (811225
3810913.0	9.24128 (81111924)	7.00889 (81111924)	5.49958 (81111924)	4.40701 (81111924)	3.61323 (811119
3810663.0	6.91680 (81111924)	6.29951 (81111924)	5.09731 (81111924)	4.18781 (81111924)	3.55851 (811119
3810413.0	8.19583 (81022224)	4.95412 (81022024)	4.02046 (81111924)	3.92736 (81111924)	3.39111 (811119
3810163.0	10.83401 (81022224)	7.16889 (81022224)	4.15976 (81022024)	3.13003 (81022024)	2.74462 (811119
3809913.0	9.40813 (81010524)	8.25946 (81022224)	6.20415 (81022224)	3.66282 (81022224)	2.95592 (810220
3809663.0	6.44765 (81010524)	7.32908 (81010524)	6.56761 (81022224)	5.36886 (81022224)	3.49730 (810222
3809413.0	4.28042 (81010524)	5.37639 (81010524)	5.92877 (81010524)	5.39020 (81022224)	4.67216 (810222
3809163.0	2.95632 (81072624)	3.75517 (81010524)	4.56933 (81010524)	4.93284 (81010524)	4.53122 (810222

**MODELOPTs:
CONC URBAN FLAT NOCALM

*** THE 1ST HIGHEST 24-HR AVERAGE CONCENTRATION VALUES FOR SOURCE GROUP: ALL ***
INCLUDING SOURCE(S): FINES1 , FINES2 , FINES3 , FINES4 , STCKPILE, PITOPS , R3
R5 , R7 , R10 , R14 , R17 , R20 , R25 , RCKPLNT , BTCHPLNT, R1 ,

*** DISCRETE CARTESIAN RECEPTOR POINTS ***

** CONC OF OTHER IN MICROGRAMS/M**3 **

X-COORD (M)	Y-COORD (M)	CONC	(YYMMDDHH)	X-COORD (M)	Y-COORD (M)	CONC	(YYMMDDHH)
375707.00	3810561.00	13.43843	(81111524)	374756.00	3810927.00	6.01615	(81041624)

**MODELOPTs:
CONC URBAN FLAT NOCALM

*** THE MAXIMUM 50 24-HR AVERAGE CONCENTRATION VALUES FOR SOURCE GROUP: ALL ***
INCLUDING SOURCE(S): FINES1 , FINES2 , FINES3 , FINES4 , STCKPILE, PITOPS , R3 ,
R5 , R7 , R10 , R14 , R17 , R20 , R25 , RCKPLNT , BTCHPLNT, R1 ,

** CONC OF OTHER IN MICROGRAMS/M**3 **

RANK	CONC	(YYMMDDHH) AT	RECEPTOR (XR,YR) OF TYPE	RANK	CONC	(YYMMDDHH) AT	RECEPTOR (XR,YR) OF TY
1.	389.51578	(81100924) AT	(376134.00, 3811163.00) GC	26.	207.37408	(81010124) AT	(376134.00, 3811413.00) G
2.	335.78836	(81110324) AT	(376134.00, 3811413.00) GC	27.	206.95972	(81021624) AT	(376134.00, 3811163.00) G
3.	309.82693	(81070924) AT	(376134.00, 3811163.00) GC	28.	205.20454	(81100324) AT	(376134.00, 3811413.00) G
4.	294.23172	(81010524) AT	(376134.00, 3811163.00) GC	29.	204.43829	(81123124) AT	(376134.00, 3811413.00) G
5.	285.76138	(81052024) AT	(376134.00, 3811413.00) GC	30.	200.41481	(81042424) AT	(376134.00, 3811163.00) G
6.	282.86804	(81080624) AT	(376134.00, 3811163.00) GC	31.	199.64001	(81040824) AT	(376134.00, 3811413.00) G
7.	280.42172	(81101124) AT	(376134.00, 3811413.00) GC	32.	197.32307	(81011824) AT	(375884.00, 3811413.00) G
8.	265.31821	(81122124) AT	(376134.00, 3811163.00) GC	33.	196.90172	(81111124) AT	(376134.00, 3811413.00) G
9.	264.79089	(81052624) AT	(376134.00, 3811163.00) GC	34.	196.19264	(81112524) AT	(376134.00, 3811163.00) G
10.	263.94522	(81040124) AT	(376134.00, 3811413.00) GC	35.	195.12355	(81021524) AT	(376134.00, 3811413.00) G
11.	258.70496	(81072824) AT	(376134.00, 3811163.00) GC	36.	194.62779	(81082224) AT	(376134.00, 3811163.00) G
12.	256.85416	(81040724) AT	(376134.00, 3811413.00) GC	37.	193.00169	(81070424) AT	(376134.00, 3811413.00) G
13.	254.16272	(81080724) AT	(376134.00, 3811163.00) GC	38.	191.97337	(81072724) AT	(376134.00, 3811163.00) G
14.	252.77667	(81051924) AT	(376134.00, 3811413.00) GC	39.	187.54120	(81102024) AT	(376134.00, 3811413.00) G
15.	249.77751	(81083024) AT	(376134.00, 3811413.00) GC	40.	186.92583	(81020924) AT	(376134.00, 3811163.00) G
16.	249.28996	(81011224) AT	(376134.00, 3811163.00) GC	41.	186.92186	(81110924) AT	(376134.00, 3811413.00) G
17.	233.72878	(81122224) AT	(376134.00, 3811163.00) GC	42.	186.18028	(81013024) AT	(376134.00, 3811163.00) G
18.	233.51508	(81103024) AT	(376134.00, 3811163.00) GC	43.	185.02327	(81120724) AT	(376134.00, 3811413.00) G
19.	227.21935	(81110124) AT	(376134.00, 3811163.00) GC	44.	182.84338	(81111724) AT	(376134.00, 3811163.00) G
20.	220.23694	(81100824) AT	(376134.00, 3811413.00) GC	45.	181.72801	(81070124) AT	(376134.00, 3811163.00) G
21.	220.17143	(81032624) AT	(376134.00, 3811163.00) GC	46.	180.86407	(81063024) AT	(376134.00, 3811163.00) G
22.	215.40546	(81042024) AT	(376134.00, 3811163.00) GC	47.	180.58498	(81120124) AT	(376134.00, 3811163.00) G
23.	210.93445	(81100124) AT	(376134.00, 3811163.00) GC	48.	180.56795	(81032724) AT	(376134.00, 3811163.00) G
24.	208.31380	(81052724) AT	(376134.00, 3811163.00) GC	49.	180.50000	(81033124) AT	(376134.00, 3811413.00) G
25.	208.17558	(81092924) AT	(376134.00, 3811413.00) GC	50.	180.35506	(81072424) AT	(376134.00, 3811163.00) G

*** RECEPTOR TYPES: GC = GRIDCART
GP = GRIDPOLR
DC = DISCCART
DP = DISCPOLR
BD = BOUNDARY

```
*** ISCST3 - VERSION 99155 ***    *** TMC SOLEDAD FACILITY / NOCALM OPTION                    ***
                                  *** PHASE 1 / PM10 EMISSIONS                                ***
**MODELOPTs:
CONC                        URBAN  FLAT                          NOCALM

                                  *** THE SUMMARY OF MAXIMUM PERIOD (  8760 HRS) RESULTS ***

                                  ** CONC OF OTHER    IN MICROGRAMS/M**3                    **

                                                                                            NETWORK
GROUP ID                    AVERAGE CONC              RECEPTOR  (XR, YR, ZELEV, ZFLAG)   OF TYPE GRID-ID
- - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - -

ALL      1ST HIGHEST VALUE IS     82.89198 AT (  376134.00,  3811163.00,      0.00,      0.00)  GC   CART1
         2ND HIGHEST VALUE IS     76.18093 AT (  376134.00,  3811413.00,      0.00,      0.00)  GC   CART1
         3RD HIGHEST VALUE IS     52.47410 AT (  375884.00,  3811413.00,      0.00,      0.00)  GC   CART1
         4TH HIGHEST VALUE IS     27.06284 AT (  375884.00,  3811663.00,      0.00,      0.00)  GC   CART1
         5TH HIGHEST VALUE IS     18.35695 AT (  375634.00,  3811913.00,      0.00,      0.00)  GC   CART1
         6TH HIGHEST VALUE IS     17.61858 AT (  375634.00,  3811663.00,      0.00,      0.00)  GC   CART1
         7TH HIGHEST VALUE IS     16.97383 AT (  375884.00,  3811163.00,      0.00,      0.00)  GC   CART1
         8TH HIGHEST VALUE IS     15.26079 AT (  376134.00,  3811663.00,      0.00,      0.00)  GC   CART1
         9TH HIGHEST VALUE IS     15.07625 AT (  376134.00,  3810913.00,      0.00,      0.00)  GC   CART1
        10TH HIGHEST VALUE IS     13.82189 AT (  375884.00,  3811913.00,      0.00,      0.00)  GC   CART1

*** RECEPTOR TYPES:  GC = GRIDCART
                     GP = GRIDPOLR
                     DC = DISCCART
                     DP = DISCPOLR
                     BD = BOUNDARY
```

**MODELOPTs:
CONC URBAN FLAT NOCALM

*** THE SUMMARY OF HIGHEST 24-HR RESULTS ***

** CONC OF OTHER IN MICROGRAMS/M**3 **

GROUP ID		AVERAGE CONC	DATE (YYMMDDHH)	RECEPTOR (XR, YR, ZELEV, ZFLAG)	OF TYPE	NETWORK GRID-ID
ALL	HIGH 1ST HIGH VALUE IS	389.51578	ON 81100924:	AT (376134.00, 3811163.00, 0.00, 0.00)	GC	CART1

*** RECEPTOR TYPES: GC = GRIDCART
GP = GRIDPOLR
DC = DISCCART
DP = DISCPOLR
BD = BOUNDARY

```
**MODELOPTs:
CONC                    URBAN  FLAT                                    NOCALM


*** Message Summary : ISCST3 Model Execution ***

 --------- Summary of Total Messages --------

A Total of            0 Fatal Error Message(s)
A Total of            0 Warning Message(s)
A Total of         1085 Informational Message(s)

A Total of         1085 Calm Hours Identified


   ******** FATAL ERROR MESSAGES ********
             ***  NONE  ***


   ********   WARNING MESSAGES   ********
             ***  NONE  ***


   ************************************
   *** ISCST3 Finishes Successfully ***
   ************************************
```

PM_{10} Emissions / No Calms Processing

(Phase 2)

```
**MODELOPTs:
CONC                        URBAN  FLAT                                   NOCALM

                                    ***     MODEL SETUP OPTIONS SUMMARY       ***
- - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - -

**Intermediate Terrain Processing is Selected

**Model Is Setup For Calculation of Average CONCentration Values.

  -- SCAVENGING/DEPOSITION LOGIC --
**Model Uses NO DRY DEPLETION.  DDPLETE =  F
**Model Uses NO WET DEPLETION.  WDPLETE =  F
**NO WET SCAVENGING Data Provided.
**NO GAS DRY DEPOSITION Data Provided.
**Model Does NOT Use GRIDDED TERRAIN Data for Depletion Calculations

**Model Uses URBAN Dispersion.

**Model Uses User-Specified Options:
        1. Final Plume Rise.
        2. Stack-tip Downwash.
        3. Buoyancy-induced Dispersion.
        4. Not Use Calms Processing Routine.
        5. Not Use Missing Data Processing Routine.
        6. Default Wind Profile Exponents.
        7. Default Vertical Potential Temperature Gradients.

**Model Assumes Receptors on FLAT Terrain.

**Model Assumes No FLAGPOLE Receptor Heights.

**Model Calculates  1 Short Term Average(s) of:  24-HR
   and Calculates PERIOD Averages

**This Run Includes:    17 Source(s);     1 Source Group(s); and     402 Receptor(s)

**The Model Assumes A Pollutant Type of:  OTHER

**Model Set To Continue RUNning After the Setup Testing.

**Output Options Selected:
        Model Outputs Tables of PERIOD Averages by Receptor
        Model Outputs Tables of Highest Short Term Values by Receptor (RECTABLE Keyword)
        Model Outputs Tables of Overall Maximum Short Term Values (MAXTABLE Keyword)
        Model Outputs External File(s) of High Values for Plotting (PLOTFILE Keyword)

**Misc. Inputs:  Anem. Hgt. (m) =    10.00 ;   Decay Coef. =    0.000    ;   Rot. Angle =     0.0
                 Emission Units = GRAMS/SEC                             ;  Emission Rate Unit Factor =   0.10000E+07
                 Output Units   = MICROGRAMS/M**3

**Approximate Storage Requirements of Model =     1.2 MB of RAM.

**Input Runstream File:          D:\soledad2.DTA
**Output Print File:             D:\soledad2.LST
```

**MODELOPTs:
CONC URBAN FLAT NOCALM

*** VOLUME SOURCE DATA ***

SOURCE ID	NUMBER PART. CATS.	EMISSION RATE (GRAMS/SEC)	X (METERS)	Y (METERS)	BASE ELEV. (METERS)	RELEASE HEIGHT (METERS)	INIT. SY (METERS)	INIT. SZ (METERS)	EMISSION RATE SCALAR VARY BY
R3	0	0.44000E-01	375641.0	3811744.0	0.0	3.50	100.00	7.00	
R5	0	0.44000E-01	375841.0	3811744.0	0.0	3.50	100.00	7.00	
R7	0	0.44000E-01	375641.0	3811544.0	0.0	3.50	100.00	7.00	
R10	0	0.44000E-01	375541.0	3811344.0	0.0	3.50	100.00	7.00	
R14	0	0.44000E-01	375741.0	3811144.0	0.0	3.50	100.00	7.00	
R17	0	0.44000E-01	375841.0	3810944.0	0.0	3.50	100.00	7.00	
R20	0	0.44000E-01	376041.0	3810944.0	0.0	3.50	100.00	7.00	
R25	0	0.44000E-01	376241.0	3811144.0	0.0	3.50	100.00	7.00	
RCKPLNT	0	0.61000E+00	376366.0	3811119.0	0.0	3.50	50.00	7.00	
BTCHPLNT	0	0.30000E-01	376316.0	3811119.0	0.0	3.50	50.00	7.00	
R1	0	0.44000E-01	375441.0	3811644.0	0.0	3.50	100.00	7.00	

**MODELOPTs:
CONC URBAN FLAT NOCALM

*** AREA SOURCE DATA ***

SOURCE ID	NUMBER PART. CATS.	EMISSION RATE (GRAMS/SEC /METER**2)	COORD (SW CORNER) X (METERS)	Y (METERS)	BASE ELEV. (METERS)	RELEASE HEIGHT (METERS)	X-DIM OF AREA (METERS)	Y-DIM OF AREA (METERS)	ORIENT. OF AREA (DEG.)	INIT. SZ (METERS)	EMISSION RATE SCALAR VARY BY
FINES1	0	0.45000E-05	375691.0	3811794.0	0.0	0.00	100.00	100.00	0.00	0.00	
FINES2	0	0.45000E-05	375791.0	3811794.0	0.0	0.00	100.00	100.00	0.00	0.00	
FINES3	0	0.45000E-05	375691.0	3811694.0	0.0	0.00	100.00	100.00	0.00	0.00	
FINES4	0	0.45000E-05	375791.0	3811694.0	0.0	0.00	100.00	100.00	0.00	0.00	
STCKPILE	0	0.20000E-05	376491.0	3811194.0	0.0	0.00	100.00	100.00	0.00	0.00	
PITOPS	0	0.19700E-03	376041.0	3811244.0	0.0	0.00	100.00	100.00	0.00	0.00	

**MODELOPTs:
CONC URBAN FLAT NOCALM

*** SOURCE IDs DEFINING SOURCE GROUPS ***

GROUP ID	SOURCE IDs
ALL	FINES1 , FINES2 , FINES3 , FINES4 , STCKPILE, PITOPS , R3 , R5 , R7 , R10 , R14 , R17
	R20 , R25 , RCKPLNT , BTCHPLNT, R1 ,

**MODELOPTs:
CONC URBAN FLAT NOCALM

*** GRIDDED RECEPTOR NETWORK SUMMARY ***

*** NETWORK ID: CART1 ; NETWORK TYPE: GRIDCART ***

*** X-COORDINATES OF GRID ***
(METERS)

373634.0, 373884.0, 374134.0, 374384.0, 374634.0, 374884.0, 375134.0, 375384.0, 375634.0, 375884.0,
376134.0, 376384.0, 376634.0, 376884.0, 377134.0, 377384.0, 377634.0, 377884.0, 378134.0, 378384.0,

*** Y-COORDINATES OF GRID ***
(METERS)

3809163.0, 3809413.0, 3809663.0, 3809913.0, 3810163.0, 3810413.0, 3810663.0, 3810913.0, 3811163.0, 3811413.0,
3811663.0, 3811913.0, 3812163.0, 3812413.0, 3812663.0, 3812913.0, 3813163.0, 3813413.0, 3813663.0, 3813913.0,

**MODELOPTs:
CONC URBAN FLAT NOCALM

*** DISCRETE CARTESIAN RECEPTORS ***
(X-COORD, Y-COORD, ZELEV, ZFLAG)
(METERS)

(375707.0,	3810561.0,	0.0,	0.0);	(374756.0,	3810927.0,	0.0,	0.0);

**MODELOPTs:
CONC URBAN FLAT NOCALM

* SOURCE-RECEPTOR COMBINATIONS FOR WHICH CALCULATIONS MAY NOT BE PERFORMED *
LESS THAN 1.0 METER OR 3*ZLB IN DISTANCE, OR WITHIN OPEN PIT SOURCE

SOURCE ID	- - RECEPTOR LOCATION - - XR (METERS)	YR (METERS)	DISTANCE (METERS)
R3	375634.0	3811663.0	-133.70
R3	375634.0	3811913.0	-45.86
R5	375884.0	3811663.0	-123.29
R5	375884.0	3811913.0	-40.62
R7	375634.0	3811413.0	-83.81
R7	375634.0	3811663.0	-95.79
R10	375634.0	3811163.0	-11.51
R10	375384.0	3811413.0	-43.51
R10	375634.0	3811413.0	-99.20
R14	375634.0	3811163.0	-106.33
R14	375884.0	3811163.0	-70.74
R17	375634.0	3810913.0	-5.69
R17	375884.0	3810913.0	-161.99
R20	375884.0	3810913.0	-54.97
R20	376134.0	3810913.0	-116.97
R25	376134.0	3811163.0	-106.33
R25	376384.0	3811163.0	-70.74
RCKPLNT	376384.0	3811163.0	-59.96
BTCHPLNT	376384.0	3811163.0	-26.51
R1	375384.0	3811663.0	-154.92
R1	375634.0	3811663.0	-21.07

**MODELOPTs:
CONC URBAN FLAT NOCALM

*** METEOROLOGICAL DAYS SELECTED FOR PROCESSING ***
(1=YES; 0=NO)

```
1 1 1 1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1
1 1 1 1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1
1 1 1 1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1
1 1 1 1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1
1 1 1 1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1
1 1 1 1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1
1 1 1 1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1
1 1 1 1 1 1 1 1 1 1   1 1 1 1 1 1
```

NOTE: METEOROLOGICAL DATA ACTUALLY PROCESSED WILL ALSO DEPEND ON WHAT IS INCLUDED IN THE DATA FILE.

*** UPPER BOUND OF FIRST THROUGH FIFTH WIND SPEED CATEGORIES ***
(METERS/SEC)

1.80, 3.35, 5.41, 8.49, 11.07,

*** WIND PROFILE EXPONENTS ***

STABILITY CATEGORY	WIND SPEED CATEGORY 1	2	3	4	5	6
A	.15000E+00	.15000E+00	.15000E+00	.15000E+00	.15000E+00	.15000E+00
B	.15000E+00	.15000E+00	.15000E+00	.15000E+00	.15000E+00	.15000E+00
C	.20000E+00	.20000E+00	.20000E+00	.20000E+00	.20000E+00	.20000E+00
D	.25000E+00	.25000E+00	.25000E+00	.25000E+00	.25000E+00	.25000E+00
E	.30000E+00	.30000E+00	.30000E+00	.30000E+00	.30000E+00	.30000E+00
F	.30000E+00	.30000E+00	.30000E+00	.30000E+00	.30000E+00	.30000E+00

*** VERTICAL POTENTIAL TEMPERATURE GRADIENTS ***
(DEGREES KELVIN PER METER)

STABILITY CATEGORY	WIND SPEED CATEGORY 1	2	3	4	5	6
A	.00000E+00	.00000E+00	.00000E+00	.00000E+00	.00000E+00	.00000E+00
B	.00000E+00	.00000E+00	.00000E+00	.00000E+00	.00000E+00	.00000E+00
C	.00000E+00	.00000E+00	.00000E+00	.00000E+00	.00000E+00	.00000E+00
D	.00000E+00	.00000E+00	.00000E+00	.00000E+00	.00000E+00	.00000E+00
E	.20000E-01	.20000E-01	.20000E-01	.20000E-01	.20000E-01	.20000E-01
F	.35000E-01	.35000E-01	.35000E-01	.35000E-01	.35000E-01	.35000E-01

**MODELOPTs:
CONC URBAN FLAT NOCALM

*** THE FIRST 24 HOURS OF METEOROLOGICAL DATA ***

FILE: C:\METDATA\NEWHALL.LAH
FORMAT: UNFORM
SURFACE STATION NO.: 51115 UPPER AIR STATION NO.: 99999
NAME: NEWHALL, NAME: ONTARIO,
YEAR: 1981 YEAR: 1981

YR	MN	DY	HR	FLOW VECTOR	SPEED (M/S)	TEMP (K)	STAB CLASS	MIXING HEIGHT (M) RURAL	MIXING HEIGHT (M) URBAN	USTAR (M/S)	M-O LENGTH (M)	Z-O (M)	IPCODE	PRATE (mm/HR)
81	01	01	01	314.8	1.00	285.9	7	522.6	170.0	0.0000	0.0	0.0000	0	0.00
81	01	01	02	304.9	1.00	284.8	7	507.0	170.0	0.0000	0.0	0.0000	0	0.00
81	01	01	03	310.0	1.00	284.8	7	491.4	170.0	0.0000	0.0	0.0000	0	0.00
81	01	01	04	346.0	1.00	284.8	7	475.8	170.0	0.0000	0.0	0.0000	0	0.00
81	01	01	05	309.0	1.00	285.4	7	460.3	170.0	0.0000	0.0	0.0000	0	0.00
81	01	01	06	342.0	1.00	284.3	7	444.7	170.0	0.0000	0.0	0.0000	0	0.00
81	01	01	07	342.0	1.00	284.3	7	429.1	170.0	0.0000	0.0	0.0000	0	0.00
81	01	01	08	337.1	1.00	284.3	6	43.0	190.2	0.0000	0.0	0.0000	0	0.00
81	01	01	09	6.5	1.00	287.6	5	89.2	211.8	0.0000	0.0	0.0000	0	0.00
81	01	01	10	9.1	1.00	291.5	4	135.3	233.4	0.0000	0.0	0.0000	0	0.00
81	01	01	11	291.6	1.00	297.0	3	181.5	255.1	0.0000	0.0	0.0000	0	0.00
81	01	01	12	80.6	1.00	298.7	2	227.7	276.7	0.0000	0.0	0.0000	0	0.00
81	01	01	13	87.2	1.00	299.3	2	273.8	298.4	0.0000	0.0	0.0000	0	0.00
81	01	01	14	326.7	2.24	299.3	3	320.0	320.0	0.0000	0.0	0.0000	0	0.00
81	01	01	15	337.3	2.24	298.7	3	320.0	320.0	0.0000	0.0	0.0000	0	0.00
81	01	01	16	345.7	2.24	297.6	4	320.0	320.0	0.0000	0.0	0.0000	0	0.00
81	01	01	17	20.1	1.34	294.8	5	325.5	318.6	0.0000	0.0	0.0000	0	0.00
81	01	01	18	97.6	1.00	293.1	6	357.1	310.3	0.0000	0.0	0.0000	0	0.00
81	01	01	19	178.0	1.00	290.9	7	388.7	302.1	0.0000	0.0	0.0000	0	0.00
81	01	01	20	303.2	1.00	289.8	7	420.3	293.9	0.0000	0.0	0.0000	0	0.00
81	01	01	21	358.6	1.00	289.3	7	451.9	285.7	0.0000	0.0	0.0000	0	0.00
81	01	01	22	272.0	1.00	287.6	7	483.5	277.4	0.0000	0.0	0.0000	0	0.00
81	01	01	23	0.7	1.00	287.6	7	515.1	269.2	0.0000	0.0	0.0000	0	0.00
81	01	01	24	337.2	1.00	287.6	7	546.7	261.0	0.0000	0.0	0.0000	0	0.00

*** NOTES: STABILITY CLASS 1=A, 2=B, 3=C, 4=D, 5=E AND 6=F.
FLOW VECTOR IS DIRECTION TOWARD WHICH WIND IS BLOWING.

**MODELOPTs:
CONC URBAN FLAT NOCALM

*** THE PERIOD (8760 HRS) AVERAGE CONCENTRATION VALUES FOR SOURCE GROUP: ALL ***
INCLUDING SOURCE(S): FINES1 , FINES2 , FINES3 , FINES4 , STCKPILE, PITOPS , R3 ,
R5 , R7 , R10 , R14 , R17 , R20 , R25 , RCKPLNT , BTCHPLNT, R1 ,

*** NETWORK ID: CART1 ; NETWORK TYPE: GRIDCART ***

** CONC OF OTHER IN MICROGRAMS/M**3 **

Y-COORD (METERS)	X-COORD (METERS) 373634.00	373884.00	374134.00	374384.00	374634.00	374884.00	375134.00	375384.00	375634
3813913.00	1.83848	1.90327	1.84959	1.63094	1.36893	1.24173	1.24067	1.25559	1.16
3813663.00	1.98217	2.15395	2.22440	2.11283	1.79805	1.52584	1.45473	1.48049	1.39
3813413.00	2.03415	2.34351	2.57273	2.64425	2.43083	2.00648	1.77242	1.77288	1.71
3813163.00	1.92291	2.39248	2.83065	3.15014	3.20957	2.82006	2.30825	2.18251	2.14
3812913.00	1.61386	2.19365	2.86283	3.51425	3.98733	3.99887	3.31986	2.83314	2.78
3812663.00	1.28068	1.76403	2.51872	3.49842	4.52565	5.29100	5.15087	4.08044	3.77
3812413.00	1.13205	1.42735	1.95919	2.92083	4.39481	6.13711	7.55100	6.95785	5.60
3812163.00	1.12929	1.34594	1.68054	2.27289	3.46920	5.76144	9.03913	12.27555	10.59
3811913.00	1.18065	1.39139	1.68086	2.11578	2.85772	4.39258	8.19195	15.78261	29.25
3811663.00	1.17918	1.40962	1.72162	2.16364	2.83515	3.97882	6.34653	10.97433	27.39
3811413.00	1.09640	1.30206	1.58091	1.97740	2.58159	3.60847	5.71847	9.54135	18.26
3811163.00	1.02096	1.20207	1.44534	1.78437	2.28578	3.09090	4.49241	7.09861	10.76
3810913.00	0.87105	0.98256	1.11761	1.29216	1.53686	1.91354	2.56800	3.89074	7.07
3810663.00	0.61390	0.67606	0.76998	0.90892	1.10242	1.39476	1.99901	3.20030	5.18
3810413.00	0.47568	0.54454	0.62980	0.74541	0.95152	1.32231	1.84334	2.64664	3.45
3810163.00	0.41876	0.47736	0.57047	0.73230	0.96695	1.24767	1.63789	2.10867	2.49
3809913.00	0.38766	0.46914	0.59273	0.74792	0.92148	1.13863	1.41514	1.61635	1.95
3809663.00	0.40064	0.49400	0.60134	0.71727	0.85272	1.02073	1.17029	1.28971	1.60
3809413.00	0.42042	0.49721	0.57843	0.67025	0.77950	0.89107	0.95829	1.08014	1.34
3809163.00	0.41985	0.47876	0.54476	0.62102	0.70295	0.76033	0.80384	0.93342	1.16

**MODELOPTs:
CONC URBAN FLAT NOCALM

*** THE PERIOD (8760 HRS) AVERAGE CONCENTRATION VALUES FOR SOURCE GROUP: ALL ***
INCLUDING SOURCE(S): FINES1 , FINES2 , FINES3 , FINES4 , STCKPILE, PITOPS , R3 ,
R5 , R7 , R10 , R14 , R17 , R20 , R25 , RCKPLNT , BTCHPLNT, R1 ,

*** NETWORK ID: CART1 ; NETWORK TYPE: GRIDCART ***

** CONC OF OTHER IN MICROGRAMS/M**3 **

Y-COORD (METERS)	X-COORD (METERS) 375884.00	376134.00	376384.00	376634.00	376884.00	377134.00	377384.00	377634.00	377884.
3813913.00	1.07987	1.05697	0.94858	0.71278	0.48201	0.36628	0.32009	0.29196	0.27
3813663.00	1.27731	1.23162	1.07784	0.77111	0.51689	0.40723	0.35717	0.32627	0.30
3813413.00	1.54334	1.46100	1.23865	0.83739	0.56841	0.45917	0.40376	0.36849	0.33
3813163.00	1.91600	1.77329	1.44134	0.91911	0.64395	0.52490	0.46441	0.41619	0.37
3812913.00	2.46576	2.21973	1.69817	1.03529	0.74889	0.61376	0.53669	0.46987	0.41
3812663.00	3.33671	2.90293	2.02595	1.22258	0.89125	0.72873	0.61906	0.54150	0.47
3812413.00	4.86862	4.04566	2.46243	1.52579	1.08423	0.87181	0.74073	0.63368	0.52
3812163.00	8.09234	6.18578	3.13406	1.97629	1.38062	1.11216	0.89285	0.69920	0.55
3811913.00	21.98789	10.91023	4.66541	2.79753	1.90029	1.34638	0.97858	0.76133	0.62
3811663.00	42.40079	23.68537	8.40761	4.12213	2.33293	1.63412	1.25898	1.02087	0.85
3811413.00	80.42810	116.99585	19.42049	6.93841	3.75582	2.39644	1.70885	1.30028	1.03
3811163.00	26.40178	127.08154	15.73797	12.07294	5.21225	3.09922	2.09301	1.52937	1.17
3810913.00	12.28960	23.44605	21.85797	8.92019	4.18119	2.61514	1.89183	1.46881	1.18
3810663.00	7.49433	10.98008	8.36528	5.66460	3.62401	2.24206	1.55507	1.18920	0.96
3810413.00	4.91265	6.23420	4.96122	3.54064	2.81415	2.09631	1.48805	1.09327	0.86
3810163.00	3.47725	4.13776	3.44713	2.46692	2.06936	1.75740	1.40762	1.08950	0.83
3809913.00	2.61954	3.00441	2.58812	1.90939	1.54332	1.41481	1.23007	1.03023	0.84
3809663.00	2.07115	2.30858	2.04036	1.55812	1.22620	1.11776	1.04694	0.92354	0.79
3809413.00	1.69332	1.84514	1.66377	1.30966	1.03306	0.90326	0.86790	0.81475	0.72
3809163.00	1.41781	1.51828	1.39073	1.12531	0.89961	0.76174	0.71900	0.70104	0.65

**MODELOPTs:
CONC URBAN FLAT NOCALM

*** THE PERIOD (8760 HRS) AVERAGE CONCENTRATION VALUES FOR SOURCE GROUP: ALL ***
INCLUDING SOURCE(S): FINES1 , FINES2 , FINES3 , FINES4 , STCKPILE, PITOPS , R3 ,
R5 , R7 , R10 , R14 , R17 , R20 , R25 , RCKPLNT , BTCHPLNT, R1 ,

*** NETWORK ID: CART1 ; NETWORK TYPE: GRIDCART ***

** CONC OF OTHER IN MICROGRAMS/M**3 **

Y-COORD (METERS)	X-COORD (METERS) 378134.00	378384.00
3813913.00	0.25284	0.23406
3813663.00	0.27694	0.25530
3813413.00	0.30482	0.28075
3813163.00	0.33858	0.31040
3812913.00	0.37922	0.34064
3812663.00	0.41768	0.35731
3812413.00	0.43783	0.36699
3812163.00	0.45991	0.39351
3811913.00	0.54655	0.49056
3811663.00	0.72628	0.62594
3811413.00	0.84280	0.70480
3811163.00	0.94668	0.78220
3810913.00	0.97327	0.81592
3810663.00	0.82411	0.71985
3810413.00	0.71516	0.61240
3810163.00	0.67618	0.57024
3809913.00	0.67855	0.55542
3809663.00	0.68030	0.56694
3809413.00	0.64206	0.56351
3809163.00	0.59263	0.53219

**MODELOPTs:
CONC URBAN FLAT NOCALM

*** THE PERIOD (8760 HRS) AVERAGE CONCENTRATION VALUES FOR SOURCE GROUP: ALL ***
INCLUDING SOURCE(S): FINES1 , FINES2 , FINES3 , FINES4 , STCKPILE, PITOPS , R3
R5 , R7 , R10 , R14 , R17 , R20 , R25 , RCKPLNT , BTCHPLNT, R1 ,

*** DISCRETE CARTESIAN RECEPTOR POINTS ***

** CONC OF OTHER IN MICROGRAMS/M**3 **

X-COORD (M)	Y-COORD (M)	CONC	X-COORD (M)	Y-COORD (M)	CONC
375707.00	3810561.00	4.71595	374756.00	3810927.00	1.74200

**MODELOPTs:
CONC URBAN FLAT NOCALM

*** THE 1ST HIGHEST 24-HR AVERAGE CONCENTRATION VALUES FOR SOURCE GROUP: ALL ***
INCLUDING SOURCE(S): FINES1 , FINES2 , FINES3 , FINES4 , STCKPILE, PITOPS , R3 ,
R5 , R7 , R10 , R14 , R17 , R20 , R25 , RCKPLNT , BTCHPLNT, R1 ,

*** NETWORK ID: CART1 ; NETWORK TYPE: GRIDCART ***

** CONC OF OTHER IN MICROGRAMS/M**3 **

Y-COORD (METERS)	X-COORD (METERS) 373634.00	373884.00	374134.00	374384.00	374634.00
3813913.0	7.87771 (81121824)	8.56617 (81120624)	8.06096 (81120624)	6.47212 (81050924)	7.36954 (811108
3813663.0	8.44996 (81112024)	9.12463 (81121824)	9.95890 (81120624)	8.73222 (81120624)	7.37280 (811108
3813413.0	8.84410 (81112224)	9.85800 (81112224)	10.74115 (81121824)	11.69606 (81120624)	9.80529 (810509
3813163.0	8.41391 (81011824)	10.33301 (81112224)	11.81082 (81112224)	12.90718 (81121824)	13.86315 (811206
3812913.0	7.29147 (81011824)	9.75891 (81011824)	12.24032 (81112224)	14.52789 (81112224)	15.93841 (811218
3812663.0	6.11975 (81120324)	7.44510 (81011824)	11.20466 (81011824)	14.70500 (81112224)	18.49071 (811122
3812413.0	6.93494 (81122624)	7.62054 (81120324)	8.46014 (81120324)	12.64450 (81011824)	17.88687 (811122
3812163.0	7.08431 (81120324)	8.00282 (81122624)	9.73297 (81122624)	11.26650 (81120324)	13.58255 (810118
3811913.0	6.55394 (81120324)	8.23369 (81120324)	10.03631 (81120324)	11.90544 (81120324)	15.05890 (811226
3811663.0	6.19018 (81030324)	7.01971 (81030324)	7.87600 (81030324)	10.04285 (81122424)	14.02784 (811203
3811413.0	5.51307 (81080424)	6.12474 (81080424)	7.19153 (81030324)	8.98875 (81030324)	11.60603 (810303
3811163.0	6.44634 (81080424)	7.25257 (81080424)	8.26072 (81080424)	9.57509 (81080424)	11.42721 (810804
3810913.0	4.88015 (81081524)	5.60643 (81081524)	6.32326 (81081524)	6.85178 (81081524)	7.91752 (810416
3810663.0	3.71216 (81091724)	4.55726 (81041624)	5.64915 (81041624)	6.62736 (81041624)	7.03746 (810416
3810413.0	4.01920 (81041624)	4.34265 (81041624)	4.37733 (81041624)	4.90930 (81091724)	5.82651 (810917
3810163.0	2.98409 (81041624)	3.28255 (81091724)	3.90642 (81091724)	5.06182 (81082424)	7.19681 (810824
3809913.0	2.85069 (81091724)	3.17735 (81111224)	4.76349 (81082424)	5.76569 (81082424)	5.74925 (810731
3809663.0	3.14879 (81082424)	4.29637 (81082424)	4.68889 (81082424)	4.62542 (81043024)	4.78874 (810731
3809413.0	3.80233 (81082424)	3.86539 (81082424)	3.91269 (81043024)	4.03709 (81043024)	4.58750 (810623
3809163.0	3.22320 (81082424)	3.38172 (81043024)	3.49065 (81043024)	3.72263 (81062324)	4.33420 (810623

**MODELOPTs:
CONC URBAN FLAT NOCALM

*** THE 1ST HIGHEST 24-HR AVERAGE CONCENTRATION VALUES FOR SOURCE GROUP: ALL ***
INCLUDING SOURCE(S): FINES1 , FINES2 , FINES3 , FINES4 , STCKPILE, PITOPS , R3
R5 , R7 , R10 , R14 , R17 , R20 , R25 , RCKPLNT , BTCHPLNT, R1 ,

*** NETWORK ID: CART1 ; NETWORK TYPE: GRIDCART ***

** CONC OF OTHER IN MICROGRAMS/M**3 **

Y-COORD (METERS)	X-COORD (METERS) 374884.00	375134.00	375384.00	375634.00	375884.00
3813913.0	7.21586 (81022324)	7.47510 (81102324)	11.22611 (81102324)	8.22960 (81102324)	5.01241 (811111
3813663.0	8.17860 (81110824)	8.30710 (81022324)	12.19118 (81102324)	10.59905 (81102324)	5.74155 (811111
3813413.0	9.69443 (81110824)	9.78580 (81022324)	12.41165 (81102324)	13.60389 (81102324)	6.65121 (811111
3813163.0	10.72990 (81050924)	11.46650 (81110824)	11.64727 (81102324)	17.19937 (81102324)	9.07377 (811023
3812913.0	16.53007 (81120624)	13.68039 (81110824)	14.43172 (81022324)	20.88180 (81102324)	12.82988 (811023
3812663.0	20.94980 (81120624)	19.76595 (81120624)	18.24598 (81110824)	23.34676 (81102324)	18.96211 (811023
3812413.0	24.64056 (81112224)	29.38760 (81120624)	24.19949 (81050924)	24.67944 (81022324)	29.72384 (811023
3812163.0	23.64407 (81011824)	35.02246 (81112224)	45.47322 (81120624)	38.73616 (81110824)	48.87473 (811023
3811913.0	18.57655 (81120324)	30.14197 (81011824)	56.35306 (81112224)	92.49650 (81120624)	84.27616 (811023
3811663.0	20.33741 (81120324)	28.93777 (81120324)	39.94141 (81120324)	94.72974 (81112224)	120.58459 (810517
3811413.0	15.68454 (81030324)	22.54489 (81030324)	33.10703 (81030324)	77.79183 (81120324)	301.30527 (810118
3811163.0	13.94457 (81080424)	17.62501 (81040124)	27.25864 (81011624)	46.93754 (81041624)	115.42780 (810824
3810913.0	11.32218 (81041624)	14.48273 (81041624)	18.73378 (81091724)	34.93195 (81082424)	52.72888 (811115
3810663.0	8.45870 (81091724)	10.94481 (81082424)	16.84142 (81073124)	24.65479 (81062324)	31.00391 (810725
3810413.0	9.06357 (81082424)	10.52964 (81073124)	13.09094 (81062324)	15.32156 (81111524)	26.31636 (810725
3810163.0	7.53502 (81073124)	8.18404 (81073124)	11.10138 (81081724)	13.13660 (81080324)	18.45317 (810725
3809913.0	6.10252 (81073124)	8.01092 (81062324)	8.34619 (81080324)	8.70891 (81072524)	13.24077 (810725
3809663.0	5.91476 (81062324)	6.86934 (81081724)	8.24707 (81080324)	9.35670 (81072524)	10.68123 (810706
3809413.0	5.66117 (81081724)	5.62367 (81080324)	6.48493 (81080324)	8.88624 (81072524)	9.03955 (810424
3809163.0	4.79833 (81081724)	5.87436 (81080324)	4.93490 (81080324)	7.99367 (81072524)	8.12511 (810424

**MODELOPTs:
CONC URBAN FLAT NOCALM

*** THE 1ST HIGHEST 24-HR AVERAGE CONCENTRATION VALUES FOR SOURCE GROUP: ALL ***
INCLUDING SOURCE(S): FINES1 , FINES2 , FINES3 , FINES4 , STCKPILE, PITOPS , R3
R5 , R7 , R10 , R14 , R17 , R20 , R25 , RCKPLNT , BTCHPLNT, R1 ,

*** NETWORK ID: CART1 ; NETWORK TYPE: GRIDCART ***

** CONC OF OTHER IN MICROGRAMS/M**3 **

Y-COORD (METERS)	X-COORD (METERS) 376134.00	376384.00	376634.00	376884.00	377134.00
3813913.0	6.04664 (81110324)	6.10469 (81110324)	5.90899 (81110324)	3.93099 (81110324)	2.72412 (811024
3813663.0	6.96374 (81110324)	7.05622 (81110324)	6.43332 (81110324)	3.68221 (81110324)	3.34605 (811008
3813413.0	8.12394 (81110324)	8.26736 (81110324)	6.86119 (81110324)	3.86896 (81102424)	3.96642 (811008
3813163.0	9.62061 (81110324)	9.86005 (81110324)	7.04254 (81110324)	4.40176 (81100824)	4.82918 (810520
3812913.0	11.61665 (81110324)	11.98585 (81110324)	6.80115 (81110324)	5.63218 (81100824)	7.23165 (810520
3812663.0	14.45191 (81110324)	14.68932 (81110324)	6.53370 (81040124)	7.93274 (81052024)	8.86046 (810520
3812413.0	19.25739 (81110324)	17.63008 (81110324)	9.76277 (81100824)	12.35389 (81052024)	6.67135 (810520
3812163.0	29.81595 (81110324)	17.92484 (81110324)	17.88644 (81052024)	10.07004 (81052024)	6.65659 (810521
3811913.0	51.68618 (81110324)	24.99068 (81100824)	18.93843 (81052024)	11.33776 (81121524)	9.45400 (811020
3811663.0	121.30550 (81110324)	61.44548 (81052024)	23.33880 (81121524)	14.91126 (81102024)	11.54160 (810816
3811413.0	511.01346 (81110324)	79.15137 (81102024)	31.09064 (81032024)	19.40412 (81102424)	14.81868 (811119
3811163.0	591.26532 (81100924)	95.38416 (81111924)	70.90588 (81111924)	35.03222 (81111924)	22.18689 (811119
3810913.0	148.03902 (81100924)	111.11041 (81010524)	63.57901 (81022224)	27.32421 (81111924)	20.47961 (811119
3810663.0	69.16410 (81100924)	36.88763 (81080724)	50.41256 (81010524)	36.21704 (81022224)	14.68905 (810220
3810413.0	41.24858 (81100924)	24.07417 (81100924)	21.24133 (81010524)	29.54014 (81010524)	23.78033 (810222
3810163.0	28.52154 (81100924)	19.45615 (81100924)	13.53091 (81080724)	15.81739 (81010524)	20.07168 (810105
3809913.0	21.45878 (81100924)	17.28629 (81100924)	10.22531 (81103024)	9.36085 (81010524)	12.48138 (810105
3809663.0	17.01153 (81100924)	15.44595 (81100924)	9.29202 (81072824)	7.79950 (81080724)	7.80753 (810105
3809413.0	13.97460 (81100924)	13.67747 (81100924)	8.30735 (81072824)	6.29718 (81080724)	5.37737 (810807
3809163.0	11.77239 (81100924)	12.05152 (81100924)	7.16206 (81072824)	5.57561 (81052624)	5.33125 (810807

**MODELOPTs:
CONC URBAN FLAT NOCALM

*** THE 1ST HIGHEST 24-HR AVERAGE CONCENTRATION VALUES FOR SOURCE GROUP: ALL ***
INCLUDING SOURCE(S): FINES1 , FINES2 , FINES3 , FINES4 , STCKPILE, PITOPS , R3 ,
R5 , R7 , R10 , R14 , R17 , R20 , R25 , RCKPLNT , BTCHPLNT, R1 ,

*** NETWORK ID: CART1 ; NETWORK TYPE: GRIDCART ***

** CONC OF OTHER IN MICROGRAMS/M**3 **

Y-COORD (METERS)	X-COORD (METERS) 377384.00	377634.00	377884.00	378134.00	378384.00
3813913.0	3.06617 (81100824)	3.50584 (81052024)	4.08688 (81052024)	3.71277 (81052024)	2.48415 (810523
3813663.0	3.46537 (81052024)	4.48691 (81052024)	4.43867 (81052024)	3.09368 (81052024)	2.49002 (810911
3813413.0	4.78084 (81052024)	5.29310 (81052024)	3.90833 (81052024)	2.85919 (81091124)	2.42034 (810911
3813163.0	6.25209 (81052024)	5.02310 (81052024)	3.33861 (81091124)	2.79693 (81040824)	2.31655 (810408
3812913.0	6.58642 (81052024)	3.98772 (81091124)	3.30298 (81040824)	2.54837 (81040824)	2.75229 (810224
3812663.0	4.91909 (81091124)	4.04753 (81052124)	3.11331 (81121524)	3.29635 (81022424)	3.23544 (811023
3812413.0	5.11767 (81052124)	4.29352 (81022424)	4.16172 (81102024)	4.11481 (81102024)	3.66070 (811023
3812163.0	5.59381 (81102024)	5.83423 (81102024)	5.14851 (81102024)	3.96822 (81102024)	3.96039 (810816
3811913.0	7.95400 (81102024)	6.18017 (81081624)	5.53047 (81081624)	4.32890 (81081624)	3.65013 (810329
3811663.0	8.42674 (81032024)	6.68049 (81032024)	5.42254 (81122224)	5.06968 (81121724)	4.59305 (811217
3811413.0	11.46763 (81111924)	9.25449 (81111924)	7.72442 (81111924)	6.59203 (81111924)	5.71689 (811119
3811163.0	17.08878 (81122524)	13.89059 (81122524)	11.54226 (81122524)	9.77650 (81122524)	8.42141 (811225
3810913.0	14.61014 (81111924)	11.08222 (81111924)	8.70018 (81111924)	6.97754 (81111924)	5.72652 (811119
3810663.0	10.97269 (81111924)	9.95121 (81111924)	8.04861 (81111924)	6.61597 (81111924)	5.62019 (811119
3810413.0	12.94310 (81022224)	7.79361 (81022024)	6.36004 (81111924)	6.19491 (81111924)	5.34945 (811119
3810163.0	17.07199 (81022224)	11.31196 (81022224)	6.54538 (81022024)	4.92381 (81022024)	4.33669 (811119
3809913.0	14.82322 (81010524)	13.00958 (81022224)	9.78328 (81022224)	5.77550 (81022224)	4.64985 (810223
3809663.0	10.17050 (81010524)	11.54951 (81010524)	10.34427 (81022224)	8.46297 (81022224)	5.51413 (810222
3809413.0	6.76545 (81010524)	8.48280 (81010524)	9.34423 (81010524)	8.49074 (81022224)	7.36343 (810222
3809163.0	4.67105 (81010524)	5.93512 (81010524)	7.20956 (81010524)	7.77563 (81010524)	7.13895 (810223

**MODELOPTs:
CONC URBAN FLAT NOCALM

*** THE 1ST HIGHEST 24-HR AVERAGE CONCENTRATION VALUES FOR SOURCE GROUP: ALL ***
INCLUDING SOURCE(S): FINES1 , FINES2 , FINES3 , FINES4 , STCKPILE, PITOPS , R3 ,
R5 , R7 , R10 , R14 , R17 , R20 , R25 , RCKPLNT , BTCHPLNT, R1 ,

*** DISCRETE CARTESIAN RECEPTOR POINTS ***

** CONC OF OTHER IN MICROGRAMS/M**3 **

X-COORD (M)	Y-COORD (M)	CONC	(YYMMDDHH)	X-COORD (M)	Y-COORD (M)	CONC	(YYMMDDHH)
375707.00	3810561.00	20.63024	(81111524)	374756.00	3810927.00	9.34538	(81041624)

**MODELOPTs:
CONC URBAN FLAT NOCALM

*** THE MAXIMUM 50 24-HR AVERAGE CONCENTRATION VALUES FOR SOURCE GROUP: ALL ***
INCLUDING SOURCE(S): FINES1 , FINES2 , FINES3 , FINES4 , STCKPILE, PITOPS , R3 ,
R5 , R7 , R10 , R14 , R17 , R20 , R25 , RCKPLNT , BTCHPLNT, R1 ,

** CONC OF OTHER IN MICROGRAMS/M**3 **

RANK	CONC	(YYMMDDHH)	AT	RECEPTOR (XR,YR)	OF TYPE	RANK	CONC	(YYMMDDHH)	AT	RECEPTOR (XR,YR)	OF TYP
1.	591.26532	(81100924)	AT	(376134.00, 3811163.00)	GC	26.	316.67523	(81010124)	AT	(376134.00, 3811413.00)	GC
2.	511.01346	(81110324)	AT	(376134.00, 3811413.00)	GC	27.	314.43082	(81021624)	AT	(376134.00, 3811163.00)	GC
3.	470.39505	(81070924)	AT	(376134.00, 3811163.00)	GC	28.	311.52194	(81100324)	AT	(376134.00, 3811413.00)	GC
4.	446.32419	(81010524)	AT	(376134.00, 3811163.00)	GC	29.	310.67551	(81123124)	AT	(376134.00, 3811413.00)	GC
5.	433.67871	(81052024)	AT	(376134.00, 3811413.00)	GC	30.	304.05621	(81042424)	AT	(376134.00, 3811163.00)	GC
6.	429.83151	(81080624)	AT	(376134.00, 3811163.00)	GC	31.	303.38712	(81040824)	AT	(376134.00, 3811413.00)	GC
7.	426.69714	(81101124)	AT	(376134.00, 3811413.00)	GC	32.	301.86746	(81111124)	AT	(376134.00, 3811413.00)	GC
8.	402.74771	(81122124)	AT	(376134.00, 3811163.00)	GC	33.	301.30527	(81011824)	AT	(375884.00, 3811413.00)	GC
9.	401.48926	(81052624)	AT	(376134.00, 3811163.00)	GC	34.	299.55365	(81112524)	AT	(376134.00, 3811163.00)	GC
10.	400.30936	(81040124)	AT	(376134.00, 3811413.00)	GC	35.	297.42249	(81021524)	AT	(376134.00, 3811413.00)	GC
11.	393.58472	(81072824)	AT	(376134.00, 3811163.00)	GC	36.	295.72614	(81082224)	AT	(376134.00, 3811163.00)	GC
12.	389.65787	(81040724)	AT	(376134.00, 3811413.00)	GC	37.	293.77969	(81070424)	AT	(376134.00, 3811413.00)	GC
13.	387.41721	(81080724)	AT	(376134.00, 3811163.00)	GC	38.	292.22607	(81072724)	AT	(376134.00, 3811163.00)	GC
14.	384.59427	(81051924)	AT	(376134.00, 3811413.00)	GC	39.	286.27390	(81102024)	AT	(376134.00, 3811413.00)	GC
15.	379.39279	(81083024)	AT	(376134.00, 3811413.00)	GC	40.	286.03101	(81110924)	AT	(376134.00, 3811413.00)	GC
16.	378.03015	(81011224)	AT	(376134.00, 3811163.00)	GC	41.	285.10516	(81020924)	AT	(376134.00, 3811163.00)	GC
17.	354.82394	(81122224)	AT	(376134.00, 3811163.00)	GC	42.	282.49954	(81120724)	AT	(376134.00, 3811413.00)	GC
18.	354.13333	(81103024)	AT	(376134.00, 3811163.00)	GC	43.	282.49356	(81013024)	AT	(376134.00, 3811163.00)	GC
19.	344.64389	(81110124)	AT	(376134.00, 3811163.00)	GC	44.	278.03818	(81111724)	AT	(376134.00, 3811163.00)	GC
20.	334.88461	(81100824)	AT	(376134.00, 3811413.00)	GC	45.	275.97217	(81063024)	AT	(376134.00, 3811163.00)	GC
21.	333.92944	(81032624)	AT	(376134.00, 3811163.00)	GC	46.	275.69571	(81070124)	AT	(376134.00, 3811163.00)	GC
22.	328.29855	(81042024)	AT	(376134.00, 3811163.00)	GC	47.	275.08038	(81033124)	AT	(376134.00, 3811413.00)	G
23.	320.52148	(81100124)	AT	(376134.00, 3811163.00)	GC	48.	274.47812	(81120124)	AT	(376134.00, 3811163.00)	G
24.	317.53928	(81052724)	AT	(376134.00, 3811163.00)	GC	49.	274.12711	(81081024)	AT	(376134.00, 3811163.00)	G
25.	317.52011	(81092924)	AT	(376134.00, 3811413.00)	GC	50.	274.04514	(81032724)	AT	(376134.00, 3811163.00)	G

*** RECEPTOR TYPES: GC = GRIDCART
GP = GRIDPOLR
DC = DISCCART
DP = DISCPOLR
BO = BOUNDARY

**MODELOPTs:
CONC URBAN FLAT NOCALM

*** THE SUMMARY OF MAXIMUM PERIOD (8760 HRS) RESULTS ***

** CONC OF OTHER IN MICROGRAMS/M**3 **

GROUP ID		AVERAGE CONC	RECEPTOR (XR, YR, ZELEV, ZFLAG)	OF TYPE	NETWORK GRID-ID
ALL	1ST HIGHEST VALUE IS	127.08154 AT	(376134.00, 3811163.00, 0.00, 0.00)	GC	CART1
	2ND HIGHEST VALUE IS	116.99585 AT	(376134.00, 3811413.00, 0.00, 0.00)	GC	CART1
	3RD HIGHEST VALUE IS	80.42810 AT	(375884.00, 3811413.00, 0.00, 0.00)	GC	CART1
	4TH HIGHEST VALUE IS	42.40079 AT	(375884.00, 3811663.00, 0.00, 0.00)	GC	CART1
	5TH HIGHEST VALUE IS	29.25806 AT	(375634.00, 3811913.00, 0.00, 0.00)	GC	CART1
	6TH HIGHEST VALUE IS	27.39867 AT	(375634.00, 3811663.00, 0.00, 0.00)	GC	CART1
	7TH HIGHEST VALUE IS	26.40178 AT	(375884.00, 3811163.00, 0.00, 0.00)	GC	CART1
	8TH HIGHEST VALUE IS	23.68537 AT	(376134.00, 3811663.00, 0.00, 0.00)	GC	CART1
	9TH HIGHEST VALUE IS	23.44605 AT	(376134.00, 3810913.00, 0.00, 0.00)	GC	CART1
	10TH HIGHEST VALUE IS	21.98789 AT	(375884.00, 3811913.00, 0.00, 0.00)	GC	CART1

*** RECEPTOR TYPES:
GC = GRIDCART
GP = GRIDPOLR
DC = DISCCART
DP = DISCPOLR
BD = BOUNDARY

**MODELOPTs:
CONC URBAN FLAT NOCALM

*** THE SUMMARY OF HIGHEST 24-HR RESULTS ***

** CONC OF OTHER IN MICROGRAMS/M**3 **

GROUP ID		AVERAGE CONC	DATE (YYMMDDHH)	RECEPTOR (XR, YR, ZELEV, ZFLAG)	OF TYPE	NETWORK GRID-ID
ALL	HIGH 1ST HIGH VALUE IS	591.26532	ON 81100924:	AT (376134.00, 3811163.00, 0.00, 0.00)	GC	CART1

*** RECEPTOR TYPES: GC = GRIDCART
GP = GRIDPOLR
DC = DISCCART
DP = DISCPOLR
BD = BOUNDARY

**MODELOPTs:
CONC URBAN FLAT NOCALM

*** Message Summary : ISCST3 Model Execution ***

--------- Summary of Total Messages --------

A Total of 0 Fatal Error Message(s)
A Total of 0 Warning Message(s)
A Total of 1085 Informational Message(s)

A Total of 1085 Calm Hours Identified

******** FATAL ERROR MESSAGES ********
*** NONE ***

******** WARNING MESSAGES ********
*** NONE ***

****
*** ISCST3 Finishes Successfully ***
****

Diesel Particulate Emissions

(Phase 1)

```
**MODELOPTs:
CONC                    URBAN  FLAT                              NOCALM
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*** MODEL SETUP OPTIONS SUMMARY ***

- -

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**Intermediate Terrain Processing is Selected

**Model Is Setup For Calculation of Average CONCentration Values.

  -- SCAVENGING/DEPOSITION LOGIC --
**Model Uses NO DRY DEPLETION.  DDPLETE =  F
**Model Uses NO WET DEPLETION.  WDPLETE =  F
**NO WET SCAVENGING Data Provided.
**NO GAS DRY DEPOSITION Data Provided.
**Model Does NOT Use GRIDDED TERRAIN Data for Depletion Calculations

**Model Uses URBAN Dispersion.

**Model Uses User-Specified Options:
         1. Final Plume Rise.
         2. Stack-tip Downwash.
         3. Buoyancy-induced Dispersion.
         4. Not Use Calms Processing Routine.
         5. Not Use Missing Data Processing Routine.
         6. Default Wind Profile Exponents.
         7. Default Vertical Potential Temperature Gradients.

**Model Assumes Receptors on FLAT Terrain.

**Model Assumes No FLAGPOLE Receptor Heights.

**Model Calculates PERIOD Averages Only

**This Run Includes:     4 Source(s);      1 Source Group(s); and     402 Receptor(s)

**The Model Assumes A Pollutant Type of:  OTHER

**Model Set To Continue RUNning After the Setup Testing.

**Output Options Selected:
        Model Outputs Tables of PERIOD Averages by Receptor
        Model Outputs External File(s) of High Values for Plotting (PLOTFILE Keyword)

**Misc. Inputs:  Anem. Hgt. (m) =    10.00 ;    Decay Coef. =    0.000     ;   Rot. Angle =     0.0
                 Emission Units = GRAMS/SEC                                ;  Emission Rate Unit Factor =   0.10000E+07
                 Output Units   = MICROGRAMS/M**3

**Approximate Storage Requirements of Model =     1.2 MB of RAM.

**Input Runstream File:          D:\diesel1.DTA
**Output Print File:             D:\diesel1.LST
```

**MODELOPTs:
CONC URBAN FLAT NOCALM

*** VOLUME SOURCE DATA ***

SOURCE ID	NUMBER PART. CATS.	EMISSION RATE (GRAMS/SEC)	X (METERS)	Y (METERS)	BASE ELEV. (METERS)	RELEASE HEIGHT (METERS)	INIT. SY (METERS)	INIT. SZ (METERS)	EMISSION RATE SCALAR VARY BY
PITOPS	0	0.24150E-01	376103.0	3811332.0	0.0	3.50	25.00	7.00	
LOADER1	0	0.24150E-01	376403.0	3811232.0	0.0	3.50	25.00	7.00	
LOADER2	0	0.24150E-01	376503.0	3811332.0	0.0	3.50	25.00	7.00	
FINES	0	0.24150E-01	375803.0	3811807.0	0.0	3.50	25.00	7.00	

**MODELOPTs:
CONC URBAN FLAT NOCALM

*** SOURCE IDs DEFINING SOURCE GROUPS ***

GROUP ID	SOURCE IDs
ALL	PITOPS , LOADER1 , LOADER2 , FINES ,

**MODELOPTs:
CONC URBAN FLAT NOCALM

*** GRIDDED RECEPTOR NETWORK SUMMARY ***

*** NETWORK ID: CART1 ; NETWORK TYPE: GRIDCART ***

*** X-COORDINATES OF GRID ***
(METERS)

373634.0, 373884.0, 374134.0, 374384.0, 374634.0, 374884.0, 375134.0, 375384.0, 375634.0, 375884.0,
376134.0, 376384.0, 376634.0, 376884.0, 377134.0, 377384.0, 377634.0, 377884.0, 378134.0, 378384.0,

*** Y-COORDINATES OF GRID ***
(METERS)

3809163.0, 3809413.0, 3809663.0, 3809913.0, 3810163.0, 3810413.0, 3810663.0, 3810913.0, 3811163.0, 3811413.0,
3811663.0, 3811913.0, 3812163.0, 3812413.0, 3812663.0, 3812913.0, 3813163.0, 3813413.0, 3813663.0, 3813913.0,

**MODELOPTs:
CONC URBAN FLAT NOCALM

*** DISCRETE CARTESIAN RECEPTORS ***
(X-COORD, Y-COORD, ZELEV, ZFLAG)
(METERS)

(375707.0, 3810561.0, 0.0, 0.0); (374756.0, 3810927.0, 0.0, 0.0);

**MODELOPTs:
CONC URBAN FLAT NOCALM

*** METEOROLOGICAL DAYS SELECTED FOR PROCESSING ***
(1=YES; 0=NO)

```
1 1 1 1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1
1 1 1 1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1
1 1 1 1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1
1 1 1 1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1
1 1 1 1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1
1 1 1 1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1
1 1 1 1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1
1 1 1 1 1 1 1 1 1 1   1 1 1 1 1 1
```

NOTE: METEOROLOGICAL DATA ACTUALLY PROCESSED WILL ALSO DEPEND ON WHAT IS INCLUDED IN THE DATA FILE.

*** UPPER BOUND OF FIRST THROUGH FIFTH WIND SPEED CATEGORIES ***
(METERS/SEC)

1.80, 3.35, 5.41, 8.49, 11.07,

*** WIND PROFILE EXPONENTS ***

STABILITY CATEGORY	WIND SPEED CATEGORY 1	2	3	4	5	6
A	.15000E+00	.15000E+00	.15000E+00	.15000E+00	.15000E+00	.15000E+00
B	.15000E+00	.15000E+00	.15000E+00	.15000E+00	.15000E+00	.15000E+00
C	.20000E+00	.20000E+00	.20000E+00	.20000E+00	.20000E+00	.20000E+00
D	.25000E+00	.25000E+00	.25000E+00	.25000E+00	.25000E+00	.25000E+00
E	.30000E+00	.30000E+00	.30000E+00	.30000E+00	.30000E+00	.30000E+00
F	.30000E+00	.30000E+00	.30000E+00	.30000E+00	.30000E+00	.30000E+00

*** VERTICAL POTENTIAL TEMPERATURE GRADIENTS ***
(DEGREES KELVIN PER METER)

STABILITY CATEGORY	WIND SPEED CATEGORY 1	2	3	4	5	6
A	.00000E+00	.00000E+00	.00000E+00	.00000E+00	.00000E+00	.00000E+00
B	.00000E+00	.00000E+00	.00000E+00	.00000E+00	.00000E+00	.00000E+00
C	.00000E+00	.00000E+00	.00000E+00	.00000E+00	.00000E+00	.00000E+00
D	.00000E+00	.00000E+00	.00000E+00	.00000E+00	.00000E+00	.00000E+00
E	.20000E-01	.20000E-01	.20000E-01	.20000E-01	.20000E-01	.20000E-01
F	.35000E-01	.35000E-01	.35000E-01	.35000E-01	.35000E-01	.35000E-01

**MODELOPTs:
CONC URBAN FLAT NOCALM

*** THE FIRST 24 HOURS OF METEOROLOGICAL DATA ***

FILE: C:\METDATA\NEWHALL.LAH
FORMAT: UNFORM
SURFACE STATION NO.: 51115 UPPER AIR STATION NO.: 99999
NAME: NEWHALL, NAME: ONTARIO,
YEAR: 1981 YEAR: 1981

YR	MN	DY	HR	FLOW VECTOR	SPEED (M/S)	TEMP (K)	STAB CLASS	MIXING HEIGHT (M) RURAL	MIXING HEIGHT (M) URBAN	USTAR (M/S)	M-O LENGTH (M)	Z-0 (M)	IPCODE	PRATE (mm/HR)
81	01	01	01	314.8	1.00	285.9	7	522.6	170.0	0.0000	0.0	0.0000	0	0.00
81	01	01	02	304.9	1.00	284.8	7	507.0	170.0	0.0000	0.0	0.0000	0	0.00
81	01	01	03	310.0	1.00	284.8	7	491.4	170.0	0.0000	0.0	0.0000	0	0.00
81	01	01	04	346.0	1.00	284.8	7	475.8	170.0	0.0000	0.0	0.0000	0	0.00
81	01	01	05	309.0	1.00	285.4	7	460.3	170.0	0.0000	0.0	0.0000	0	0.00
81	01	01	06	342.0	1.00	284.3	7	444.7	170.0	0.0000	0.0	0.0000	0	0.00
81	01	01	07	342.0	1.00	284.3	7	429.1	170.0	0.0000	0.0	0.0000	0	0.00
81	01	01	08	337.1	1.00	284.3	6	43.0	190.2	0.0000	0.0	0.0000	0	0.00
81	01	01	09	6.5	1.00	287.6	5	89.2	211.8	0.0000	0.0	0.0000	0	0.00
81	01	01	10	9.1	1.00	291.5	4	135.3	233.4	0.0000	0.0	0.0000	0	0.00
81	01	01	11	291.6	1.00	297.0	3	181.5	255.1	0.0000	0.0	0.0000	0	0.00
81	01	01	12	80.6	1.00	298.7	2	227.7	276.7	0.0000	0.0	0.0000	0	0.00
81	01	01	13	87.2	1.00	299.3	2	273.8	298.4	0.0000	0.0	0.0000	0	0.00
81	01	01	14	326.7	2.24	299.3	3	320.0	320.0	0.0000	0.0	0.0000	0	0.00
81	01	01	15	337.3	2.24	298.7	3	320.0	320.0	0.0000	0.0	0.0000	0	0.00
81	01	01	16	345.7	2.24	297.6	4	320.0	320.0	0.0000	0.0	0.0000	0	0.00
81	01	01	17	20.1	1.34	294.8	5	325.5	318.6	0.0000	0.0	0.0000	0	0.00
81	01	01	18	97.6	1.00	293.1	6	357.1	310.3	0.0000	0.0	0.0000	0	0.00
81	01	01	19	178.0	1.00	290.9	7	388.7	302.1	0.0000	0.0	0.0000	0	0.00
81	01	01	20	303.2	1.00	289.8	7	420.3	293.9	0.0000	0.0	0.0000	0	0.00
81	01	01	21	358.6	1.00	289.3	7	451.9	285.7	0.0000	0.0	0.0000	0	0.00
81	01	01	22	272.0	1.00	287.6	7	483.5	277.4	0.0000	0.0	0.0000	0	0.00
81	01	01	23	0.7	1.00	287.6	7	515.1	269.2	0.0000	0.0	0.0000	0	0.00
81	01	01	24	337.2	1.00	287.6	7	546.7	261.0	0.0000	0.0	0.0000	0	0.00

*** NOTES: STABILITY CLASS 1=A, 2=B, 3=C, 4=D, 5=E AND 6=F.
FLOW VECTOR IS DIRECTION TOWARD WHICH WIND IS BLOWING.

**MODELOPTs:
CONC URBAN FLAT NOCALM

*** THE PERIOD (8760 HRS) AVERAGE CONCENTRATION VALUES FOR SOURCE GROUP: ALL ***
INCLUDING SOURCE(S): PITOPS , LOADER1 , LOADER2 , FINES ,

*** NETWORK ID: CART1 ; NETWORK TYPE: GRIDCART ***

** CONC OF OTHER IN MICROGRAMS/M**3 **

Y-COORD (METERS)	X-COORD (METERS) 373634.00	373884.00	374134.00	374384.00	374634.00	374884.00	375134.00	375384.00	375634.
3813913.00	0.05585	0.06032	0.06177	0.05796	0.05004	0.04349	0.04105	0.04007	0.038
3813663.00	0.05763	0.06567	0.07148	0.07241	0.06575	0.05595	0.05024	0.04816	0.046
3813413.00	0.05513	0.06757	0.07885	0.08660	0.08610	0.07531	0.06472	0.05998	0.056
3813163.00	0.04701	0.06282	0.08062	0.09729	0.10797	0.10407	0.08840	0.07870	0.071
3812913.00	0.03731	0.05125	0.07195	0.09824	0.12459	0.13993	0.12850	0.11000	0.097
3812663.00	0.03187	0.04077	0.05641	0.08289	0.12275	0.16844	0.19157	0.16611	0.145
3812413.00	0.03125	0.03714	0.04666	0.06404	0.09703	0.15810	0.24871	0.28529	0.243
3812163.00	0.03234	0.03785	0.04546	0.05712	0.07798	0.12033	0.21324	0.43621	0.505
3811913.00	0.03293	0.03872	0.04639	0.05709	0.07340	0.10257	0.16855	0.34370	1.281
3811663.00	0.03199	0.03784	0.04560	0.05616	0.07108	0.09318	0.12900	0.20484	0.561
3811413.00	0.02854	0.03301	0.03880	0.04667	0.05812	0.07620	0.10960	0.18403	0.340
3811163.00	0.02522	0.02909	0.03417	0.04101	0.05091	0.06703	0.09257	0.13001	0.195
3810913.00	0.02144	0.02390	0.02694	0.03127	0.03758	0.04606	0.05810	0.07500	0.123
3810663.00	0.01559	0.01722	0.01979	0.02341	0.02813	0.03513	0.04536	0.06301	0.099
3810413.00	0.01261	0.01468	0.01722	0.02038	0.02507	0.03202	0.04127	0.05756	0.078
3810163.00	0.01187	0.01361	0.01586	0.01932	0.02439	0.03047	0.03823	0.04914	0.061
3809913.00	0.01114	0.01296	0.01571	0.01950	0.02376	0.02808	0.03390	0.04117	0.049
3809663.00	0.01101	0.01325	0.01607	0.01911	0.02195	0.02524	0.02966	0.03460	0.039
3809413.00	0.01143	0.01354	0.01573	0.01781	0.01990	0.02267	0.02579	0.02912	0.033
3809163.00	0.01159	0.01321	0.01479	0.01632	0.01812	0.02025	0.02234	0.02482	0.028

**MODELOPTs:
CONC URBAN FLAT NOCALM

*** THE PERIOD (8760 HRS) AVERAGE CONCENTRATION VALUES FOR SOURCE GROUP: ALL ***
INCLUDING SOURCE(S): PITOPS , LOADER1 , LOADER2 , FINES ,

*** NETWORK ID: CART1 ; NETWORK TYPE: GRIDCART ***

** CONC OF OTHER IN MICROGRAMS/M**3 **

Y-COORD (METERS)	X-COORD (METERS) 375884.00	376134.00	376384.00	376634.00	376884.00	377134.00	377384.00	377634.00	377884.
3813913.00	0.03749	0.03358	0.02909	0.02504	0.01930	0.01361	0.01062	0.00952	0.008
3813663.00	0.04497	0.03932	0.03327	0.02843	0.02118	0.01471	0.01181	0.01071	0.009
3813413.00	0.05502	0.04681	0.03886	0.03276	0.02344	0.01613	0.01344	0.01218	0.011
3813163.00	0.06904	0.05692	0.04666	0.03840	0.02619	0.01816	0.01562	0.01390	0.012
3812913.00	0.08986	0.07128	0.05788	0.04611	0.02963	0.02126	0.01820	0.01569	0.013
3812663.00	0.12428	0.09358	0.07467	0.05715	0.03430	0.02525	0.02091	0.01776	0.015
3812413.00	0.19146	0.13256	0.10174	0.07337	0.04005	0.03021	0.02502	0.02124	0.018
3812163.00	0.34578	0.21165	0.14899	0.09558	0.05148	0.04013	0.03216	0.02590	0.020
3811913.00	0.82968	0.41443	0.26011	0.14011	0.07509	0.05322	0.03868	0.02842	0.022
3811663.00	1.20031	0.86995	0.58540	0.21450	0.10976	0.06717	0.04669	0.03661	0.030
3811413.00	0.87120	2.10308	2.59780	0.53463	0.17818	0.10017	0.06647	0.04809	0.036
3811163.00	0.37219	0.94287	2.46397	0.68492	0.22256	0.11742	0.07528	0.05324	0.040
3810913.00	0.20066	0.35159	0.47142	0.30386	0.16256	0.09153	0.06049	0.04541	0.036
3810663.00	0.14261	0.18778	0.22221	0.16868	0.11491	0.08089	0.05439	0.03874	0.030
3810413.00	0.10290	0.12083	0.13753	0.11019	0.07967	0.06547	0.05072	0.03775	0.028
3810163.00	0.07502	0.08852	0.09657	0.07929	0.05898	0.05027	0.04360	0.03571	0.028
3809913.00	0.05799	0.06900	0.07285	0.06122	0.04634	0.03920	0.03587	0.03171	0.026
3809663.00	0.04741	0.05578	0.05758	0.04944	0.03820	0.03173	0.02923	0.02731	0.024
3809413.00	0.04008	0.04627	0.04706	0.04114	0.03261	0.02670	0.02414	0.02313	0.021
3809163.00	0.03456	0.03915	0.03944	0.03499	0.02847	0.02319	0.02049	0.01953	0.018

**MODELOPTs:
CONC URBAN FLAT NOCALM

*** THE PERIOD (8760 HRS) AVERAGE CONCENTRATION VALUES FOR SOURCE GROUP: ALL ***
INCLUDING SOURCE(S): PITOPS , LOADER1 , LOADER2 , FINES ,

*** NETWORK ID: CART1 ; NETWORK TYPE: GRIDCART ***

** CONC OF OTHER IN MICROGRAMS/M**3 **

Y-COORD (METERS)	X-COORD (METERS) 378134.00	378384.00
3813913.00	0.00817	0.00762
3813663.00	0.00907	0.00834
3813413.00	0.01002	0.00903
3813163.00	0.01092	0.00980
3812913.00	0.01204	0.01081
3812663.00	0.01362	0.01192
3812413.00	0.01541	0.01289
3812163.00	0.01646	0.01377
3811913.00	0.01893	0.01669
3811663.00	0.02531	0.02152
3811413.00	0.02933	0.02407
3811163.00	0.03178	0.02600
3810913.00	0.02998	0.02529
3810663.00	0.02481	0.02131
3810413.00	0.02268	0.01893
3810163.00	0.02247	0.01826
3809913.00	0.02247	0.01844
3809663.00	0.02133	0.01839
3809413.00	0.01959	0.01745
3809163.00	0.01777	0.01618

**MODELOPTs:
CONC URBAN FLAT NOCALM

*** THE PERIOD (8760 HRS) AVERAGE CONCENTRATION VALUES FOR SOURCE GROUP: ALL ***
INCLUDING SOURCE(S): PITOPS , LOADER1 , LOADER2 , FINES ,

*** DISCRETE CARTESIAN RECEPTOR POINTS ***

** CONC OF OTHER IN MICROGRAMS/M**3 **

X-COORD (M)	Y-COORD (M)	CONC	X-COORD (M)	Y-COORD (M)	CONC
375707.00	3810561.00	0.09940	374756.00	3810927.00	0.04233

**MODELOPTs:
CONC URBAN FLAT NOCALM

*** THE SUMMARY OF MAXIMUM PERIOD (8760 HRS) RESULTS ***

** CONC OF OTHER IN MICROGRAMS/M**3 **

GROUP ID		AVERAGE CONC	RECEPTOR (XR, YR, ZELEV, ZFLAG)	OF TYPE	NETWORK GRID-ID
ALL	1ST HIGHEST VALUE IS	2.59780 AT	(376384.00, 3811413.00, 0.00, 0.00)	GC	CART1
	2ND HIGHEST VALUE IS	2.46397 AT	(376384.00, 3811163.00, 0.00, 0.00)	GC	CART1
	3RD HIGHEST VALUE IS	2.10308 AT	(376134.00, 3811413.00, 0.00, 0.00)	GC	CART1
	4TH HIGHEST VALUE IS	1.28106 AT	(375634.00, 3811913.00, 0.00, 0.00)	GC	CART1
	5TH HIGHEST VALUE IS	1.20031 AT	(375884.00, 3811663.00, 0.00, 0.00)	GC	CART1
	6TH HIGHEST VALUE IS	0.94287 AT	(376134.00, 3811163.00, 0.00, 0.00)	GC	CART1
	7TH HIGHEST VALUE IS	0.87120 AT	(375884.00, 3811413.00, 0.00, 0.00)	GC	CART1
	8TH HIGHEST VALUE IS	0.86995 AT	(376134.00, 3811663.00, 0.00, 0.00)	GC	CART1
	9TH HIGHEST VALUE IS	0.82968 AT	(375884.00, 3811913.00, 0.00, 0.00)	GC	CART1
	10TH HIGHEST VALUE IS	0.68492 AT	(376634.00, 3811163.00, 0.00, 0.00)	GC	CART1

*** RECEPTOR TYPES:
GC = GRIDCART
GP = GRIDPOLR
DC = DISCCART
DP = DISCPOLR
BD = BOUNDARY

**MODELOPTs:
CONC URBAN FLAT NOCALM

*** Message Summary : ISCST3 Model Execution ***

--------- Summary of Total Messages --------

A Total of 0 Fatal Error Message(s)
A Total of 0 Warning Message(s)
A Total of 1085 Informational Message(s)

A Total of 1085 Calm Hours Identified

******** FATAL ERROR MESSAGES ********
*** NONE ***

******** WARNING MESSAGES ********
*** NONE ***

****
*** ISCST3 Finishes Successfully ***
****

Diesel Particulate Emissions

(Phase 2)

**MODELOPTs:
CONC URBAN FLAT NOCALM

*** MODEL SETUP OPTIONS SUMMARY ***

- -

**Intermediate Terrain Processing is Selected

**Model Is Setup For Calculation of Average CONCentration Values.

-- SCAVENGING/DEPOSITION LOGIC --
**Model Uses NO DRY DEPLETION. DDPLETE = F
**Model Uses NO WET DEPLETION. WDPLETE = F
**NO WET SCAVENGING Data Provided.
**NO GAS DRY DEPOSITION Data Provided.
**Model Does NOT Use GRIDDED TERRAIN Data for Depletion Calculations

**Model Uses URBAN Dispersion.

**Model Uses User-Specified Options:
1. Final Plume Rise.
2. Stack-tip Downwash.
3. Buoyancy-induced Dispersion.
4. Not Use Calms Processing Routine.
5. Not Use Missing Data Processing Routine.
6. Default Wind Profile Exponents.
7. Default Vertical Potential Temperature Gradients.

**Model Assumes Receptors on FLAT Terrain.

**Model Assumes No FLAGPOLE Receptor Heights.

**Model Calculates PERIOD Averages Only

**This Run Includes: 4 Source(s); 1 Source Group(s); and 402 Receptor(s)

**The Model Assumes A Pollutant Type of: OTHER

**Model Set To Continue RUNning After the Setup Testing.

**Output Options Selected:
Model Outputs Tables of PERIOD Averages by Receptor
Model Outputs External File(s) of High Values for Plotting (PLOTFILE Keyword)

**Misc. Inputs: Anem. Hgt. (m) = 10.00 ; Decay Coef. = 0.000 ; Rot. Angle = 0.0
Emission Units = GRAMS/SEC ; Emission Rate Unit Factor = 0.10000E+07
Output Units = MICROGRAMS/M**3

**Approximate Storage Requirements of Model = 1.2 MB of RAM.

**Input Runstream File: D:\diesel2.DTA
**Output Print File: D:\diesel2.LST

**MODELOPTs:
CONC URBAN FLAT NOCALM

*** VOLUME SOURCE DATA ***

SOURCE ID	NUMBER PART. CATS.	EMISSION RATE (GRAMS/SEC)	X (METERS)	Y (METERS)	BASE ELEV. (METERS)	RELEASE HEIGHT (METERS)	INIT. SY (METERS)	INIT. SZ (METERS)	EMISSION RATE SCALAR VARY BY
PITOPS	0	0.45937E-01	376103.0	3811332.0	0.0	3.50	25.00	7.00	
LOADER1	0	0.45937E-01	376403.0	3811232.0	0.0	3.50	25.00	7.00	
LOADER2	0	0.45937E-01	376503.0	3811332.0	0.0	3.50	25.00	7.00	
FINES	0	0.45937E-01	375803.0	3811807.0	0.0	3.50	25.00	7.00	

**MODELOPTs:
CONC URBAN FLAT NOCALM

*** SOURCE IDs DEFINING SOURCE GROUPS ***

GROUP ID	SOURCE IDs
ALL	PITOPS , LOADER1 , LOADER2 , FINES ,

**MODELOPTs:
CONC URBAN FLAT NOCALM

*** GRIDDED RECEPTOR NETWORK SUMMARY ***

*** NETWORK ID: CART1 ; NETWORK TYPE: GRIDCART ***

*** X-COORDINATES OF GRID ***
(METERS)

373634.0, 373884.0, 374134.0, 374384.0, 374634.0, 374884.0, 375134.0, 375384.0, 375634.0, 375884.0,
376134.0, 376384.0, 376634.0, 376884.0, 377134.0, 377384.0, 377634.0, 377884.0, 378134.0, 378384.0,

*** Y-COORDINATES OF GRID ***
(METERS)

3809163.0, 3809413.0, 3809663.0, 3809913.0, 3810163.0, 3810413.0, 3810663.0, 3810913.0, 3811163.0, 3811413.0,
3811663.0, 3811913.0, 3812163.0, 3812413.0, 3812663.0, 3812913.0, 3813163.0, 3813413.0, 3813663.0, 3813913.0,

**MODELOPTs:
CONC URBAN FLAT NOCALM

*** DISCRETE CARTESIAN RECEPTORS ***
(X-COORD, Y-COORD, ZELEV, ZFLAG)
(METERS)

(375707.0,	3810561.0,	0.0,	0.0);	(374756.0,	3810927.0,	0.0,	0.0);

**MODELOPTs:
CONC URBAN FLAT NOCALM

*** METEOROLOGICAL DAYS SELECTED FOR PROCESSING ***
(1=YES; 0=NO)

```
1 1 1 1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1
1 1 1 1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1
1 1 1 1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1
1 1 1 1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1
1 1 1 1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1
1 1 1 1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1
1 1 1 1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1
1 1 1 1 1 1 1 1 1 1   1 1 1 1 1 1
```

NOTE: METEOROLOGICAL DATA ACTUALLY PROCESSED WILL ALSO DEPEND ON WHAT IS INCLUDED IN THE DATA FILE.

*** UPPER BOUND OF FIRST THROUGH FIFTH WIND SPEED CATEGORIES ***
(METERS/SEC)

1.80, 3.35, 5.41, 8.49, 11.07,

*** WIND PROFILE EXPONENTS ***

STABILITY CATEGORY	WIND SPEED CATEGORY 1	2	3	4	5	6
A	.15000E+00	.15000E+00	.15000E+00	.15000E+00	.15000E+00	.15000E+00
B	.15000E+00	.15000E+00	.15000E+00	.15000E+00	.15000E+00	.15000E+00
C	.20000E+00	.20000E+00	.20000E+00	.20000E+00	.20000E+00	.20000E+00
D	.25000E+00	.25000E+00	.25000E+00	.25000E+00	.25000E+00	.25000E+00
E	.30000E+00	.30000E+00	.30000E+00	.30000E+00	.30000E+00	.30000E+00
F	.30000E+00	.30000E+00	.30000E+00	.30000E+00	.30000E+00	.30000E+00

*** VERTICAL POTENTIAL TEMPERATURE GRADIENTS ***
(DEGREES KELVIN PER METER)

STABILITY CATEGORY	WIND SPEED CATEGORY 1	2	3	4	5	6
A	.00000E+00	.00000E+00	.00000E+00	.00000E+00	.00000E+00	.00000E+00
B	.00000E+00	.00000E+00	.00000E+00	.00000E+00	.00000E+00	.00000E+00
C	.00000E+00	.00000E+00	.00000E+00	.00000E+00	.00000E+00	.00000E+00
D	.00000E+00	.00000E+00	.00000E+00	.00000E+00	.00000E+00	.00000E+00
E	.20000E-01	.20000E-01	.20000E-01	.20000E-01	.20000E-01	.20000E-01
F	.35000E-01	.35000E-01	.35000E-01	.35000E-01	.35000E-01	.35000E-01

**MODELOPTs:
CONC URBAN FLAT NOCALM

*** THE FIRST 24 HOURS OF METEOROLOGICAL DATA ***

FILE: C:\METDATA\NEWHALL.LAH
FORMAT: UNFORM
SURFACE STATION NO.: 51115 UPPER AIR STATION NO.: 99999
NAME: NEWHALL, NAME: ONTARIO,
YEAR: 1981 YEAR: 1981

YR	MN	DY	HR	FLOW VECTOR	SPEED (M/S)	TEMP (K)	STAB CLASS	MIXING HEIGHT (M) RURAL	MIXING HEIGHT (M) URBAN	USTAR (M/S)	M-O LENGTH (M)	Z-0 (M)	IPCODE	PRATE (mm/HR)
81	01	01	01	314.8	1.00	285.9	7	522.6	170.0	0.0000	0.0	0.0000	0	0.00
81	01	01	02	304.9	1.00	284.8	7	507.0	170.0	0.0000	0.0	0.0000	0	0.00
81	01	01	03	310.0	1.00	284.8	7	491.4	170.0	0.0000	0.0	0.0000	0	0.00
81	01	01	04	346.0	1.00	284.8	7	475.8	170.0	0.0000	0.0	0.0000	0	0.00
81	01	01	05	309.0	1.00	285.4	7	460.3	170.0	0.0000	0.0	0.0000	0	0.00
81	01	01	06	342.0	1.00	284.3	7	444.7	170.0	0.0000	0.0	0.0000	0	0.00
81	01	01	07	342.0	1.00	284.3	7	429.1	170.0	0.0000	0.0	0.0000	0	0.00
81	01	01	08	337.1	1.00	284.3	6	43.0	190.2	0.0000	0.0	0.0000	0	0.00
81	01	01	09	6.5	1.00	287.6	5	89.2	211.8	0.0000	0.0	0.0000	0	0.00
81	01	01	10	9.1	1.00	291.5	4	135.3	233.4	0.0000	0.0	0.0000	0	0.00
81	01	01	11	291.6	1.00	297.0	3	181.5	255.1	0.0000	0.0	0.0000	0	0.00
81	01	01	12	80.6	1.00	298.7	2	227.7	276.7	0.0000	0.0	0.0000	0	0.00
81	01	01	13	87.2	1.00	299.3	2	273.8	298.4	0.0000	0.0	0.0000	0	0.00
81	01	01	14	326.7	2.24	299.3	3	320.0	320.0	0.0000	0.0	0.0000	0	0.00
81	01	01	15	337.3	2.24	298.7	3	320.0	320.0	0.0000	0.0	0.0000	0	0.00
81	01	01	16	345.7	2.24	297.6	4	320.0	320.0	0.0000	0.0	0.0000	0	0.00
81	01	01	17	20.1	1.34	294.8	5	325.5	318.6	0.0000	0.0	0.0000	0	0.00
81	01	01	18	97.6	1.00	293.1	6	357.1	310.3	0.0000	0.0	0.0000	0	0.00
81	01	01	19	178.0	1.00	290.9	7	388.7	302.1	0.0000	0.0	0.0000	0	0.00
81	01	01	20	303.2	1.00	289.8	7	420.3	293.9	0.0000	0.0	0.0000	0	0.00
81	01	01	21	358.6	1.00	289.3	7	451.9	285.7	0.0000	0.0	0.0000	0	0.00
81	01	01	22	272.0	1.00	287.6	7	483.5	277.4	0.0000	0.0	0.0000	0	0.00
81	01	01	23	0.7	1.00	287.6	7	515.1	269.2	0.0000	0.0	0.0000	0	0.00
81	01	01	24	337.2	1.00	287.6	7	546.7	261.0	0.0000	0.0	0.0000	0	0.00

*** NOTES: STABILITY CLASS 1=A, 2=B, 3=C, 4=D, 5=E AND 6=F.
FLOW VECTOR IS DIRECTION TOWARD WHICH WIND IS BLOWING.

**MODELOPTs:
CONC URBAN FLAT NOCALM

*** THE PERIOD (8760 HRS) AVERAGE CONCENTRATION VALUES FOR SOURCE GROUP: ALL ***
INCLUDING SOURCE(S): PITOPS , LOADER1 , LOADER2 , FINES ,

*** NETWORK ID: CART1 ; NETWORK TYPE: GRIDCART ***

** CONC OF OTHER IN MICROGRAMS/M**3 **

Y-COORD (METERS)	X-COORD (METERS) 373634.00	373884.00	374134.00	374384.00	374634.00	374884.00	375134.00	375384.00	375634
3813913.00	0.10623	0.11474	0.11749	0.11025	0.09518	0.08272	0.07809	0.07622	0.07
3813663.00	0.10962	0.12492	0.13596	0.13773	0.12506	0.10643	0.09556	0.09160	0.08
3813413.00	0.10486	0.12852	0.14999	0.16472	0.16378	0.14325	0.12310	0.11409	0.10
3813163.00	0.08942	0.11949	0.15335	0.18506	0.20538	0.19795	0.16816	0.14970	0.13
3812913.00	0.07097	0.09749	0.13686	0.18686	0.23698	0.26617	0.24443	0.20924	0.18
3812663.00	0.06062	0.07755	0.10729	0.15768	0.23350	0.32040	0.36439	0.31596	0.27
3812413.00	0.05945	0.07064	0.08876	0.12182	0.18456	0.30073	0.47308	0.54267	0.46
3812163.00	0.06151	0.07199	0.08648	0.10865	0.14832	0.22888	0.40561	0.82974	0.96
3811913.00	0.06263	0.07365	0.08823	0.10859	0.13962	0.19510	0.32060	0.65377	2.43
3811663.00	0.06084	0.07198	0.08674	0.10683	0.13520	0.17725	0.24538	0.38963	1.06
3811413.00	0.05430	0.06279	0.07380	0.08878	0.11055	0.14495	0.20848	0.35005	0.64
3811163.00	0.04798	0.05532	0.06500	0.07801	0.09684	0.12749	0.17607	0.24730	0.37
3810913.00	0.04078	0.04546	0.05125	0.05947	0.07148	0.08761	0.11052	0.14267	0.23
3810663.00	0.02966	0.03276	0.03764	0.04452	0.05351	0.06683	0.08629	0.11986	0.18
3810413.00	0.02398	0.02793	0.03276	0.03876	0.04769	0.06091	0.07850	0.10948	0.14
3810163.00	0.02258	0.02590	0.03018	0.03675	0.04640	0.05796	0.07271	0.09347	0.11
3809913.00	0.02119	0.02465	0.02988	0.03709	0.04519	0.05342	0.06448	0.07832	0.09
3809663.00	0.02094	0.02520	0.03058	0.03635	0.04176	0.04801	0.05641	0.06581	0.07
3809413.00	0.02174	0.02575	0.02993	0.03387	0.03786	0.04311	0.04906	0.05539	0.06
3809163.00	0.02204	0.02513	0.02814	0.03105	0.03446	0.03852	0.04250	0.04721	0.05

**MODELOPTs:
CONC URBAN FLAT NOCALM

*** THE PERIOD (8760 HRS) AVERAGE CONCENTRATION VALUES FOR SOURCE GROUP: ALL ***
INCLUDING SOURCE(S): PITOPS , LOADER1 , LOADER2 , FINES ,

*** NETWORK ID: CART1 ; NETWORK TYPE: GRIDCART ***

** CONC OF OTHER IN MICROGRAMS/M**3 **

Y-COORD (METERS)	X-COORD (METERS) 375884.00	376134.00	376384.00	376634.00	376884.00	377134.00	377384.00	377634.00	377884
3813913.00	0.07131	0.06387	0.05533	0.04762	0.03671	0.02589	0.02020	0.01812	0.01
3813663.00	0.08554	0.07478	0.06329	0.05409	0.04029	0.02797	0.02247	0.02037	0.01
3813413.00	0.10465	0.08904	0.07392	0.06231	0.04459	0.03068	0.02556	0.02316	0.02
3813163.00	0.13132	0.10826	0.08875	0.07305	0.04982	0.03454	0.02972	0.02644	0.02
3812913.00	0.17093	0.13559	0.11010	0.08771	0.05635	0.04044	0.03462	0.02984	0.02
3812663.00	0.23640	0.17799	0.14203	0.10871	0.06524	0.04803	0.03978	0.03379	0.02
3812413.00	0.36418	0.25216	0.19352	0.13957	0.07617	0.05746	0.04758	0.04040	0.03
3812163.00	0.65773	0.40258	0.28340	0.18181	0.09792	0.07634	0.06116	0.04927	0.03
3811913.00	1.57818	0.78831	0.49477	0.26652	0.14284	0.10124	0.07357	0.05406	0.04
3811663.00	2.28318	1.65477	1.11352	0.40800	0.20878	0.12776	0.08882	0.06964	0.05
3811413.00	1.65715	4.00038	4.94141	1.01695	0.33893	0.19054	0.12643	0.09148	0.07
3811163.00	0.70797	1.79349	4.68683	1.30283	0.42334	0.22336	0.14320	0.10128	0.07
3810913.00	0.38169	0.66878	0.89672	0.57798	0.30920	0.17410	0.11506	0.08637	0.06
3810663.00	0.27127	0.35718	0.42268	0.32085	0.21858	0.15386	0.10346	0.07369	0.05
3810413.00	0.19573	0.22984	0.26160	0.20960	0.15154	0.12454	0.09648	0.07181	0.05
3810163.00	0.14269	0.16838	0.18370	0.15083	0.11220	0.09563	0.08294	0.06793	0.05
3809913.00	0.11031	0.13125	0.13856	0.11645	0.08815	0.07457	0.06822	0.06032	0.05
3809663.00	0.09018	0.10609	0.10953	0.09405	0.07266	0.06035	0.05560	0.05194	0.04
3809413.00	0.07624	0.08800	0.08952	0.07826	0.06203	0.05078	0.04592	0.04400	0.04
3809163.00	0.06574	0.07447	0.07502	0.06656	0.05416	0.04412	0.03898	0.03715	0.03

**MODELOPTs:
CONC URBAN FLAT NOCALM

*** THE PERIOD (8760 HRS) AVERAGE CONCENTRATION VALUES FOR SOURCE GROUP: ALL ***
INCLUDING SOURCE(S): PITOPS , LOADER1 , LOADER2 , FINES ,

*** NETWORK ID: CART1 ; NETWORK TYPE: GRIDCART ***

** CONC OF OTHER IN MICROGRAMS/M**3 **

Y-COORD (METERS)	X-COORD (METERS) 378134.00	378384.00
3813913.00	0.01553	0.01448
3813663.00	0.01725	0.01586
3813413.00	0.01906	0.01718
3813163.00	0.02078	0.01864
3812913.00	0.02290	0.02056
3812663.00	0.02591	0.02267
3812413.00	0.02931	0.02452
3812163.00	0.03130	0.02619
3811913.00	0.03602	0.03174
3811663.00	0.04815	0.04093
3811413.00	0.05578	0.04579
3811163.00	0.06045	0.04947
3810913.00	0.05703	0.04810
3810663.00	0.04719	0.04054
3810413.00	0.04315	0.03601
3810163.00	0.04274	0.03474
3809913.00	0.04273	0.03508
3809663.00	0.04058	0.03498
3809413.00	0.03726	0.03320
3809163.00	0.03381	0.03078

**MODELOPTs:
CONC URBAN FLAT NOCALM

*** THE PERIOD (8760 HRS) AVERAGE CONCENTRATION VALUES FOR SOURCE GROUP: ALL ***
INCLUDING SOURCE(S): PITOPS , LOADER1 , LOADER2 , FINES ,

*** DISCRETE CARTESIAN RECEPTOR POINTS ***

** CONC OF OTHER IN MICROGRAMS/M**3 **

X-COORD (M)	Y-COORD (M)	CONC	X-COORD (M)	Y-COORD (M)	CONC
375707.00	3810561.00	0.18907	374756.00	3810927.00	0.08051

**MODELOPTs:
CONC URBAN FLAT NOCALM

*** THE SUMMARY OF MAXIMUM PERIOD (8760 HRS) RESULTS ***

** CONC OF OTHER IN MICROGRAMS/M**3 **

GROUP ID		AVERAGE CONC	RECEPTOR (XR, YR, ZELEV, ZFLAG)				OF TYPE	NETWORK GRID-ID
ALL	1ST HIGHEST VALUE IS	4.94141 AT (	376384.00,	3811413.00,	0.00,	0.00)	GC	CART1
	2ND HIGHEST VALUE IS	4.68683 AT (	376384.00,	3811163.00,	0.00,	0.00)	GC	CART1
	3RD HIGHEST VALUE IS	4.00038 AT (	376134.00,	3811413.00,	0.00,	0.00)	GC	CART1
	4TH HIGHEST VALUE IS	2.43677 AT (	375634.00,	3811913.00,	0.00,	0.00)	GC	CART1
	5TH HIGHEST VALUE IS	2.28318 AT (	375884.00,	3811663.00,	0.00,	0.00)	GC	CART1
	6TH HIGHEST VALUE IS	1.79349 AT (	376134.00,	3811163.00,	0.00,	0.00)	GC	CART1
	7TH HIGHEST VALUE IS	1.65715 AT (	375884.00,	3811413.00,	0.00,	0.00)	GC	CART1
	8TH HIGHEST VALUE IS	1.65477 AT (	376134.00,	3811663.00,	0.00,	0.00)	GC	CART1
	9TH HIGHEST VALUE IS	1.57818 AT (	375884.00,	3811913.00,	0.00,	0.00)	GC	CART1
	10TH HIGHEST VALUE IS	1.30283 AT (	376634.00,	3811163.00,	0.00,	0.00)	GC	CART1

*** RECEPTOR TYPES: GC = GRIDCART
GP = GRIDPOLR
DC = DISCCART
DP = DISCPOLR
BD = BOUNDARY

**MODELOPTs:
CONC URBAN FLAT NOCALM

*** Message Summary : ISCST3 Model Execution ***

--------- Summary of Total Messages --------

A Total of 0 Fatal Error Message(s)
A Total of 0 Warning Message(s)
A Total of 1085 Informational Message(s)

A Total of 1085 Calm Hours Identified

******** FATAL ERROR MESSAGES ********
*** NONE ***

******** WARNING MESSAGES ********
*** NONE ***

****
*** ISCST3 Finishes Successfully ***
****

ATTACHMENT D

(List of References)

List of References

1. California Air Pollution Control Officers Association (CAPCOA), 1987. Toxic Air Pollutant Source Assessment Manual for California Air Pollution Control Districts and Applicants for Air Pollution Control District Permits, prepared by Interagency Workshop Group, (Revised) December 1989.

2. California Air Pollution Control Officers Association (CAPCOA), 1993. Air Toxics "Hot Spots" Program Risk Assessment Guidelines.

3. California Air Pollution Control Officers Association (CAPCOA), 1997. Air Toxics "Hot Spots" Program Gasoline Service Station Industrywide Risk Assessment Guidelines.

4. California Environmental Protection Agency, 1996. Report of the Risk Assessment Advisory Committee: A Review of the California Environmental Protection Agency's Risk Assessment Practices, Policies and Guidelines.

5. California Environmental Protection Agency, 1997. Memorandum from Michael P. Kenny, California Air Resources Board to Mary Nichols, U.S. Environmental Protection Agency. Appendix A: Comments on the U.S. Environmental Protection Agency's Proposed National Ambient Air Quality Standards for Particulate Matter.

6. California Environmental Protection Agency, 1998. Air Resources Board. Resolution 98-35. Agenda Item No. 98-8-1.

7. National Research Council, 1983. Risk Assessment in the Federal Government: Managing the Process. National Academy Press. Washington, D.C.

8. Scientific Review Panel, 1998. Memorandum from John R. Froines, Acting Chairman to John Dunlap III, California Air Resources Board. Enclosure report: Findings of the Scientific Review Panel on The Report on Diesel Exhaust as adopted at the Panel's April 22, 1998, Meeting.

9. South Coast Air Quality Management District, 1981. Meteorological data set for Newhall, California.

10. South Coast Air Quality Management District, 1999. Conversation between Bill Piazza, Air Quality Dynamics and Tom Chico, Planning Section regarding land use considerations and use of rural dispersion coefficients.

11. Turner, 1994. Workbook of Atmospheric Dispersion Estimates: An Introduction to Dispersion Modeling. Second Edition. Lewis Publishers.

12. United States Environmental Protection Agency, Office of Air Quality Planning and Standards, 1986. Guideline on Air Quality Models (Revised). EPA-450/2-78-027R.

13. United States Environmental Protection Agency, Office of Air Quality Planning and Standards, 1993. Guidance on the Application of Refined Dispersion Models to Hazardous/Toxic Air Pollutant Releases. EPA-454/R-93-002.

14. United States Environmental Protection Agency, Office of Air Quality Planning and Standards, 1995. User's Guide for the Industrial Source Complex (ISC3) Dispersion Models, Volumes I and II. EPA-454/B-95-003a and b.

15. United States Environmental Protection Agency, Office of Air Quality Planning and Standards, 1995. Screen3 Model User's Guide. EPA-450/B-95-004.

16. United States Environmental Protection Agency, Office of Emergency and Remedial Response, Toxics Integration Branch, December 1989. Risk Assessment Guidance for Superfund, Volume I: Human Health Evaluation Manual, Part A, Interim Final. EPA-540/1-89-002.

17. United States Environmental Protection Agency, Office of Emergency and Remedial Response, Toxics Integration Branch, March 1991. Risk Assessment Guidance for Superfund, Volume I Human Health Evaluation Manual, Supplemental Guidance, Standard Default Exposure Factors, Interim Final. OSWER 9285.6-03.

AGUA DULCE TOWN COUNCIL
AGUA DULCE CIVIC ASSOCIATION

C-18

RECEIVE
BUREAU OF LAND MANAGEMENT
00 JAN 1 AM 11: 20
PALM SPRINGS-SOUTH COAST
RESOURCE AREA

January 7, 2000

Mr. James G. Kenna
Project Coordinator
Resources Agency

Field Manager
Bureau of Land Management
Palm Springs – South Coast Field Office
P.O. Box 1260
North Palm Springs, Ca 92258-1260

Dear Mr. Kenna,

Thank you for the opportunity to review the supplement to the Draft EIS prepared for the Soledad Canyon Sand and Gravel Mining project proposed by Transit Mixed Concrete Company.

Review of the Draft EIS reminds us that, as we understand it, mining of sand and gravel is regulated by federal state and local laws that establish functional jurisdiction which also regulate mining. These laws again are:

- (California) Surface Mining and Reclamation Act of 1975 (SMARA)
- Surface Mining Control and Reclamation Act of 1977 (SMCRA-Federal)
- California Environmental Quality Act (CEQA)
- National Environmental Policy Act of 1969 (NEPA)
- Code of Federal Regulations – Title 43
- United States Code Title 30 – Mineral Lands and Mining

These laws requires that

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

The Joint Task Force comprised of the Agua Dulce Town Council and the Agua Dulce Civic Association has been concerned with the impact that the TMC mining project will have on our community. Those impacts were described in detail in our September 6th response. Since September, other data has come to our attention which questions the capability of TMC to mitigate air quality issues notwithstanding the BLM endorsement of the preferred alternative consisting of the reduced NFSA Alternative with conveyor mitigation.

33201 Agua Dulce Canyon Road, Box 8, Agua Dulce, CA 91350

Water studies, in the form of a Slade report published in October 1990 and a Water Resources draft report on the Santa Clara River, which was prepared by the United Water Conservation District in cooperation with the Castaic Lake Water Agency in May of 1995 suggest that water from the Santa Clara River may be fully appropriated. The Task Force has also studied a response to Application X002977 filed with The State Water Resources Control Board by Robinson Ranch with a decision rendered on December 20th 1999. This application is another request for diversion of water from the Santa Clara River and has been challenged despite the claim by Robinson Ranch of Riparian Rights. 1

The Joint Task Force is also aware that TMC has an application before the State Water Resources Control Board that is scheduled to be heard in the spring of 2000. This hearing will establish whether water described in the DEIS is available that would make mitigation of air quality impacts possible.

The Task Force observes that reference is made in the supplement to the DEIS to piped fresh water and/or recycled water being provided to the project or trucked from water purveyors. These purveyors are not identified, nor is the water source. The Task Force believes that the confirmed availability of water is crucial to the viability of this project. Particularly during drought years, as cumulative rainfall in this year illustrates, we do experience water scarcity. Trucked water, piped water. and/or recycled water appear to come from the same source whether it is derived from wells or purchased from water purveyors. Decisions by the State Water Resources Control Board and studies regarding unappropriated Santa Clara River water describe the conflict between residential development water users and commercial applications competing for access to water supplies. Competition for access to water and usage of water is also thoroughly described in litigation filed in the Superior Court of the State of California for the County of Los Angeles on December 29th 1999. (S.C.O.P.E. and The Sierra Club V County of Los Angeles, Los Angeles County Board of Supervisors and Valencia Water Company, Respondents and Defendants, and Newhall Land and Farming Company, a California Corporation, Newhall Ranch Company, a subsidiary of Newhall Land and Farming Company Real Parties in Interest – document included.) 2

Review of the Supplement to the DEIS notwithstanding, the inclusion of the stated BLM preference of the alternative NFSA with conveyor mitigation suggests that BLM's concern for project impact mitigation under NEPA does not mirror the criteria established through Los Angeles County's environmental review under CEQA.

CEQA appears to focus on individual project impact and the need to eliminate residual hazards to public health and safety while the Supplement to the DEIS under NEPA paragraph 2.1.4 suggests that different standards apply. The DEIS supplement states that "daily limitations included in the SCAQMD Handbook do not apply and a federal proposed action is not considered significant if the estimated emissions from the proposed action have been anticipated in the regional and state air quality planning, and are included and conform with the applicable Air Quality Management Plan (AQMP) and State Implementation Plan (SIP) and the project complies with local and state regulations". 3

The Joint Task Force observes that the last request issued by TMC with BLM's concurrence was that Los Angeles County Regional Planning approve the project as presented and issue a Statement of Overriding Consideration predicated on the need for a more local supply of aggregate. This request was not granted and is pending a vote by the Regional Planning

Commissioners that appears certain to be appealed to the Los Angeles County Board of Supervisors.

It appears that the Los Angeles County's concern to mitigate environmental impacts and eliminate hazards to public health and safety are not shared by BLM or TMC under NEPA as stated in the Supplement to the DEIS. The Joint Task Force feels that a statement is being made by BLM and TMC that the need to provide a cheaper, local source of aggregate is more important than preserving the environment. 3

Conspicuously absent, in both the DEIS and its Supplement, is any discussion or substantive analysis on cumulative impact from possible future expansion of this project or any follow on, or adjacent, projects . Expansion and future projects, like Cal Mat's adjacent project, are waiting in the wings for this project to be approved. The Task force believes that approval of this project will establish the viability of and the environmental parameters of mining for all of the designated area. 4

The Joint Task Force requests that BLM review the water studies and water issues data provided with our response and clearly address whether water will be predictably available to provide mitigation as described in the DEIS and its supplement. The Task Force would also request that all hazards that would affect the health and safety be eliminated negating the need for a request for a Statement of Overriding Consideration. 5

The Task Force observes that mining in any area is governed by all the laws that control *how, when, where* and *why* mining is permitted. SMARA (both Federal and State versions),CEQA, Title 43, Title 30 and *NEPA* make up a package of laws that are designed to protect the public's interests. No set of laws can be severed and applied singularly as seems to be suggested that NEPA can be in the Draft EIS supplement.

Addressing CEQA issues and maintaining a CEQA perspective towards eliminating all hazards generated by the mining project that impact our community's health and safety is critical to the men, women and children who live in Agua Dulce. The enforcement of CEQA preserves the quality of life in our community. That seems to be the essence of what any good Planning Agency hopes to achieve and appears to be the basis behind all environmental law. 6

Sincerely,

Diane Terito

Diane Terito, President
Agua Dulce Town Council

Susan Kaplan

Susan Kaplan, President
Agua Dulce Civic Association

Enclosures:

1. Slade Water Study 1990
2. Application X002997 Robinson Ranch to the State Water Resources Control Board
3. Legal Brief - Scope and Sierra Club Vs. L.A. County
4. United Water Conservation District & the Castaic Lake Water Agency: Water Resources - Draft Report on the Santa Clara River

RICHARD C. SLADE
CONSULTING GROUNDWATER GEOLOGIST

4950 BELLAIRE AVENUE
NORTH HOLLYWOOD, CA 91607
(818) 506-0418

ASSESSMENT OF HYDROGEOLOGIC CONDITIONS Within ALLUVIAL AND STREAM TERRACE DEPOSITS ACTON AREA, LOS ANGELES COUNTY

For
County of Los Angeles
Department of Public Works
And
ASL Consulting Engineers

October 1990

Our Job S8931

Richard C. Slade
Registered Professional Hydrogeologist

Winston H. Hickox
Secretary for Environmental Protection

State Water Resources Control Board

Division of Water Rights
901 P Street • Sacramento, California 95814 • (916) 657-2045
Mailing Address: P.O. Box 2000 • Sacramento, California • 95812-2000
FAX (916) 657-1485 • Web Site Address: http://www.waterrights.ca.gov

Gray Davis
Governor

DEC 20 1999

In Reply Refer
to:363:CLC:262.0(19-06-01)

Mr. Ted Robinson
Robinson Development Services, Inc.
30131 Town Center Drive, Suite 268
Laquna Niguel, CA 92677

Mr. Allen Penrose
27920 Graceton Drive
Canyon Country, CA 91351

Ms. Lynne Plambeck
Santa Clarita Organization
For Planning the Environment
P.O. Box 1182
Santa Clarita, CA 91386

Ms. Doris Boydston
27875 Oak Spring Canyon Road
Canyon Country, CA 91351

Ms. Janet and Craig Feeder
27873 Oak Spring Canyon Road
Canyon Country, CA 91351

Dear Ladies and Gentlemen:

WATER RIGHT COMPLAINT REGARDING DIVERSION FROM THE SANTA CLARA RIVER UNDERFLOW TO ROBINSON RANCH IN LOS ANGELES COUNTY

In June and July 1999, complaints against the Robinson Ranch Golf Course Development (Robinson Ranch) were submitted to the Division of Water Rights (Division) by three (3) local residents and the Santa Clarita Organization for Planning the Environment (SCOPE). These complaints allege that the diversion of water by Robinson Ranch from the Santa Clara River underflow will adversely impact private and municipal water supplies and harm environmental resources in the Santa Clara River. On September 7 and 8, 1999, staff from the Division's Complaint Unit conducted a field investigation in response to these complaints. On September 7th Division staff met with representatives of Robinson Ranch to view the golf course project and inspect the placement of the new well. On September 8th Division staff met with the complainants and/or their representatives and some interested parties to obtain a better understanding of their concerns.

Robinson Ranch responded to the complaints by claiming that diversions from the Santa Clara River well are covered by a valid riparian claim of right. Robinson Ranch asserts that the land on which the water is to be used is riparian to tributaries of the Santa Clara River (Oak Spring Canyon and Live Oak Spring Canyon). This land is located within the watersheds of these streams and touches these streams. Therefore, this land appears to be riparian to Oak Spring Canyon and Live Oak Spring Canyon. The golf course property, however, does not touch the Santa Clara River and, consequently, does not appear to be riparian to that river.

Enclosure 2

DAVID E. KENDIG (Bar No. 155357)
MARK D. ALPERT (Bar No. 138152)
Kendig & Alpert
610 Newport Center Drive, Suite 700
Newport Beach, California 92660
Tel: (949) 440-7000
Fax: (949) 440-7006

Attorneys for Petitioners and Plaintiffs Santa Clarita Organization for Planning the Environment, and the Angeles Chapter of the Sierra Club

ORIGINAL FILED
DEC 29 1999
LOS ANGELES SUPERIOR COURT

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF LOS ANGELES

SANTA CLARITA ORGANIZATION FOR PLANNING THE ENVIRONMENT, a California nonprofit corporation AND THE ANGELES CHAPTER OF THE SIERRA CLUB, a nonprofit organization, Petitioners and Plaintiffs, v. COUNTY OF LOS ANGELES, LOS ANGELES COUNTY BOARD OF SUPERVISORS, and VALENCIA WATER COMPANY, a California corporation, Respondents and Defendants, NEWHALL LAND AND FARMING COMPANY, a California corporation, NEWHALL RANCH COMPANY, a subsidiary of NEWHALL LAND AND FARMING COMPANY, Real Parties in Interest.	CASE NO. BC 212512 [Related Case No: BC066031] Assigned for All Purposes to Hon. Dzintra Janavs, Department 85 PETITIONERS' OPENING BRIEF IN SUPPORT OF WRIT OF MANDATE Dept: 85 Date: March 31, 1999 Time: 9:30 a.m.

610 NEWPORT CENTER DRIVE, SUITE 700
NEWPORT BEACH, CA 92660-6442
TELEPHONE: (949) 440-7000
TELECOPIER: (949) 440-7006

KENDIG & ALPERT
ATTORNEYS AT LAW

Enclosure 2

COPY

Water Resources
Draft Report on the Santa Clara River

Prepared by United Water Conservation District
Castaic Lake Water Agency

May 1995

5/1/95

Enclosure 4

C-19

NEWHALL SCHOOL DISTRICT

nsd

RECEIVED
BUREAU OF LAND MANAGEMENT
99 OCT 25 PM 2:06
PALM SPRINGS-SOUTH COAST
RESOURCE AREA

October 20, 1999

James G. Kenna, Field Manager
United States Department of the Interior
Bureau of Land Management
Palm Springs - South Coast Field Office
690 West Garnet Avenue
P. O. Box 1260
North Palm Springs, CA 92258

Dear Mr. Kenna:

After reviewing the Draft Environmental Impact Report prepared on the proposed Soledad Canyon Sand and Gravel Mining Project, our position is that this project is not appropriate in the Santa Clarita Valley. Due to the serious impact that this mining project will have on the environment of the community and the surrounding schools in general, the Newhall School District Governing Board passed and adopted a Resolution (attached) opposing said proposal.

We respectfully urge you to reject Transit Mixed Concrete Company's application for this project.

Sincerely,

Marc Winger, Ed.D.
Superintendent

mmp
Enclosure

pc: Mr. George Pederson
Regional Planning Commissioner - District 5
Los Angeles County Planning Commission Office
320 West Temple Street
Los Angeles, CA 90012

Howard "Buck" McKeon
House of Representatives
Congress of the Unites States
23929 West Valencia Boulevard
Santa Clarita, CA 91355

25876 Orchard Village Road, Valencia, California 91355-3000 • (661) 286-2200 • FAX (661) 286-2290

NEWHALL SCHOOL DISTRICT

RESOLUTION NO. 99-00-10

A RESOLUTION OF THE BOARD OF TRUSTEES OF THE NEWHALL SCHOOL DISTRICT REJECTING THE PROPOSAL BY TRANSIT MIXED CONCRETE COMPANY FOR THE DEVELOPMENT OF THE SOLEDAD CANYON SAND AND GRAVEL MINING PROJECT

WHEREAS, the Newhall School District is responsible for the public education of six thousand one hundred students in grades kindergarten through six in the Santa Clarita Valley; and

WHEREAS, the Newhall School District is concerned about the quality of life in the Santa Clarita Valley; and

WHEREAS, the Newhall School District is concerned with indoor air quality as well as outdoor quality and the effects on the health of its students and staff; and

WHEREAS, the Newhall School District is concerned about the health and welfare of school-aged children throughout the Santa Clarita Valley; and

WHEREAS, the impact of the Soledad Canyon Sand and Gravel Mining Project on local schools is not addressed in the Environmental Impact Report (EIR) and Environmental Impact Statement (EIS) for the project; and

WHEREAS, the proposed project would probably worsen air quality and, at the very least, make it more difficult to achieve good air quality while increasing traffic congestion in the Santa Clarita Valley due to large numbers of daily truck trips; and

WHEREAS, serious concerns have been raised regarding the quality and accuracy of the data presented related to impacts on schools, air quality and health risks from the proposed mining operations;

NOW THEREFORE BE IT RESOLVED, that the Governing Board of the NEWHALL SCHOOL DISTRICT takes an official position to recommend that the County of Los Angeles and the Bureau of Land Management reject the proposal by Transit Mixed Concrete Company for the development of the Soledad Canyon Sand and Gravel Mining Project.

This Resolution was PASSED, ADOPTED and SIGNED on this 19th day of October, 1999, at a regular meeting by the following vote, to wit:

AYES: 5 NOES: 0 ABSTAIN: 0

President, Philip Ellis

Clerk, Steve Tannehill

Sue Neiberger, Clerk Pro-Tem

John A. Castagna, Member

Ron Winkler, Member

Marc Winger, Secretary to the Board

LETTERS FROM INDIVIDUALS AND FORM LETTERS (EIS)

CODE	[illegible]	[illegible]	[illegible]
I-1		Joseph Yore	7/22/99
I-2		Joseph Yore, enclosure from code I-1	6/10/99
I-3		Arthur and Beverly Edwards	7/12/99
I-4		Lynne Winner	7/6/99
I-5		Mary K. Riggins	6/8/99
I-6		Michelle Hoffman	6/3/99
I-7		Estelle Blashak	6/10/99
I-8		Nancy Miller	7/3/99
I-9		Vinton & Tana Lampton	9/13/99
I-10		Chris Towles	7/6/99
I-11	S.A.F.E.S.	Mary K. Riggins	6/8/99
I-12	Petition from Stop The Rock Quarry Project	2500 signatures	No date
I-13	Form Letters	500 Individual Letters	5/16/99
I-14		Kyle Mcriylite	5/15/99
I-15		John C. Bodune	5/15/99
I-16		Ron Aaron	5/15/99
I-17		Peter Tutokey	5/15/99
I-18		Virginia Applen	5/15/99
I-19		Tim Partenffider	5/15/99
I-20		Timothy Tudor Applen	5/15/99
I-21		Loren Nickloff	5/15/99
I-22		Lindsay Jewell Stukey	5/15/99
I-23		Danielle Gersh	5/15/99
I-24		Jeffrey Mark Gersh	5/15/99
I-25		Edith and George Haddock	5/15/99
I-26		Tana Lampton	5/20/99
I-27		Carol Hano	5/15/99
I-28		Sarham	5/15/99
I-29		George Hano	5/15/99
I-30		Richard McCormick	5/15/99
I-31		Bruce N.	5/12/99
I-32		Rebecca Hollinger	5/15/99
I-33		Tim Hollinger	5/15/99
I-34		Lynn Saufley	5/15/99
I-35		Joan Marie Dunn	5/15/99

I-1

38753 26th STreet
Palmdale, Ca. 93550
661 266-1779

July 22, 1999

Director Patrick A SHea
Bureau Land Management
1849 C Street, N.W.
Washington, D.C. 20240

Subj: Transit Mixed Concrete Company, Surface Mining Permit 91-165(5), Agua Dulce, California

Dear Director Shea:

Enclosed herewith copy of my letter written to Mr. James G. Kenna, dated June 10, 1999 and a copy of a newspaper article in the Antelope Press, dated July 16, 1999.

BLM had had a great track record in protecting the environment. This should have been a negative vote right from the beginning. 1

I am an environmentalist and activist. I belong to The ENvironmental REstoration Advisory Board of AS Plant 42 under the auspices of Wright-Patterson AF BAse, Dayton, Ohio as well as 10 other environmental groups. Lifetime member of the VFW. Member of Hollywood American Legion Post 43. Member of Screen Actor's Guild, American Federation of Television and Radio ARtists and a lifetime member of Actor's Fund of America. As a humanitarian, I have donated my blood a total of 105 times to the Red Cross and Children's Hospital to save lives.

Yores truly,

Joseph Yore

JOSEPH YORE

Encls.

I-2

38753 26th Street East
Palmdale, Ca. 93550
661 266-1779

June 10, 1999

Mr. James G. Kenna
Field Manager
Palm-Springs South Coast Field Office
690 West Gamet Avenue
Post Office Box 1260
North Palm Springs, Ca. 92258

Subj" Transit Mixed Concrete Draft EIS

Dear Mr. Kenna:

SCENARIO - HEADLINES - A BUS LOAD OF CHILDREN FORCED OFF THE SOLEDAD CANYON ROAD BECAUSE OF NO GUARD RAILS - 33 DEAD.

BUS LOAD OF SENIORS TRAVELING ON SOLEDAD CANYON ROAD TO VISIT THE SHAMBALA ANIMAL SANCTUARY ENBANKMENT - ALL DEAD. SINCE TRANSIT MIXED CONCRETE HAS STARTED MINING OPERATIONS BY HAULING SAND, GRAVEL AND DYNAMITE THIS AREA HAS BECOME BLOOD ALLEY.

Dear Beloved People, please use common sense. Are these the type of headlines you want to read and then blame God for your stupid mistake. Please do not let these headlines become a reality.

The Planning Department has not done its homework on this project. This is a two (2) lane road with no guard rails with school bus and car traffic. There are several recreational places on Soleday Canyon Road including "Happy Trails." This road is well traveled. The Planning Department of Los Angeles should have rejected this project especially after they investigated the area. Can you honestly visualize the reality behind strip mining a mountain with dynamite. Knowingly that there are earthquake faults in the area. My basic question to The Planning Department "What triggered the Northridge Earthquake?" Remember when they were tunneling under Hollywood Boulevard for the subway they drained an underground lake and dynamited areas for the tunnel. The underground vibration

1

2

waves reach out their tentacles for miles. Now my question is "Did this vibration and lack of underground water be a causative action to set-off the earthquake. With the same scenario if TRansit Mixed Concrete depletes millions of gallons of water from underground, would this not set off San Andreas Fault, or Garlock Fault or Mint Canyon Fault causing the biggest magnitude earthquake in Southern California. To prove my theory, place a fire cracker into a mail box or a metal can. Light the fire cracker and close the lid. The concussion of the explosion will burst out the sides. In the area of Aqua Dulce would not a large amount of dynamite cause the same effect by collapsing the underground empty pockets and causing an earthquake? Would anyone like to see their family or friends traveling on Soledad Canyon Road knowing that there are dynamite and gravel trucks traveling the area?

Transit Mixed Concrete with their greed will be the company to prosper from this project at the expense of the citizens of the area.

BLM has a great track record for preserving many endangered areas for the future generation. BLM should take the initiative and notify Transit Mixed Concrete that this is the wrong area for the use of dynamite and the depletion of the aquifer not to mention of the contamination of the pollutents released from the earth when it is dynamited and materials loaded on the trucks.

As an environmentalist and a activist, I believe that this project should be rejected. Lets remember that mistakes of others can lead to loss of lives and the consolation prize for the citizens of the area will be a hole in the ground or a major earthquake caused by Transmit Mixed operation.

I am a lifetime member of the VFW and Actor's Fund of America. Belong to Screen Actor's Guild, American Federation of Television and Radio Artists. A member of The Environmental Restoration Advisory Board for AF Plant 42, Palmdale, Ca. which

is under the auspices of Wright-Patterson AF Base, Dayton, Ohio. Belong to environmental groups to save our planet and the ACLU. As a humanitarian I have donated my blood a total of 105 times to The Children's Hospital and The Red Cross.

Yores truly,

JOSEPH YORE

P.S. Please heed the voices of We The People

Carole Levitzky
07/13/99 09:02 AM

To: Elena Misquez/CASO/CA/BLM/DOI@BLM, Jim Kenna/CASO/CA/BLM/DOI@BLM
cc:

Subject: Proposed Sand and Gravel Mine

---------- Forwarded by Carole Levitzky/CASO/CA/BLM/DOI on 07/13/99 09:00 AM ----------

SENORART@aol.com on 07/12/99 01:22:13 PM

To: Carole Levitzky/CASO/CA/BLM/DOI, dsanchez
cc:

Subject: Proposed Sand and Gravel Mine

July 12
1999

U. S. Department of the Interior
Bureau of Land Management
California Desert District Office
6221 Box Springs Blvd.
Riverside,
California

Re: Proposed Transit Mixed Concrete Company Sand and Gravel Mine

Concerns regarding mine:

Air pollution – What impact will the increased pollutants cause to people suffering from dust allergies? Will our children develop respiratory problems and allergies from the increased air pollution? What about recreation bikers who enjoy biking along Soledad Canyon Road and side roads close to the proposed mine? **1**

Visual pollution – What provisions have been make to screen the plant from people who overlook the mine?
but I feel for those who do.).
Which way and how far is the mine going to expand
east or west? **2**

Water resources – Mines can cause the water table to be lowered. How will that affect the Newhall County Water District|s wells that serve our area? We already have water pollution concerns close to our wells. How will the mine disturb that pollution? **3**

We already have water pollution concerns close to our wells. How will the mine disturb that pollution?

Noise pollution – We have had to accept the increased noise pollution from the freeway. How many decibels will the machinery and operation of the mine increase the noise level? Because of the hills
we hear the trains climbing the grade in the middle of the night.
but most of us don|t want increased noise during our waking hours either. 4
Would the mine be able to operate all night in the event of emergencies?
Some mines are allowed to operate all night because of road work which is defined as an |emergency.| We have had a lot of night work done in our area in recent years with the freeway construction.

Road use – Will the trucks be allowed to use Soledad Canyon Road? A noise wall was recently constructed on our portion of the freeway. It didn|t lower the noise level for us. For those living closer to the freeway 5
it increased the noise from Soledad Canyon Road. The wall reflects the noise toward the homes.

The trucks carrying all that weight will soon tear up the asphalt on Soledad Canyon Road
which will incur a great cost to the city for repairs. I don|t think the 6
City would receive adequate compsenstion in taxes or fees from the mine to pay for the repairs.

The trucks would cause greater traffic congestion if allowed to use Soledad Canyon Road. It is already heavily congested. On a freeway
one can adjust their speed to get around or drop back from a gravel truck.
On Soledad Canyon Road
traffic is constantly entering and exiting. A gravel truck in the middle 7
would cause congestion.
A driver would not be able to avoid the sand spray that comes from these trucks. I know they are required to secure their loads
but as recently as last week
we were getting sprayed by a sand truck and had to drop back.

There is also an increased number of drivers who speed through lights that have just turned red. A truck driver has a lot less risk of personal injury in a big rig than myself in a mid–sized car. I have personally witnessed several commercial vehicles racing through the yellow–red lights. For example 8
I had to wait several seconds turning left last week
even though the light had turned red on me
because I knew by the speed of the approaching truck
he was not going to stop.

Solutions:
Mine Location – We have lived in this location for 30 years. Yes
we have had to adjust to |progress.| But
a mine is an industry that should not be located next to a residential area.
The freeway is not enough of a break between residential and industrial.

If a mine has to be located in our valley
why isn|t it located closer to where new development is going to take place?

9

We have an industrial center in our valley. It is already zoned for industrial needs. There is also more sand in that area of the river valley.
Since the majority of new development is going to be built west of I–5 and along the I–5 corridor
wouldn|t it make more sense to mine the sand there? It would save our roads and traffic congestion
not cause an eyesore to residential areas
and benefit the people who are going to use the sand. I don|t think it is

fair for our home values to decrease to benefit the people whose home values are going to go up with the increased amenities being built in their area.

For developments in the desert
a mine could be located where there are not residential communities.

Just because the proposed mine is in an unincorporated area doesn|t mean our needs for fair consideration should be overlooked.

I hope these concerns are addressed at the public hearings.

Sincerely,

Arthur and Beverly Edwards
15339 Rhododendron Drive
Santa Clarita,
California 91351

9

Lynne Winner hbcsc064@csun.edu 661
31202 Quail Valley Road Castaic, CA 9

I-4

Received
JUL - 8 1999
PSSCFD

July 6th, 1999

LA Regional Planning Commision
320 W. Temple St.
Los Angeles, CA 90012

Dear Members,

This letter is written in protest of the gravel mining operation planned in Canyon Country. Not only will this large project hurt the air quality in our Santa Clarita Valley, it will adversely affect traffic on the 14 Freeway which already is impacted by all the people commuting to and from the Antelope Valley. 1

Please consider how this project will affect the people of Santa Clarita and Antelope Valley and reject this strip mining operation.

Sincerely,

cc: Mr. James Kenna
Bureau of Land Mgt

I-5

MARY K. RIGGINS

29230 N. Sequoia Road, Canyon Country, California 91351
661/299-2373 Fax: 661/250-1059
mkemrigg@gateway.net

June 8, 1999

Ms. Julie Moore
Project Manager, Dept of Regional Planning
County of Los Angeles, Impact Analysis Section
320 West Temple Street, Room 1348
Los Angeles, California 90012

Re: Soledad Canyon Sand and Gravel Mining Project No. 91-165-(5)

Dear Ms. Moore:

I know the above named project has become a very emotional "issue" for me and my 75 year old mother.

She and I purchased a brand new house last August in the Stonecrest development of Canyon Country. We live less than 1.5 miles from the proposed mining project. No one ever mentioned this proposed project....and had they, I would not have purchased my dream home in this location.

We have a beautiful new home and a view I've dreamed of for many years. A mountain that the sun and the moon rise over everyday. There is the Santa Clara River where my dog, Jake, and I go for recreation...at the base of the mining project site. If this project is approved that mountain will be cut several different ways....and, with blasting, dual-semi trucks on the road, Jake and I will not be able to use the riverbed for fun and relaxation. According to the EIR, the visual impact "remains significant. Who will reimburse us for loss of the beauty we see out our windows and the sound of a stream rushing across rocks as I hike with my dog? 1

I brought my mother out here to enjoy the rest of her life...the air quality isn't perfect, but it is much better than our previous location in the San Fernando Valley. What does TMC plan to do about the "fugitive dust".... do they believe using over 3 Billion gallons of water in the next twenty years we keep the dust from flying? Will my mother suffer from respiratory problems? Will she get Valley Fever and die? Will I? Can you and TMC guarantee my mother's health? Can you guarantee mine? Again, TMC's EIR states impact on air quality will "remain significant". How does TMC mitigate my health and that of my mother? I can tell you and TMC -- OUR HEALTH CANNOT BE MITIGATED. 2

Blasting? Two to four times a week? Vibration and airblast? Noise..fear it's an earthquake. There has to be some lasting effect on people living close to blasting on a regular basis...even TMC says it is "difficult to quantify"...yet they also say, "the longer the event and the higher the frequency, the more ADVERSE effect there is on human response" . 3

Water usage, as mentioned above, will be well over 3 billion gallons over the next twenty years.. according to TMC's numbers....will the Santa Clara River last twenty years at that rate? What happens in drought years? What happens to our water? What if the ground water/aquifer are 4

contaminated by mining waste? California's most precious commodity is water...not aggregate. What if it disappears, or is contaminated...California will die....this valley will die. 4

Traffic is getting more and more congested on a daily basis. I now spend a good two hours on the freeway every day. TMC is proposing 754 daily truck trips....Monday through Sunday. Do they even realize what that will do to the two main corridors from the Antelope Valley to Los Angeles? I'm sure they don't...they also don't realize the amount of damage their trucks will do to normal passenger cars..i.e., broken windshields, pitted and scratched paint jobs. Will their insurance cover those costs? And, even more important, how many accidents and deaths will occur because one of those dual -semi trucks is going over the speed limit on a winding canyon road? Or trying to beat the passenger car onto the 14 onramp at Soledad Canyon. 5

My understanding is this project has been in the works for ten years. Well, it's ten years later....and the Regional Planning Commission , over those years , has approved residential development in the immediate area of the project....is this not a major conflict in land use? Why, knowing mining of the magnitude TMC proposes could happen, would anyone approve residential tracts in the same area. 6

This project is threatening our quality of life....our livelihood...our investment in a dream home....our health and welfare....and I don't believe TMC, nor anyone, has that right to threaten what we have worked our lives to accomplish. I would say that We The People should have the priority on land use...and it is our right to protect that quality of life...our investments, our health and welfare... and the beauty of this valley.

We vehemently oppose this project and strongly urge the Regional Planning Commission and the Board of Supervisors to reject TMC's project.

Thank you,

Mary K. & Evelyn M. Riggins

Mary K. and Evelyn M. Riggins
Homeowners and Taxpayers

cc: Governor Gray Davis
Senator Barbara Boxer
Senator Diane Feinstein
Supervisor Mike Antonovich
James Kenna, BLM

I-6

June 3, 1999

BUREAU OF
99 JUN -7

James Kenna
Palm Springs/South Coast Field Office
Bureau of Land Management
PO Box 1260
North Palm Springs CA 92258

This letter is to voice concern about the Transit Mix Surface mining Proposal in Canyon Country. My concerns are the amounts of dust pollution that 58 million tons of aggregate mining will cause and the expected 1200+ trucks that will have to travel highway 14. That freeway is already a commuter's nightmare. 1

Michelle Hoffman
25634 Salceda Road
Valencia CA 91355

I-7

48303 N. 20th Street W.,
Lancaster, Ca. 93534
661 942-2189

June 10, 1999

Mr. James G. Kenna
Field Manager
Palm-Springs South Coast Field Office
Bureau of Land Management
690 West GAmet Avenue
Post Office Box 1260
North Palm Springs, Ca. 92258

Subj: Transit Mixed Concrete Draft EIS

Dear Mr. Kenna:

As a concerned citizen, I have attended the BLM meeting on June 2, 1999, listened to the concerned citizens and to better inform myself did a little research as well as drive around the area where the mining operation, if approved, will be conducted. From an outsiders view point my comments are as follows:

My deepest concern is the transporting the explosives on the highways to the mining site. My major concern are the children who have to attend school on West Lost Canyon Road and the citizens of the area. The roads in the area are two lane with no barriers protecting the embankments. With 100's of truck going to and fro from the mining site, it will be a hazardous trip for school buses and local citizens. 1

My other concern is the water usage. With the 1,000's of gallons that the company will use for mining their products, the water level will drop in the area and the water level in the existing wells will drop dramatically thus causing some of the domestic wells to go dry and the citizens will have to endure the expense of drilling a new well. Even if Transit Mix follows all the Environmental Codes in their mining operation, there will be disruption of the soil and contaminents released into the atmosphere to be carried over the population thus causing more distriss for people with breathing problems. Please, let the children grow-up in their community without the fear of explosions and sickness. 2 3

ESTELLE BLASHAK

Carole Levitzky
07/06/99 10:32 AM

To: Jim Kenna/CASO/CA/BLM/DOI@BLM, Elena Misquez/CASO/CA/BLM/DOI@BLM
cc:

Subject: transitmix

---------- Forwarded by Carole Levitzky/CASO/CA/BLM/DOI on 07/06/99 10:30 AM ----------

"Harry Miller" <harrymilleriii@email.msn.com> on 07/04/99 12:01:03 PM

To: Carole Levitzky/CASO/CA/BLM/DOI
cc:

Subject: transitmix

July 3, 1999

Nancy Miller
29249 N. Sequoia Rd.
Canyon Country, CA 91351

James Kenna
BLM
Palm Springs ? South Coast Field Office
North Palm Springs, CA 92258

Dear Mr. Kenna,

I am writing you to indicate great dissatisfaction with the proposed mining project on Soledad Canyon Road (Transit Mixed Concrete). The environment impact as stated in the Draft EIS is severely flawed and does not adequately consider the effect of the project on residents of the area. It does not consider recent construction nor does it contain current traffic data. Air quality reports from the AQMD indicate that air quality standards (State) were exceeded 50 days per year. The nearest station is 11 miles away and does not have a measuring device for particulate matter, which the EIS states, is going to produce a significant negative impact. **1**

This proposal is not in the best interests of the state or the communities it is surrounded by. Transit Mix operates in the interests of its stockholders and not the communities in which it operates, since it refuses to consider the ?reduced mining concept? as a possibility. **2**

A wise utilization of resources would be to permit a smaller scale operation, preferably a local company who would naturally be more concerned with the local effects. The BLM must consider residents of the area and conflicting land use issues. Proposals must pay for current traffic analysis, location–specific air quality monitoring and finance road improvements that county agencies suggest.
TMC has refused to do these things. As the demand for aggregate increases, companies interested in acquiring mining rights will address environmental issues more responsibly than Southdown/TMC has. Recognize the rights of residents over stockholders!

2

NANCY MILLER

I-9

RECEIVED
BUREAU OF LAND MANAGEMENT
99 SEP 15 PM 3:08
PALM SPRINGS
RESOURCE AREA

September 13, 1999

Mr. James G. Kenna, Field Manager
Bureau of Land Management
690 E. Garnet Avenue
P.O. Box 1260
North Palm Springs, CA 92258

fax: (760)251-4899

Ref: DEIR, State Clearinghouse No. 91111066, Transit Mixed Corp.

Dear Mr. Kenna

We are urging you to extend the timeline for a hearing on this negatively impacting project.

We have read the DEIR, put out by the Proponents (Transit-Mixed Concrete Corp), and have found it to be seriously out of date and stale, as well as not factual. 1

We wish to be on record as opposing this Project. Although the area was designated "Mining" many years ago, there has been too much development allowed, along with the accompanying infrastructure. It now has become a totally incompatible zoned area with the surrounding populace. 2

Also, environmentally speaking, this Project would negatively impact the air quality, the nearby Santa Clara River, (the last uncemented river in Southern California), and endangered biota. 3

Thank You,

Tana Lampton

Vinton & Tana Lampton
31851 Windrush Road
Agua Dulce, CA 91350
ph: 661-268-1136 fx: 661-268-8864

I-10

Date: Tue, 6 Jul 1999 22:25:33 EDT
From: T62gang@aol.com
To: mchandle@ca.blm.gov
Cc: T62gang@aol.com
Subject: Transit Mixed Concrete Proposed Mine

Dear Sirs,

I am writing this letter to express my opposition to the proposed mine in Los Angeles County. I live in the area adjacent to the proposed mine and am very concerned over the impact this mine will have on our air and water. The dust that will inevitably be constantly in the air carries the very real threat of Valley Fever. 1 The dust that is always visable from the current operation is testament that mining on a larger scale will have this effect of putting dust in the air. The truck traffic that will be necessitated by the mine will add to already congested freeeways and put tons of additional diesel exhaust into the air. 2 The water needed for an operation of this size would put an additional burden on an area that is already struggling to maintain water supplies and quality. The people who live in this area already have exposure to some of the worst pollution in the state, it would be wrong to knowingly increase the threat to our health. 3

Thank you for your attention to my concerns.

Chris Towles

EMISQUEZ
BUZZ
J. KEUNA

IAW P.L. 104-231 (EFOIA)
This Document is identified as:
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Public Limited Non Public
If L or N cite which of the 9 exemptions apply [ ]
Author/Program Lead signature

MARY K. RIGGINS

29230 N. Sequoia Road, Canyon Country, California 91351
661/299-2373 Fax: 661/250-1059
mkemrigg@gateway.net

June 8, 1999

Ms. Julie Moore
Project Manager
Dept. of Regional Planning
County of Los Angeles
Impact Analysis Section, Room 1348
320 West Temple St.
Los Angeles, California 90012

Re: Soledad Canyon Sand and Gravel Mining Project No. 91-165-(5)

Dear Ms. Moore,

Please find enclosed the original, plus five copies, of signed petitions (over 2500 signatures) and over 500 letters, signed by the residents of the Santa Clarita Valley in opposition to the above named project. You will notice there is only one copy (per stack) of the first page of the letter..the remainder are the signed second pages. Please make sure a copy is delivered to each Regional Planning Commissioner. (Mr. Toy, Ms. Campbell, Ms. Feldman, Ms. Vargo and Mr. Pederson).

I will also send copies to Supervisor Mike Antonovich, Senator Barbara Boxer, Mayor Jo Ann Darcy (Santa Clarita), Jeff Lambert (Santa Clarita Planning) and to Mr. James Kenna at Bureau of Land Management.

As residents of Canyon Country, specifically Stonecrest development (located less than 1.5 miles from project site) we demand this project be rejected...and we will continue to fight against its approval. 1

Thank You,

Mary K. Riggins

Mary K. Riggins
S.A.F.E.S.
(Santa Clarita Alliance for Environmental Safety)

STOP THE ROCK QUARRY PROJ

I-12

WE, THE UNDERSIGNED, RESIDENTS AND TAXPAYERS OF CANYON COUNTRY, SANTA CLARITA, COUNTY OF LOS ANGELES, HEREBY PROTEST AGAINST THE ROCK QUARRY PROJECT. THIS PROJECT – HERE BY KNOWN AS PROJECT NO. 91-165-(5) SURFACE MINING PERMIT PROPOSED BY TRANSIT MIXED CONCRETE CO.

! ! ! STOP THE MINING ! ! !

WE HAVE THE RIGHT TO PEACE OF MIND WITH REGARD TO:

CLEAN AIR - RAISING OUR CHILDREN IN AN ENVIRONMENT FREE OF AIR POLLUTANTS
SAFE SURFACE STREETS – FREE FROM DANGEROUS VEHICLES
QUIET SURROUNDINGS – HAVE THE ABILITY TO A FULL NIGHTS SLEEP
SAFETY FROM FIRE HAZARD - DUE TO EXPLOSIVES, CHEMICAL STORAGE TANKS ETC.
APPRECIATION OF OUR HOMES & PROPERTY – REALIZE OUR MOST IMPORTANT INVESTMENT

Sign NAME (ONE NAME PER LINE): print name	ADDRESS:
Christine Smith	14841 Begonias Ln Cyn Cntry
Victor HADDAD	15610 Sierra Hills
Shayan De Alwis	28313 Ladley Ct.
Ayoma De Alwis	" "
Sam Barr	15627 W. Lucille Ct CC
Kim Wilczynski	29263 Marilyn Drive CC
Edward Jones	11415 Morgan Rd. Agua Dulce
[illegible] Ashley	28849 Kenroy Ave CC 91351
[illegible] Noski	28504 Sand Canyon #105 CC 913[illegible]
Naomi Green	28910 Sam Pl. Cyn. Ctry. [illegible]
Chrystal Soph	28379 Connie Ct 91351
Corinne Malinka	16516 Nearview Dr Ccca 913[illegible]
Valerie Gamez	29734 Abelia Rd Cyn Ctry 913[illegible]
Carol J. French	15385 Rhododendron Dr. Cyn[illegible]
Carmen M. Quilin	29039 Poppy Meadow St Canyon Country 91[illegible]
Kathy Gray	28514 Sand Cyn Rd. #33 CC
[illegible]	16816 Bainbury ST. CC 91351
Bernadette [illegible]	28947 N. Prairie Ln Cyn Ctry
[illegible] Murray	26911 Triumph Ave Can. Cty 91351
[illegible] Bird	28244 Miss Grace Cyn Ctry 91351

May 16, 1999

Ms. Julie Moore
Department of Regional Planning
County of Los Angeles
Project Manager, Impact Analysis Section
Room 1348
320 West Temple Street
Los Angeles, California 90012

RE: Soledad Canyon Sand and Gravel Project #91-165-5

Dear Ms. Moore:

As a homeowner and taxpayer living in very close proximity to the proposed mining project, this letter is to inform you and the Regional Planning Commission of my extreme opposition to the project.

I am convinced, that if approved, this mining project would prove disastrous to the health of children and the elderly, not only in my neighborhood, but to all residents living in the Santa Clarita Valley.

The EIR is inadequate; much of the data is outdated, since many new homes were built near the proposed site after the report was compiled. 1

My biggest concern is air quality. MY HEALTH AND THAT OF MY FAMILY CANNOT BE MITIGATED IN ANY WAY! According to TMC's EIR, the impact on air quality will be "significant". Possibly contributing to respiratory problems, sometimes severe, in both the young and the elderly. The EIR states that the "dust" won't blow farther than five miles. Has TMC heard of Santa Ana winds? Even when the Santa Anas aren't blowing, Soledad Canyon and the surrounding areas are often under High Wind Advisory. 2

Water usage by TMC will be massive..several hundred acre feet a year. Where is that water coming from? What happens in a drought year? With the use of ammonium nitrate, fuel and chemical storage onsite, the potential for ground water contamination is extremely high. Does TMC guarantee me and my family our drinking water won't be poisoned? 3

Storage of fuel and chemicals on site...explosives being used weekly in an area designated as Fire Zone 4/High fire hazard area. Explosives will be transported to/from site, obviously with some storage on the site during those days of 4

blasting. This is a deadly hazard waiting to happen. 4

Traffic on Soledad Canyon and the Antelope Valley Freeway, already overly congested, will become horrific. These two highways are the main routes from the Antelope Valley to the Los Angeles area. Duel-semi sand/gravel trucks (over 300 a day) will put a virtual stop to freeway traffic. Those large trucks, fully loaded weigh over 80,000 lbs.. The potential for traffic accidents, broken windshields, etc. is very high, especially along the winding road of Soledad Canyon. 5

There is a major conflict between the two types of land use: residential and mining. The EIR seriously downplays the public health and safety effects that minig operations will have on those of us living nearby. How is this conflict resolved? If this project is approved, how many more mining projects will follow? There are several residential developments in the works...therefore increasing this CONFLICT of land use. I PROPOSE A NO MINING PROJECT RESOLUTION. 6

This project will have a major negative impact on my quality of life and the health of our family. Furthermore, if this project is approved, the value of my house, my property will drop considerably in value. Who will buy my house knowing that for the next twenty years, there will be blasting, a severe increase in air pollution and traffic, potential for fire and chemical hazards, as well as contaminated water....if there is water at all.

I strongly oppose this project and reiterate my health, my family's health and our quality of life can in no way be mitigated.

I urge the Regional Planning Commission vote NO MINING PROJECT!

Sincerely,

Stacy Parrino
30217 PINK PANSY CT.
CANYON COUNTRY, CA 91351

cc: Mike Antonovich, Supervisor, 5th District
Jeffrey Lambert, Director, Planning and Development, Santa Clarita
Jo Anne Darcy, Mayor, Santa Clarita

RECEIVED
BUREAU OF LAND MANAGEMENT

99 SEP 13 PM 3:56

PALM SPRINGS-SOUTH COAST
RESOURCE AREA

OPPOSITION LETTERS

SMP CASE NO. 91-165-(5)

THE COMMUNITY OF AGUA DULCE

I-14

COMMUNITY MEMBER COMMENT

C/O The Agua Dulce Town Council and
The Agua Dulce Civic Association
33201 Agua Dulce Canyon Road, Box #8, Agua Dulce, CA 91350

Regional Planning Commission
ATTN: Julie Moore, Project Planner
Los Angeles County
Impact Analysis Section, Room 1348
320 West Temple Street
Los Angeles, CA 90012

RE: Surface Mining Permit #91-165-(5)
Transit Mixed Concrete

FROM: Kyle Mcrightie
(Full name – Please print)

We, the undersigned, wish to include the following comments in the formal response made by the Agua Dulce Town Council and the Agua Dulce Civic Association to the above referenced project. We/I also request that you take these comments into consideration in your deliberations, and include our/my comments in the public record.

SIGNATURE: Kyle Mcright DATE: J·15 99

Comments:

Keep our town clean + free from Diesel trucks + Dust from minning

THE COMMUNITY OF AGUA DULCE

I-15

COMMUNITY MEMBER COMMENT

C/O The Agua Dulce Town Council and
The Agua Dulce Civic Association
33201 Agua Dulce Canyon Road, Box #8, Agua Dulce, CA 91350

Regional Planning Commission
ATTN: Julie Moore, Project Planner
Los Angeles County
Impact Analysis Section, Room 1348
320 West Temple Street
Los Angeles, CA 90012

RE: Surface Mining Permit #91-165-(5)
Transit Mixed Concrete

FROM: John C. Bodine
(Full name – Please print)

We, the undersigned, wish to include the following comments in the formal response made by the Agua Dulce Town Council and the Agua Dulce Civic Association to the above referenced project. We/I also request that you take these comments into consideration in your deliberations, and include our/my comments in the public record.

SIGNATURE: [signature] DATE: May 15, 1999

Comments:

This is horrible for our community!

I am an Agua Dulce resident.

THE COMMUNITY OF AGUA DULCE

I-16

COMMUNITY MEMBER COMMENT

C/O The Agua Dulce Town Council and
The Agua Dulce Civic Association
33201 Agua Dulce Canyon Road, Box #8, Agua Dulce, CA 91350

Regional Planning Commission
ATTN: Julie Moore, Project Planner
Los Angeles County
Impact Analysis Section, Room 1348
320 West Temple Street
Los Angeles, CA 90012

RE: Surface Mining Permit #91-165-(5)
Transit Mixed Concrete

FROM: Ronn Aaron
(Full name – Please print)

We, the undersigned, wish to include the following comments in the formal response made by the Agua Dulce Town Council and the Agua Dulce Civic Association to the above referenced project. We/I also request that you take these comments into consideration in your deliberations, and include our/my comments in the public record.

SIGNATURE: Ronn Aaron DATE: 5-15-99

Comments:

This is awfull for or community

I am a proud A/D Resident

THE COMMUNITY OF AGUA DULCE

I-17

COMMUNITY MEMBER COMMENT

C/O The Agua Dulce Town Council and
The Agua Dulce Civic Association
33201 Agua Dulce Canyon Road, Box #8, Agua Dulce, CA 91350

Regional Planning Commission
ATTN: Julie Moore, Project Planner
Los Angeles County
Impact Analysis Section, Room 1348
320 West Temple Street
Los Angeles, CA 90012

RE: Surface Mining Permit #91-165-(5)
Transit Mixed Concrete

FROM: Peter Tutokey
(Full name – Please print)

We, the undersigned, wish to include the following comments in the formal response made by the Agua Dulce Town Council and the Agua Dulce Civic Association to the above referenced project. We/I also request that you take these comments into consideration in your deliberations, and include our/my comments in the public record.

SIGNATURE: [signature] DATE: 5-15-99

Comments:

I am opposed to the mining operation because it will reduce the air quality & destroy the land.

Pt.

I am a Canyon Country resident.

.h

I-18

THE COMMUNITY OF AGUA DULCE

COMMUNITY MEMBER COMMENT

C/O The Agua Dulce Town Council and
The Agua Dulce Civic Association
33201 Agua Dulce Canyon Road, Box #8, Agua Dulce, CA 91350

Regional Planning Commission
ATTN: Julie Moore, Project Planner
Los Angeles County
Impact Analysis Section, Room 1348
320 West Temple Street
Los Angeles, CA 90012

RE: Surface Mining Permit #91-165-(5)
Transit Mixed Concrete

FROM: Virginia Applen
(Full name Please print)

We, the undersigned, wish to include the following comments in the formal response made by the Agua Dulce Town Council and the Agua Dulce Civic Association to the above referenced project. We/I also request that you take these comments into consideration in your deliberations, and include our/my comments in the public record.

SIGNATURE: Virginia Applen DATE: 5/15/99

Comments: I am an Agua Dulce Resident — This is for All the life in the beautiful Santa Clarita Valley that cannot speak for themselves — that need us to Protect them From projects that will destroy them and their environments. Stop Mining! For All the Coyotes, Jack Rabbits, owls, Snakes, Lord's Candles, Sage Brush etc that have called this Area home since before man.

THE COMMUNITY OF AGUA DULCE

I-19

COMMUNITY MEMBER COMMENT

C/O The Agua Dulce Town Council and
The Agua Dulce Civic Association
33201 Agua Dulce Canyon Road, Box #8, Agua Dulce, CA 91350

Regional Planning Commission
ATTN: Julie Moore, Project Planner
Los Angeles County
Impact Analysis Section, Room 1348
320 West Temple Street
Los Angeles, CA 90012

RE: Surface Mining Permit #91-165-(5)
Transit Mixed Concrete

FROM: TIM PARTENFELDER
(Full name – Please print)

We, the undersigned, wish to include the following comments in the formal response made by the Agua Dulce Town Council and the Agua Dulce Civic Association to the above referenced project. We/I also request that you take these comments into consideration in your deliberations, and include our/my comments in the public record.

SIGNATURE: [signature] DATE: 5-15-99

Comments:

AGUA DULCE RESIDENT. THE ALMIGHTY DOLLAR ALWAYS SEEMS TO STEP FORWARD. LIVING CREATURES OF ALL KINDS ARE LIVING HERE. PLEASE STOP THE NONSENSE, AND THINK OF OTHER ALTERNATIVES. TRULY, WHAT IS IT GOING TO TAKE? THINK ABOUT THE BIG PICTURE, NOT THE DOLLARS IN YOUR POCKET.

THANKS FOR YOUR TIME!

THE COMMUNITY OF AGUA DULCE

I-20

COMMUNITY MEMBER COMMENT

C/O The Agua Dulce Town Council and
The Agua Dulce Civic Association
33201 Agua Dulce Canyon Road, Box #8, Agua Dulce, CA 91350

Regional Planning Commission
ATTN: Julie Moore, Project Planner
Los Angeles County
Impact Analysis Section, Room 1348
320 West Temple Street
Los Angeles, CA 90012

RE: Surface Mining Permit #91-165-(5)
Transit Mixed Concrete

FROM: Timothy Tudor Appleen
(Full name – Please print)

We, the undersigned, wish to include the following comments in the formal response made by the Agua Dulce Town Council and the Agua Dulce Civic Association to the above referenced project. We/I also request that you take these comments into consideration in your deliberations, and include our/my comments in the public record.

SIGNATURE: [illegible] DATE: 5/15/99

Comments:

The enormous environmental disaster called Los Angeles is the result of zero planning & concern for the environment. Let's not repeat our mistakes, we don't need more concrete.

I am an Agua Dulce resident.

THE COMMUNITY OF AGUA DULCE

I-21

COMMUNITY MEMBER COMMENT

C/O The Agua Dulce Town Council and
The Agua Dulce Civic Association
33201 Agua Dulce Canyon Road, Box #8, Agua Dulce, CA 91350

Regional Planning Commission
ATTN: Julie Moore, Project Planner
Los Angeles County
Impact Analysis Section, Room 1348
320 West Temple Street
Los Angeles, CA 90012

RE: Surface Mining Permit #91-165-(5)
Transit Mixed Concrete

FROM: LOREN NICKLOFF
(Full name – Please print)

We, the undersigned, wish to include the following comments in the formal response made by the Agua Dulce Town Council and the Agua Dulce Civic Association to the above referenced project. We/I also request that you take these comments into consideration in your deliberations, and include our/my comments in the public record.

SIGNATURE: [signature] DATE: 5-15-99

Comments: WHEN WILL THESE BIG COMPANIES STOP DESTROYING OUR SMALL COMMUNITIES AND SURROUNDINGS! I AM A NEW RESIDENT OF AGUA DULCE AND MOVED HERE ON DOCTORS ORDERS TO RELIEVE MYSELF FROM STRESSFUL CITY LIVING. I DON'T NEED ANYONE BLASTING MY SURROUNDINGS.

THE COMMUNITY OF AGUA DULCE

I-22

COMMUNITY MEMBER COMMENT

C/O The Agua Dulce Town Council and
The Agua Dulce Civic Association
33201 Agua Dulce Canyon Road, Box #8, Agua Dulce, CA 91350

Regional Planning Commission
ATTN: Julie Moore, Project Planner
Los Angeles County
Impact Analysis Section, Room 1348
320 West Temple Street
Los Angeles, CA 90012

RE: **Surface Mining Permit #91-165-(5)**
Transit Mixed Concrete

FROM: Lindsay Jewell Stukey
(Full name – Please print)

We, the undersigned, wish to include the following comments in the formal response made by the Agua Dulce Town Council and the Agua Dulce Civic Association to the above referenced project. We/I also request that you take these comments into consideration in your deliberations, and include our/my comments in the public record.

SIGNATURE: Lindsay Jewell Stukey DATE: 5-15
Age: 10

Comments: I live in Agua Dulce Pretty please with a cherry on top leave the mountains alone. I'd made the mountains by him self it took a long time. I know I'm on ten but if you tear down the mountains to sand I will cry. The dust will get in my lungs & I could die.

THE COMMUNITY OF AGUA DULCE

COMMUNITY MEMBER COMMENT

C/O The Agua Dulce Town Council and
The Agua Dulce Civic Association
33201 Agua Dulce Canyon Road, Box #8, Agua Dulce, CA 91350

Regional Planning Commission
ATTN: Julie Moore, Project Planner
Los Angeles County
Impact Analysis Section, Room 1348
320 West Temple Street
Los Angeles, CA 90012

RE: **Surface Mining Permit #91-165-(5)**
Transit Mixed Concrete

FROM: Danielle Gersh
(Full name – Please print)

We, the undersigned, wish to include the following comments in the formal response made by the Agua Dulce Town Council and the Agua Dulce Civic Association to the above referenced project. We/I also request that you take these comments into consideration in your deliberations, and include our/my comments in the public record.

SIGNATURE: Danielle Gersh DATE: 5/15/99

Comments:

I'm a relatively new resident to Agua Dulce. I really love the area. However, I'm concerned about the impact that the Soledad Canyon Sand & Gravel Project may have on my health. I have always had allergies and, at times, the condition has progressed into asthma when exposed to smoke and dust, etc. My doctor has advised me to avoid such conditions. I'm afraid now that this proposed project will create excessive dust that will once again aggravate my allergies & may lead to another asthma attack. Of course, I do not want to see the huge traffic problems, hear all the noise, or feel the effect of declined property values. But my health is my main concern. Thank you for your time.

Danielle Gersh

THE COMMUNITY OF AGUA DULCE

I-24

COMMUNITY MEMBER COMMENT

C/O The Agua Dulce Town Council and
The Agua Dulce Civic Association
33201 Agua Dulce Canyon Road, Box #8, Agua Dulce, CA 91350

Regional Planning Commission
ATTN: Julie Moore, Project Planner
Los Angeles County
Impact Analysis Section, Room 1348
320 West Temple Street
Los Angeles, CA 90012

RE: Surface Mining Permit #91-165-(5)
Transit Mixed Concrete

FROM: JEFFREY MARK GERSH
(Full name – Please print)

We, the undersigned, wish to include the following comments in the formal response made by the Agua Dulce Town Council and the Agua Dulce Civic Association to the above referenced project. We/I also request that you take these comments into consideration in your deliberations, and include our/my comments in the public record.

SIGNATURE: Jeffrey Mark Gersh DATE: 5/15/99

Comments:

As a new resident of Agua Dulce I am greatly concerned by the T.M.C. Project. My concerns include:

- Health issues: Air pollution that can lead to breathing disorders. The potential of valley fever. 1
- Traffic: The quantity of trucks that will be involved are just staggering. The 5 and 14 freeways are over burdened at this point with the planned development that will happen as well as future growth their just will be gridlock on our freeways. 2
- Property Values: As I stated above I'm a new resident to the area. My wife and I bought our home. We pay our property taxes, vote and I am an active member of the community. We plan to raise our children (future) here and would like to have a ~~[illegible]~~ healthy and safe future for them. 3

Thank You
Jeff Gersh

THE COMMUNITY OF AGUA DULCE

I-25

COMMUNITY MEMBER COMMENT

C/O The Agua Dulce Town Council and
The Agua Dulce Civic Association
33201 Agua Dulce Canyon Road, Box #8, Agua Dulce, CA 91350

Regional Planning Commission
ATTN: Julie Moore, Project Planner
Los Angeles County
Impact Analysis Section, Room 1348
320 West Temple Street
Los Angeles, CA 90012

RE: Surface Mining Permit #91-165-(5)
Transit Mixed Concrete

FROM: Edith + George Haddock, 12104 Davenport Rd Agua Dulce, CA
(Full name – Please print)

We, the undersigned, wish to include the following comments in the formal response made by the Agua Dulce Town Council and the Agua Dulce Civic Association to the above referenced project. We/I also request that you take these comments into consideration in your deliberations, and include our/my comments in the public record.

SIGNATURE: Katherine Gruber DATE: 5-15-99

Comments:

WE HAVE TWO CONCERNS:

#1 - HEALTH CONCERN - I HAVE BEEN ADVISED by my DOCTOR THAT EVEN THOUGH I AM ON PERMANENT OXYGEN ANY INCREASE IN AIR POLLUTION - PARTICULARLY AIR BORNE DUST - WOULD BE A MAJOR HEALTH THREAT! I HAVE NO INTENTIONS OF TOLERATING THIS TYPE OF THREAT TO MY HEALTH!

#2 AS A 35 YEAR RESIDENT OF THIS COMMUNITY I HAVE WATCHED THIS AREA EVOLVE FROM A LITTLE DESERT AREA INTO AN IDYLIC RURAL COMMUNITY WITH PROPERTY VALUES REFLECTIVE OF A COMMUNITY WITH STRONG FAMILY APPEAL. IT SEEMS OBVIOUS THAT WE NEED MORE COMMUNITIES OF THIS DESCRIPTION AND EQUALLY OBVIOUS THAT INDUSTRY OF THIS NATURE WOULD ONLY PROVE TO BE COUNTER-PRODUCTIVE TO A TRUE FAMILY BASED COMMUNITY!

THE COMMUNITY OF AGUA DULCE

I-26

COMMUNITY MEMBER COMMENT

C/O The Agua Dulce Town Council and
The Agua Dulce Civic Association
33201 Agua Dulce Canyon Road, Box #8, Agua Dulce, CA 91350

Regional Planning Commission
ATTN: Julie Moore, Project Planner
Los Angeles County
Impact Analysis Section, Room 1348
320 West Temple Street
Los Angeles, CA 90012

RE: Surface Mining Permit #91-165-(5)
Transit Mixed Concrete

FROM: Tana F. Lampton
(Full name – Please print)

We, the undersigned, wish to include the following comments in the formal response made by the Agua Dulce Town Council and the Agua Dulce Civic Association to the above referenced project. We/I also request that you take these comments into consideration in your deliberations, and include our/my comments in the public record.

SIGNATURE: Tana F. Lampton DATE: 5/20/99

Comments:

The County has allowed much building, many projects, to encroach on the boundary lines of the Transit-Mixed Project. This has occurred in the past 8-10 years.

It's obvious that the Project is INCOMPATIBLE with those residential projects. They are like oil & water.

This project has many NEGATIVE IMPACTS TO THE HEALTH OF THE PEOPLE SURROUNDING THE PROJECT PLUS THE ENVIRONMENT AND THE WATER (SANTA CLARA RIVER).

THE COMMUNITY OF AGUA DULCE

I-27

COMMUNITY MEMBER COMMENT

C/O The Agua Dulce Town Council and
The Agua Dulce Civic Association
33201 Agua Dulce Canyon Road, Box #8, Agua Dulce, CA 91350

Regional Planning Commission
ATTN: Julie Moore, Project Planner
Los Angeles County
Impact Analysis Section, Room 1348
320 West Temple Street
Los Angeles, CA 90012

RE: Surface Mining Permit #91-165-(5)
Transit Mixed Concrete

FROM: Carol Hano
(Full name – Please print)

We, the undersigned, wish to include the following comments in the formal response made by the Agua Dulce Town Council and the Agua Dulce Civic Association to the above referenced project. We/I also request that you take these comments into consideration in your deliberations, and include our/my comments in the public record.

SIGNATURE: Carol Hano DATE: 5/15/99

Comments:

Please, please don't do this!
First of all my daughter has asthma and my whole family suffers from allergies. I am very concerned about the effects this will have on our health.

Progress is being made at too high of a price! Congesting our freeways, overpopulating our towns, our schools, etc. Enough is enough. I am proud to be an Agua Dulce resident and live in one of the very few rural communities left - don't destroy it!

THE COMMUNITY OF AGUA DULCE

I-28

COMMUNITY MEMBER COMMENT

CO The Agua Dulce Town Council and
The Agua Dulce Civic Association
33201 Agua Dulce Canyon Road, Box [illegible], Agua Dulce, CA 91350

[illegible] Commission
[illegible] Project Planner
[illegible]
[illegible] Section, Room [illegible]
[illegible] Street
[illegible]

[illegible] Mining Permit [illegible] (5)
[illegible] Mined Concrete

[illegible] Louise Gorham
[illegible] — Please print

[illegible] wish to include the following comments in the formal response made by the Agua Dulce Town [illegible] Agua Dulce Civic Association to the above referenced project. We/I also request that you take these [illegible] consideration in your deliberations, and include [illegible] comments in the public record.

[illegible]

DATE: 5-15-99

[illegible] President of Agua Dulce and [illegible] the [illegible] Council and [illegible] proposals.

THE COMMUNITY OF AGUA DULCE

I-29

COMMUNITY MEMBER COMMENT

C/O The Agua Dulce Town Council and
The Agua Dulce Civic Association
33201 Agua Dulce Canyon Road, Box #8, Agua Dulce, CA 91350

Regional Planning Commission
ATTN: Julie Moore, Project Planner
Los Angeles County
Impact Analysis Section, Room 1348
320 West Temple Street
Los Angeles, CA 90012

RE: Surface Mining Permit #91-165-(5)
Transit Mixed Concrete

FROM: George Hano
(Full name – Please print)

We, the undersigned, wish to include the following comments in the formal response made by the Agua Dulce Town Council and the Agua Dulce Civic Association to the above referenced project. We/I also request that you take these comments into consideration in your deliberations, and include our/my comments in the public record.

SIGNATURE: Amy Hano DATE: 5-15-99

Comments:

No to this Project!

Agua Dulce Resident!

THE COMMUNITY OF AGUA DULCE

I-30

COMMUNITY MEMBER COMMENT

C/O The Agua Dulce Town Council and
The Agua Dulce Civic Association
33201 Agua Dulce Canyon Road, Box #8, Agua Dulce, CA 91350

Regional Planning Commission
ATTN: Julie Moore, Project Planner
Los Angeles County
Impact Analysis Section, Room 1348
320 West Temple Street
Los Angeles, CA 90012

RE: Surface Mining Permit #91-165-(5)
Transit Mixed Concrete

FROM: RICHARD McCORMICK
(Full name – Please print)

We, the undersigned, wish to include the following comments in the formal response made by the Agua Dulce Town Council and the Agua Dulce Civic Association to the above referenced project. We/I also request that you take these comments into consideration in your deliberations, and include our/my comments in the public record.

SIGNATURE: [signature] DATE: 5-15-99

Comments:
I AM A AGUA DULCE HOME OWNER, NO MORE CONCETE PLANTS IN THIS AREA, PLEASE!

THE COMMUNITY OF AGUA DULCE

I-31

COMMUNITY MEMBER COMMENT

C/O The Agua Dulce Town Council and
The Agua Dulce Civic Association
33201 Agua Dulce Canyon Road
Agua Dulce, CA 91350

Regional Planning Commission
ATTN: Julie Moore, Project Planner
Los Angeles County
Impact Analysis Section, Room 1348
320 West Temple Street
Los Angeles, CA 90012

I am an Agua Dulce Resident

RE: Surface Mining Permit #91-165-(5)
Transit Mixed Concrete

FROM: BRUCE NAB[illegible]
(Full name – Please print)

We, the undersigned, wish to include the following comments in the official response made by the Agua Dulce Town Council and the Agua Dulce Civic Association to the above project. We/I also request that you take these comments into consideration in your deliberations, and include comments in the public record.

SIGNATURE: [illegible]

DATE: 5/12/99

Comments:

THE COMMUNITY OF AGUA DULCE

I-32

COMMUNITY MEMBER COMMENT

C/O The Agua Dulce Town Council and
The Agua Dulce Civic Association
33201 Agua Dulce Canyon Road, Box #8, Agua Dulce, CA 91350

Regional Planning Commission
ATTN: Julie Moore, Project Planner
Los Angeles County
Impact Analysis Section, Room 1348
320 West Temple Street
Los Angeles, CA 90012

RE: Surface Mining Permit #91-165-(5)
Transit Mixed Concrete

FROM: Rebecca Hollinger
(Full name – Please print)

We, the undersigned, wish to include the following comments in the formal response made by the Agua Dulce Town Council and the Agua Dulce Civic Association to the above referenced project. We/I also request that you take these comments into consideration in your deliberations, and include our/my comments in the public record.

SIGNATURE: [illegible] DATE: 5/15/99

Comments:

We have 4 children and we are concerned about every aspect of the proposed mining and vigorously and completely oppose it!! It can bring nothing good to our community - only major problems. I'm an Agua Dulce resident and do not want this in our community.

THE COMMUNITY OF AGUA DULCE

I-33

COMMUNITY MEMBER COMMENT

C/O The Agua Dulce Town Council and
The Agua Dulce Civic Association
33201 Agua Dulce Canyon Road, Box #8, Agua Dulce, CA 91350

Regional Planning Commission
ATTN: Julie Moore, Project Planner
Los Angeles County
Impact Analysis Section, Room 1348
320 West Temple Street
Los Angeles, CA 90012

RE: Surface Mining Permit #91-165-(5)
Transit Mixed Concrete

FROM: Tim Hollinger
(Full name – Please print)

We, the undersigned, wish to include the following comments in the formal response made by the Agua Dulce Town Council and the Agua Dulce Civic Association to the above referenced project. We/I also request that you take these comments into consideration in your deliberations, and include our/my comments in the public record.

SIGNATURE: Tim Hollinger DATE: 5-15-99

Comments:

I would not like to see this ~~[illegible]~~ in our neighborhood, because of the traffic and air polution which it will cause.

I am a Agua Dulce Resident

THE COMMUNITY OF AGUA DULCE

I-34

COMMUNITY MEMBER COMMENT

C/O The Agua Dulce Town Council and
The Agua Dulce Civic Association
33201 Agua Dulce Canyon Road, Box #8, Agua Dulce, CA 91350

[illegible] Commission
[illegible], Project Planner
[illegible]
[illegible] Section, Room 1348
[illegible] Street
[illegible] 90012

[illegible] Mining Permit #91-165-(5)
[illegible] Mixed Concrete

[illegible] LYNN SAUFLEY
[illegible] - Please print)

[illegible], wish to include the following comments in the formal response made by the Agua Dulce Town [illegible] Dulce Civic Association to the above referenced project. We/I also request that you take these [illegible] consideration in your deliberations, and include our/my comments in the public record.

[illegible] Sauflay DATE: 5-15-95

[illegible] am an Agua Dulce resident [illegible] completely opposed to this [illegible]. The size and scope of the [illegible] mining project would utterly [illegible] the quality of life here.

THE COMMUNITY OF AGUA DULCE

I-35

COMMUNITY MEMBER COMMENT

C/O The Agua Dulce Town Council and
The Agua Dulce Civic Association
33201 Agua Dulce Canyon Road, Box #8, Agua Dulce, CA 91350

Regional Planning Commission
ATTN: Julie Moore, Project Planner
Los Angeles County
Impact Analysis Section, Room 1348
320 West Temple Street
Los Angeles, CA 90012

RE: Surface Mining Permit #91-165-(5)
Transit Mixed Concrete

FROM: Joan Marie Dunn
(Full name – Please print)

We, the undersigned, wish to include the following comments in the formal response made by the Agua Dulce Town Council and the Agua Dulce Civic Association to the above referenced project. We/I also request that you take these comments into consideration in your deliberations, and include our/my comments in the public record.

SIGNATURE: Joan Marie Dunn DATE: May 15, 1999
Canyon Country, CA

Comments:

This project is just horrible for any citizen living near it.

Beth Shott
33309 Santiago Road, PMB #314
Acton, CA 93510

Ms. Julie Moore, Project Manager
County of Los Angeles
Department of Regional Planning
Impact Analysis Sections, Room 1348
320 West Temple Street
Los Angeles, CA 90012
5/25/99

In reference to Soledad Canyon Sand and Gravel Project No. 91-165-(5):

I am a local resident of Acton. I am deeply disturbed about the air pollution, traffic, contaminated water, massive decline in property value, and dust problems our town will face due to this project.

Do you have any idea the harm this project will cause to tens of thousands of families? The dust particles will exceed federal standards for all of us to breathe. Exterior lighting all night ruining our skies. Diesel fumes from trucks and giant earthmovers, vibrations, 700 trucks per day on an already packed freeway system, blasting, and possible toxic run-off will absolutely ruin our neighborhoods. 1

Santa Clarita, Agua Dulce, and Acton are precious residential/rural areas. We are known for our family life, safe neighborhoods, and beautiful environments. This project is badly planned and horrible land use in rural, quiet, serene neighborhoods and residential areas.

As a result, I am demanding a "no project alternative".

Sincerely,

Beth Shott

Beth Shott

cc Agua Dulce Town Council
Acton Town Council

THE COMMUNITY OF AGUA DULCE

COMMUNITY MEMBER COMMENT

C/O The Agua Dulce Town Council and
The Agua Dulce Civic Association
33201 Agua Dulce Canyon Road, Box #8, Agua Dulce, CA 91350

Regional Planning Commission
ATTN: Julie Moore, Project Planner
Los Angeles County
Impact Analysis Section, Room 1348
320 West Temple Street
Los Angeles, CA 90012

RE: Surface Mining Permit #91-165-(5)
Transit Mixed Concrete

FROM: James A. Yankovich
(Full name – Please print)

We, the undersigned, wish to include the following comments in the formal response made by the Agua Dulce Town Council and the Agua Dulce Civic Association to the above referenced project. We/I also request that you take these comments into consideration in your deliberations, and include our/my comments in the public record.

SIGNATURE: [signature] DATE: 5-15-99

Comments:

The reason I moved to Agua Dulce was to get away from the air pollutants & enjoy the scenery God provided us. This "Project" will devastate the land & air & decrease the value of my home. 1

I also have a major concern that the disruption of the soil will cause "Valley Fever" like it did after the earthquake.

THE COMMUNITY OF AGUA DULCE

COMMUNITY MEMBER COMMENT

C/O The Agua Dulce Town Council and
The Agua Dulce Civic Association
33201 Agua Dulce Canyon Road, Box #8, Agua Dulce, CA 91350

Regional Planning Commission
ATTN: Julie Moore, Project Planner
Los Angeles County
Impact Analysis Section, Room 1348
320 West Temple Street
Los Angeles, CA 90012

RE: Surface Mining Permit #91-165-(5)
Transit Mixed Concrete

FROM: Simon Peter Raible
(Full name – Please print)

We, the undersigned, wish to include the following comments in the formal response made by the Agua Dulce Town Council and the Agua Dulce Civic Association to the above referenced project. We/I also request that you take these comments into consideration in your deliberations, and include our/my comments in the public record.

SIGNATURE: Simon P. Raible DATE: 5/20/99

Comments:

THE COMMUNITY OF AGUA DULCE

I-39

COMMUNITY MEMBER COMMENT

C/O The Agua Dulce Town Council and
The Agua Dulce Civic Association
33201 Agua Dulce Canyon Road, Box #8, Agua Dulce, CA 91350

Regional Planning Commission
ATTN: Julie Moore, Project Planner
Los Angeles County
Impact Analysis Section, Room 1348
320 West Temple Street
Los Angeles, CA 90012

RE: Surface Mining Permit #91-165-(5)
Transit Mixed Concrete

FROM: Anne E. Raible
(Full name – Please print)

We, the undersigned, wish to include the following comments in the formal response made by the Agua Dulce Town Council and the Agua Dulce Civic Association to the above referenced project. We/I also request that you take these comments into consideration in your deliberations, and include our/my comments in the public record.

SIGNATURE: Anne E. Raible DATE: 5/20/99

Comments:

THE COMMUNITY OF AGUA DULCE

I-40

COMMUNITY MEMBER COMMENT

C/O The Agua Dulce Town Council and
The Agua Dulce Civic Association
33201 Agua Dulce Canyon Road, Box #8, Agua Dulce, CA 91350

Regional Planning Commission
ATTN: Julie Moore, Project Planner
Los Angeles County
Impact Analysis Section, Room 1348
320 West Temple Street
Los Angeles, CA 90012

RE: Surface Mining Permit #91-165-(5)
Transit Mixed Concrete

FROM: Mary Alexoff I am an Agua Dulce Resident
(Full name - Please print) 32317 Agua Dulce Cyn Rd.

We, the undersigned, wish to include the following comments in the formal response made by the Agua Dulce Town Council and the Agua Dulce Civic Association to the above referenced project. We/I also request that you take these comments into consideration in your deliberations, and include our/my comments in the public record.

SIGNATURE: Mary Alexoff DATE: 5/20/99

Comments:

I am adamantly against the proposed TMC mining project due to the possible negative impact on Air Quality, water, noise, traffic & landscape.

THE COMMUNITY OF AGUA DULCE

I-41

COMMUNITY MEMBER COMMENT

C/O The Agua Dulce Town Council and
The Agua Dulce Civic Association
33201 Agua Dulce Canyon Road, Box #8, Agua Dulce, CA 91350

Regional Planning Commission
ATTN: Julie Moore, Project Planner
Los Angeles County
Impact Analysis Section, Room 1348
320 West Temple Street
Los Angeles, CA 90012

RE: Surface Mining Permit #91-165-(5)
Transit Mixed Concrete

FROM: Phillip J LEPACHER
(Full name – Please print)

We, the undersigned, wish to include the following comments in the formal response made by the Agua Dulce Town Council and the Agua Dulce Civic Association to the above referenced project. We/I also request that you take these comments into consideration in your deliberations, and include our/my comments in the public record.

SIGNATURE: [signature] DATE: 5-15-99

Comments:

We Don't Need Another Commercial Town.
Lets Keep Some of America Clean + Free
From City Pollution + Devolopment.
Our Reson For living here is, we want
to get Back to Basic Clean living Not
Congested Polluted Areas with traffic And
Disel fumes in my Children's lungs.
thank you [signature]

I-42

THE COMMUNITY OF AGUA DULCE

COMMUNITY MEMBER COMMENT

C/O The Agua Dulce Town Council and
The Agua Dulce Civic Association
33201 Agua Dulce Canyon Road, Box #8, Agua Dulce, CA 91350

Regional Planning Commission
ATTN: Julie Moore, Project Planner
Los Angeles County
Impact Analysis Section, Room 1348
320 West Temple Street
Los Angeles, CA 90012

RE: Surface Mining Permit #91-165-(5)
Transit Mixed Concrete

FROM: Alicia E Martin
(Full name – Please print)

We, the undersigned, wish to include the following comments in the formal response made by the Agua Dulce Town Council and the Agua Dulce Civic Association to the above referenced project. We/I also request that you take these comments into consideration in your deliberations, and include our/my comments in the public record.

SIGNATURE: X Alicia Eileen Martin DATE: 5-1

Comments:

Please Leave

my town the way

IT IS.

THE OLEN'S
440 E. SOLEDAD PASS ROAD
PALMDALE, CA 93550-9789

Dear Ms. Moore:

RE: Soledad Canyon Sand & Gravel Project No. 91-165-(5)

I am writing you to voice my **great concerns** regarding Transit Mixed Concrete's (TMC) project.

I have been a part of the Acton community since 1977. I was 15 when my parents bought their home here. When I became an adult my only wish was to live in the community of Acton because of the equestrian friendliness, clean air, rural living, peacefulness, etc. Last August our dream came true - we bought a home in Acton off Angeles Forest Highway. I have worked in Acton since 1980, my child has attended school here since kindergarten and will be entering high school here next year, and our home is here in Acton. We love this community!

I don't want to see this community and our dream of living here shattered by the ugliness that this project will certainly bring to Acton/Agua Dulce should this deal go through. It's sickening to see the devastation of our land in these canyons, when there must be the same resources elsewhere that would create less environmental negative impact on a community. 1

I want my child, my animals (pets), the wild animals, and my parents who still live here to be able to breath clean air, **not fungus filled spores flying through the air exposing our lungs** to illness, I want to be able to ride my horses in a quiet, serene setting, **not while numerous trucks are traveling back and forth hauling sand etc. creating noise pollution and dust, spooking horses because of their loud engines and inability or unwillingness to slow** down, I want to know that my child is able to participate in sports **without difficulty in**

breathing due to dust, and pollution entering her lungs. Our water comes from a well, as well as many other residents in my area. What will be the impact of this project be on our water system? Will this project affect the current amount of water we receive (gallons per [illegible] from our wells? On top of the above issues, water is life supporting! I would like to [illegible] water without worrying if a family member, myself, a pet, or a [illegible] some disease or form of cancer. Not to mention that one of [illegible] Acton was because of property values. These two [illegible] their property values during the [illegible] Antelope Valley. For some of us, our [illegible] to think that it could all be taken away from [illegible] and gravel from our community when there are other [illegible] is nightmarish.

As a resident and long term member of the Acton community, I am asking for your support of the "NO PROJECT ALTERNATIVE". Please help our two communities!

Sincerely,

Kevin Olen Kevin Olen

Cindie Olen Cindie Olen

c: Pete Knight, State Senator
Buck McKeon, Congressman
Michael Antonovich, 5th District Supervisor
Agua Dulce Town Council
Agua Dulce Civic Association

Memo

To: West Coast Environmental

From Sally McCord **Name**

33214 Cyn Drive **Address**

268-0134 **Phone Number**

Subject: Transit Mix Project

Date: March 10, 1999

Comments or question(s)

Will lights be shielded down?

125 ft reduction
30 acres affected.

How will this ridge reduction affect the wind patterns

Water does dry up in riverbed during summer,
What is done about this less water available

THE COMMUNITY OF
AGUA DULCE
COMMUNITY MEMBER COMMENT

I-45

C/O The Agua Dulce Town Council and
The Agua Dulce Civic Association
33201 Agua Dulce Canyon Road, Box #8, Agua Dulce, CA 91350

Regional Planning Commission
ATTN: Julie Moore, Project Planner
Los Angeles County
Impact Analysis Section, Room 1348
320 West Temple Street
Los Angeles, CA 90012

RE: Surface Mining Permit #91-165-(5)
Transit Mixed Concrete

FROM: Kathy Carver
(Full name - Please print)

I, the undersigned, wish to include the following comments in the formal response made by the Agua Dulce Town Council and the Agua Dulce Civic Association to the above referenced project. I also request that you take these comments into consideration in your deliberations, and include my comments in the public record.

SIGNATURE: _____ DATE: 6-5-99

Comments: We don't want our area turned into another Azusa Sand Pit. I also don't want overcrowding on Freeway by Trucks from mining

I am a resident of Agua Dulce, CA.

Please - NO Project!

Memo

To: West Coast Environmental

From Geo Miller **Name**

_____ **Address**

_____ **Phone Number**

Subject: Transit Mix Project

Date: March 10, 1999

Comments or question(s)

In your Victorville cement plant you have covered the immediate area with solid cement. what will happen in this new site?

Memo

To: West Coast Environmental

From Ronda Lockart **Name**

9833 Escondido **Address**

208-0861 **Phone Number**

Subject: Transit Mix Project

Date: March 10, 1999

Comments or question(s)

Who payed for environmental study? ✓
What exactly ~~does~~ air quality impact mean? ✓
My main problem is air quality for next 20 years and the impact of ~~de~~ evalving our community –
How many trucks in a 24 hour period will be going out of plant?

Memo

To: West Coast Environmental

From Art Brewer **Name**

_____ **Address**

_____ **Phone Number**

Subject: Transit Mix Project

Date: March 10, 1999

Comments or question(s)

What about cravesits, Archaelogical Sites? How are these protected, Are you aware of them

?

DARRELL

AFTER YOUR PROJECT IS FINISHED
ARE ALL THE AGREGATES GONE ?
SO IN THE FUTURE WE DON'T HAVE TO DO
THIS ALL OVER

Memo

To: West Coast Environmental

From Ray Brown **Name**

35900 Anthony Rd **Address**

268-0224 **Phone Number**

Subject: Transit Mix Project

Date: March 10, 1999

Comments or question(s)

What type veg. will grow in the Material to be deposited on North Slope

Memo

To: West Coast Environmental

From S. EAST **Name**

11561 SOLEDAD Cy **Address**

(661) 268-0520 **Phone Number**

Subject: Transit Mix Project

Date: March 10, 1999

Comments or question(s)

How much water will be used?
What is the source of the water?
~~What protection is provided for homes east of project at Soledad~~ + Agua Dulce Cy. Rd?

Memo

To: West Coast Environmental

From D. Saufley **Name**

_____ **Address**

268-1235 **Phone Number**

Subject: Transit Mix Project

Date: March 10, 1999

Comments or question(s)

I perceive that your hours of operation are not compatible with our rural environment. Can they be further mitigated?

I-53

ANNOUNCEMENT

ANNUAL COMMUNITY POTLUCK DINNER & AWARDS!

July 15 General Meeting - PICNIC ON THE PORCH Honoring Family of the Year and Pioneer (or Pioneer Family) of the Year Nominees from Local Organizations
Local 4-H Club will be providing entertainment and have some of their animals along!
Selection of 1999 Family of the Year and Pioneer (or Pioneer Family) of the Year
Family Barbeque and Potluck Picnic, Beer and Wine - bring your favorite side dish!

AGUA DULCE CIVIC ASSOCIATION FAX BALLOT - Transit Mixed Concrete

Please VOTE for ONE choice, only:

(NOTE: Two Civic Association members may vote on one ballot. "Voting privileges shall be limited to members who are property owners of Agua Dulce who are over eighteen (18) years of age...To be eligible to vote, one must be a member in good standing at least thirty (30) days prior to the vote. Each member will have one vote. Majority vote rules. There will be no proxy voting." Agua Dulce Civic Association By-laws))

(Check one box)

- ☐ Please pursue a "No Project" approach, as demonstrated by the facts. Include a statement that the Board of Supervisors should not provide a "Statement of Overriding Considerations" for this project.
- ☒ Please pursue a reduced project scope with high mitigation, delay of CalMat (or other) mining project, request a royalty payment to Agua Dulce;
- ☐ Please pursue a reduced project scope with high mitigation, and delay of CalMat (or other) mining project
- ☐ I believe there will be no impact on Agua Dulce, or such a minimal impact that further effort by the Town Council is not needed.
- ☐ There is nothing we can do, so why bother?
- ☐ OTHER: Stop Making everything "WORSE than it is"

YOUR NAME: Stephen Voyles Stephen Voyles (Please print)

PLEASE fax your ballot page to: (661) 268-7325

*IMPORTANT: **Although your vote will be kept in the strictest confidence, your name must show on your faxed ballot. It is necessary to verify that each ballot comes from a Civic Association member.***

Agua Dulce Civic Association, Inc.
33201-1 Agua Dulce Cyn. Rd.
Agua Dulce, CA 91350

SANTA CLARITA CA 913 PM 4 JUN 1999

USA 33

Stephen Voyles
905 Bolger Court

VOYL905W 630262902 1199 17 0
NOTIFY SENDER OF NEW ADDRESS
:STEPHEN VOYLES
PO BOX 544
FENTON MO 63026-0544

Agua Dulce Civic Association Inc.
Serving Agua Dulce since 1957

06/22/1995 21:23 18052687325 REED TRAVEL MARKETING PAGE 01

I-54

COMMUNITY MEMBER COMMENT

C/O The Agua Dulce Town Council and
The Agua Dulce Civic Association
33201 Agua Dulce Canyon Road, Box #8, Agua Dulce, CA 91350

Regional Planning Commission
ATTN: Julie Moore, Project Planner
Los Angeles County
Impact Analysis Section, Room 1348
320 West Temple Street
Los Angeles, CA 90012

RE: Surface Mining Permit #91-165-(5)
Transit Mixed Concrete

FROM: SHAUNA B. COMBER
(Full name – Please print)

We, the undersigned, wish to include the following comments in the formal response made by the Agua Dulce Town Council and the Agua Dulce Civic Association to the above referenced project. We/I also request that you take these comments into consideration in your deliberations, and include our/my comments in the public record.

SIGNATURE: Shauna Comber DATE: 5/25/99

Comments:

My family & I moved to Agua Dulce for a certain style & quality of life. It is my belief that the TMC (& later) projects have elements which are not mitigatable and would seriously compromise the life-style for which we live here. Additionally, do not believe that the designation process was carried out in a legal fashion – many people who would be affected by

DEAR SUPERVISOR ANTONOVICH

MY NAME IS PHILLIP AVILA, I'M THE PRODUCTION FOREMAN AT T.M.C. IN MOORPARK, I HAVE WORKED AT T.M.C. FOR 5 YEARS. MY EXPIERANCE WITH T.M.C. HAS BEEN VERY POSATIVE, THEIR WAGES ARE VERY COMPETATIVE, AS WE MAKE FROM 15.00 TO 20.00 AN HOUR. THEY ARE A VERY SAFETY ORIENTATED COMPANY. AS THEY CONSTANTLY HAVE TRAINING FOR THEIR EMPLOYEES. THIS JOB IS WHAT FEEDS MY FAMILY AND HOPE TO FEED MY FAMILY FOR ALOT OF YEARS TO COME. THE SOLEDAD PROJECT IS A BIG PLUS FOR IT WILL CREATE JOBS & REVENUE FOR YOUR DISTRICT

THANK YOU
PHILLIP AVILA

PHILLIP AVILA
343 LOS SERENOS DR
FILLMORE, CALIF 93015

I-56

May 5, 1999

5th District Supervisor
Michael Antonovich
500 West Temple Street, RM 869
Los Angeles, CA 90012

RE: TRANSIT MIX CONCRETE PROJECT

Dear Supervisor Antonovich:

You have been to Agua Dulce. You know what a natural treasure this area is. We're just 45 minutes from your office, but worlds apart. And now I hear that your office is supporting a project that will destroy the ecosystem and the rural lifestyle of our community. Is there no one who will stand up against the mighty dollar?
Joni Mitchell wrote,

"They paved paradise, and put up a parking lot."

Are more paved roads and parking lots worth destroying one of LA County's most beautiful areas?

Please, we urge you. STOP TRANSIT MIX CONCRETE from destroying this area. Stop them from jeopardizing the health of our children, neighbors and friends. Stop them from destroying this wildlife habitat. We do not need more concrete. We need leaders that put their constituents and California first before the almighty dollar. I hope you are such a leader. If not, we must work hard to elect those who are.

Sincerely,

Virginia Applen
Resident
Agua Dulce

Supervisor Antonovich

My name is James R Lankford
I have worked for T.M.C. for
5½ years. I am a machanic
for both the mixer & heavy duty
department. I make just over
20.00 per hour.
T.M.C has held many safty &
other training course. over
the years I have been with
them. It has been a good
living for my family and
others that I work with.
I have raised three daughters
and now three grand kids.
and hope that T.M.C. continue
to stay in ~~[illegible]~~ Ventura
county.

James R. Lankford
617 Boulder St
Fillmore CA 93015

James R Lankford

Berta González-Harper
27210 Plumwood Avenue
Santa Clarita, California 91351
(661) 251-0056 home
(661) 251-2199 work

April 13, 1999
Ms. Julie Moore, Dept. of Regional Planning
Tel # (213) 974-6443 Fax # (213) 626-0434

Ms. Moore:
I am a resident of Santa Clarita and attended a community meeting last evening regarding the proposed L.A. County Soledad Canyon Sand & Gravel Mining Project. As I am sure you are aware, this project involves surface mining of approximately 23 million tons of aggregate (sand & gravel) on a 460-acre site just outside the eastern boundary of the City of Santa Clarita. This site is proposed for both surface mining and concrete processing over a twenty year period for this particular company with the possibility of another company or this same company being granted a new contract after the initial twenty year period has elapsed. I have many concerns regarding this project and do not feel that its approval would be in the best interest of the residents of the Santa Clarita Valley. The major points I am concerned with, not in any particular order, are as follows:

- The increased traffic, which would result from an additional 754 truck trips phase 1 and 1,224 truck trips phase 2 operating 24 hours per day. These are Transit Mixed Concrete figures. Our freeways, both the 14 and the 5, and surface streets are already overloaded and cannot absorb the additional traffic this project and all the new residential development projects already approved will create. 1
- The additional air pollution generated by the trucks as well as the pollution from equipment at the site and the mining process itself. The air quality in the Santa Clarita Valley is bad enough already. The additional dust particles released into our air would pose another problem. The air quality modules used for TMC's studies involve data from 1981! Even TMC admits they cannot completely mitigate the increase in air pollution using even their 1981 based models. Please, we have many more people, vehicles and other sources of pollution in our valley that have surfaced since 1981. 2
- Speaking of surfacing, no information was available regarding what bacterium or viruses could or would be released into the atmosphere as a result of this mining operation. I am very concerned about " Valley Fever" spores, Hanta Virus and other potentially deadly strains, which are known to be released during earthquakes and other disturbances of earth, being unleashed upon an unsuspecting population. 3
- The proposed blasting events twice per week phase 1, 4 times per week phase two. Aside from the noise and dust produced, we live in an area that is prone to earthquake faults and events. According to the owner of an adjacent mine, Dan Curtis, it is unnecessary to blast if as TMC claims they are using "state of the art equipment". 4
- TMC would be able to mine 25 miles further North near Littlerock in the Antelope Valley. This site is in a less populated area and very near to established rail facilities. TMC has said rail costs would be prohibitive. I would like to see more effort put into exploring the Littlerock site and transportation by rail at whichever site is approved. The costs of these alternatives should be presented to the communities impacted so that a more informed decision can be arrived at. 5

In closing, I am opposed to this project going forward because of all the concerns that I do not feel can be mitigated satisfactorily. The increased traffic, pollution, noise, health, and other concerns all add up to undesirable quality of life issues. The project would create too many problems for the citizens of the Santa Clarita Valley and adjacent areas without providing sufficient offsetting benefits.

Sincerely,

Cc: Santa Clarita Mayor Jo Anne Darcy
Assemblyman George Runner
Supervisor Michael D. Antonovich

THE COMMUNITY OF AGUA DULCE

I-59

COMMUNITY MEMBER COMMENT

C/O The Agua Dulce Town Council and
The Agua Dulce Civic Association
33201 Agua Dulce Canyon Road, Box #8, Agua Dulce, CA 91350

Regional Planning Commission
ATTN: Julie Moore, Project Planner
Los Angeles County
Impact Analysis Section, Room 1348
320 West Temple Street
Los Angeles, CA 90012

RE: Surface Mining Permit #91-165-(5)
Transit Mixed Concrete

FROM: KENNETH G SOLIS
(Full name – Please print)

We, the undersigned, wish to include the following comments in the formal response made by the Agua Dulce Town Council and the Agua Dulce Civic Association to the above referenced project. We/I also request that you take these comments into consideration in your deliberations, and include our/my comments in the public record.

SIGNATURE: [signature] DATE: 5/15/99

Comments:

we Like Agua Dulce the way it is
please Don't Let them Mine here.

THE COMMUNITY OF AGUA DULCE

I-60

COMMUNITY MEMBER COMMENT

C/O The Agua Dulce Town Council and
The Agua Dulce Civic Association
33201 Agua Dulce Canyon Road, Box #8, Agua Dulce, CA 91350

Regional Planning Commission
ATTN: Julie Moore, Project Planner
Los Angeles County
Impact Analysis Section, Room 1348
320 West Temple Street
Los Angeles, CA 90012

RE: Surface Mining Permit #91-165-(5)
Transit Mixed Concrete

FROM: Easton Phillip LePacek
(Full name – Please print)

We, the undersigned, wish to include the following comments in the formal response made by the Agua Dulce Town Council and the Agua Dulce Civic Association to the above referenced project. We/I also request that you take these comments into consideration in your deliberations, and include our/my comments in the public record.

SIGNATURE: Easton P LePacek DATE: 5-15-99

Comments:
Please leave my little Town Clean + Free of Pollution.

THE COMMUNITY OF AGUA DULCE

COMMUNITY MEMBER COMMENT

C/O The Agua Dulce Town Council and
The Agua Dulce Civic Association
33201 Agua Dulce Canyon Road, Box #8, Agua Dulce, CA 91350

Regional Planning Commission
ATTN: Julie Moore, Project Planner
Los Angeles County
Impact Analysis Section, Room 1348
320 West Temple Street
Los Angeles, CA 90012

RE: Surface Mining Permit #91-165-(5)
Transit Mixed Concrete

FROM: Linden Perkins
(Full name – Please print)

We, the undersigned, wish to include the following comments in the formal response made by the Agua Dulce Town Council and the Agua Dulce Civic Association to the above referenced project. We/I also request that you take these comments into consideration in your deliberations, and include our/my comments in the public record.

As an Agua Dulce resident I very much oppose mining operations

SIGNATURE: [illegible] DATE: 5/15/95

Comments:

[illegible]

Dear Supervisor Antonovich

I-62

My name is Richard Thompson. I started out working as a Mechanic at P.W. Gillibrand. I came to TMC two years ago. It was the best move I've ever made. At Gillibrand I worked for ten dollers for five years. At TMC I started out at fourteen an hour and have been moved up to nineteen an hour.

This job has let me stay in Ca. and afford to by a house in Simi Valley. My Wife and I are very thankful to TMC for everything. In fact it's the safest place I've ever worked. We have weekly safty meetin and updates on production.

Thank you

Richard Thompson
1831 Burch Ave. Simi Valley
Ca. 93063

DEAR · SUPER VISAR ANTONOVIC

my na me es Rosalio Franco
yo trabajo Para + M.C.
y estoy. Felis de trabajar aqui
estoy agusto con todos mis companeros
de trabajo. x me tratan Bien
me pagan Bien mi Familia
esta - contenta Por que vivimos
Bien x. no tengo de que quejarme
me dan Buenos Beneficios
x esto conforme con todo

Gracias + M C

Rosalio Franco
3418. HELMS AVE
culver city -
CA 90232

THE COMMUNITY OF AGUA DULCE

I-64

COMMUNITY MEMBER COMMENT

C/O The Agua Dulce Town Council and
The Agua Dulce Civic Association
33201 Agua Dulce Canyon Road, Box #8, Agua Dulce, CA 91350

Regional Planning Commission
ATTN: Julie Moore, Project Planner
Los Angeles County
Impact Analysis Section, Room 1348
320 West Temple Street
Los Angeles, CA 90012

RE: Surface Mining Permit #91-165-(5)
Transit Mixed Concrete

FROM: Ralph Clarkson
(Full name – Please print)

We, the undersigned, wish to include the following comments in the formal response made by the Agua Dulce Town Council and the Agua Dulce Civic Association to the above referenced project. We/I also request that you take these comments into consideration in your deliberations, and include our/my comments in the public record.

SIGNATURE: Ralph Clarkson DATE: 5-15-99

Comments: I am an Agua Dulce Resident who has lived in the area for Seventeen years. I am seventeen years old, therefore that is all of my life, Every I have enjoyed the peace and quiet, fresh air and quite enjoyalbe drinking water.

From my understanding the mining that will be taking place will greatly reducing or erradicating the small, but cherishable qualities that make Agua Dulce what it is. I've been enjoying it for years and I'm not about to stop now.

Dear Supervisor Antonovich

My name is Mauricio Murillo I am a rock plant operator for TMC. I have worked for the company for 5 years. I make 19 dollars an hour the project at Soledad is important to me because to support my whole family

Sincerly Mauricio Murillo

Mauricio Murillo
1720 1st St
Simi Valley Ca 93065

DEAR SUPERVISOR ANTONOVICH

I've been working here at TMC in Moorpark for almost 2 years and i've been very happy with the company. I started out as a conveyorman and now am a plant operator running the belt press. What's really good about the company is that it allows you to have a opurtunity to learn different occupations and make better wages. My wages are $15.50 an hour and am very pleased. By working here at TMC its allowed me to buy own house for my family. I have a daughter and wife who is very pleased. TMC also provides very good benefits and a safe enviroment to work at. I really look forward to staying here working at TMC and retirering here one day.

Sincerly,

TORY CABRAL
316 RHODES CT.
FILLMORE Ca. 9301

Dear Supervisor Amstenstal
I am a with sugar and handicapper and urge issuance. The coming is very good to me and family

Paul Gill[illegible]
9800 Willis Ave
Pamunmore Cit[illegible]

Dear Superviser Antonovich

I have worked for T.M.C. for about four years, and have had steady work, and make about ninteen Dollars an hour. I have worked in L.A. County off and on since 1975. TMC has verry High safty and Environmentl Standers. I work as A heavy Equipment Operator. This Job is verry Impotant To me and my family. Thanks for considering This.

David Bame

David Bame
1079 lookout Rock Trail
Simi Valley CA 93063

Supervisor Antonovich

I am a scraper op. and I've worked for Tmc for 2 years. I make $17.00 an hour and I like working for Tmc. I would someday like to work at the Solanadad site. My job supports me very well with rent and car payments. Tmc is safe and environmentally sound. I hope you consider opening our plant Thank you.

Dan Steck
213 Sharon LN
Port Hueneme CA 93041
4/12/99

I-70

SANTOS Garcia
421 OLD TELEGRAPH R
Fillmore CA. 93015

Supervisor ANTONOVICH

I'm writing to you, to let you know that I wish you are thinking of pasting the plan for TMC on opening the new plant at Solided Canyon. I've been working for TMC for 2 years and I've enjoyed every minute of it. I started at the rock plant an from there I've got the chance to learn more, like the loader and Mud Press. It's a good paying job and with job I'm able to support my family very good.
So I hope you support the plan.

Thank You.

Tipo de trabajo Mantenimiento

I-71

Tengo 3 Semanas en la Compañia
Gano 17. Dollares por Hora

Este trabajo es muy importante para mi
y mi Familia porque es mi principal
Fuente de igreso-

Para Mi esta Compañia y sus dirigentes
Son muy Competitivos y Serviciales

Marcos Alvarez Lugo
8800 Kester Ave # 140
Panorama City Ca 91402

I-72

James R Bauer
6438 Penn St #C
Moorpark Ca 93021

Dear supervisor Antonovich
I work for Tmc. It a good center to
work from. it pays good. saw. I can
do a go Line in ca. and Tom
a good boss. I work for Tmc from 10 years

Jim Bauer
4/12/99

I-73

Phillip Cervantez
738 Del Valle
Fillmore, Calif
93015

Mr Antonovich

Plant Maintenance Employee For The
For The Last 6 month The starting wages
are Very well The Company is aware on
Safty & Invirment they work with Theory
Employee and Help them When ever possible
I Feel that it would be a good
thing For the City and the People.
I feel with you Support. there will
be more Work in that Community

Your Truly
Mr Phillip Cervantez

To: Supervisor Antonovich

My Name is Francisco Isiordia living in Tujunga Ca, And Am now working with T.M.C. At moorpark Ca, To me having the schedul plant open would be a good because I could transfer to that plant and be closer to home, My job with T.M.C. as a pit truck operator with a pay At 15.50 an hour, wich is very good pay from where I use to work 5 month ago.

7068 Shady Grove St
Tujunga Ca 91042
Tel (818) 353-8714

Francisco Isiordia

Omero Reyes
1300 Saratoga Ave #2106
Ventura CA. 93003

Dear Supervisor Antonuich

I am a Dozer operator and work for T M C I been working for about one year I enjoy my job I like it because we have a lot of benifits. I make 17.00 Dollars a hour. Me and my family depend on the job because their work all year round T M C. is a good place to work for I have enjoyed and they enjoying it for a lot of year to come.

Omero Reyes

4-12-99

THE COMMUNITY OF AGUA DULCE

I-76

COMMUNITY MEMBER COMMENT

C/O The Agua Dulce Town Council and
The Agua Dulce Civic Association
33201 Agua Dulce Canyon Road, Box #8, Agua Dulce, CA 91350

Regional Planning Commission
ATTN: Julie Moore, Project Planner
Los Angeles County
Impact Analysis Section, Room 1348
320 West Temple Street
Los Angeles, CA 90012

RE: Surface Mining Permit #91-165-(5)
Transit Mixed Concrete

FROM: Fred Alavaty
(Full name – Please print)

I, the undersigned, wish to include the following comments in the formal response made by the Agua Dulce Town Council and the Agua Dulce Civic Association to the above referenced project. I also request that you take these comments into consideration in your deliberations, and include my comments in the public record.

SIGNATURE: [signature] DATE: 6-16-99

Comments:

I am a resident of Agua Dulce, CA.

No T.M.C.

E.G.KOWBOYS,INC. LOS ANGELES

Reiner Schöne
9262 Old Stage Road
Agua Dulce, CA 91350
FON (805) 268-1022
FAX (805) 268-0852
reinerschon@earthlink.net

To: Michael Antonovich
Supervisor, 5th District of Los Angeles
23920 Valencia Blvd. Suite 255
Santa Clarita, CA. 91355

May 30, 1999

Dear Mr. Antonovich ,

As a homeowner in Agua Dulce, California, I am writing you this letter in protest against the "SOLEDAD CANYON SAND AND GRAVEL PROJECT NO. 91-165-(5)". This site is just a couple miles from my home. If this project is given permission to commence as proposed, great harm will come to those of us living in and around Agua Dulce. Our biggest concerns are the health risks we as residents and taxpayers would be facing. Our air and water will become toxic and our peaceful little town will sound like a battle zone with all the blasts set off. Not to mention the loss of our property value.
Please see to it that this project is not allowed . A project like this has no business in our backyard!!!!!

Sincerely,

Reiner Schöne

E.G.KOWBOYS,INC. LOS ANGELES

Reiner Schöne
9262 Old Stage Road
Agua Dulce, CA 91350
FON (805) 268-1022
FAX (805) 268-0852
reinerschon@earthlink.net

To Ms. Julie Moore
Project Manager, County of Los Angeles
Impact Analysis Section Room 1348
320 TEmple St.
Los Angeles CA 90012

May 30, 1999

Dear Ms. Moore,

As a homeowner in Agua Dulce, California, I am writing you this letter in protest against the "SOLEDAD CANYON SAND AND GRAVEL PROJECT NO. 91-165-(5)". This site is just a couple miles from my home. If this project is given permission to commence as proposed, great harm will come to those of us living in and around Agua Dulce. Our biggest concerns are the health risks we as residents and taxpayers would be facing. Our air and water will become toxic and our peaceful little town will sound like a battle zone with all the blasts set off. Not to mention the loss of our property value.
Please see to it that this project is not allowed . A project like this has no business in our backyard!!!!!

Sincerely,

Reiner Schöne

FRANCESCA CAPASSO

Vocalist/Songwriter

9262 OLD STAGE RD. AGUA DULCE, CA. 91350
TEL. (661) 268-1022 voice-mail/ pager (818) 558-0070
FAX (661) 268-0852 e-mail: francescacap@earthlink.net

To: Ms. Julie Moore
Project Manager, County of Los Angeles
Impact Analysis Section Room 1348
320 W. Temple St.
Los Angeles, CA. 90012

May 30, 1999

Dear Ms. Moore,

As a homeowner in Agua Dulce, California, I am writing you this letter in protest against the "SOLEDAD CANYON SAND AND GRAVEL PROJECT" NO. 91-165-(5). This site is just a couple miles from my home. If this project is given permission to commence as proposed, great harm will come to those of us living in and around Agua Dulce. Our biggest concerns are the health risks we as residents and taxpayers would be facing. Our air and water will become toxic and our peaceful little town will sound like a battle zone with all the blasts set off. Not to mention the loss of our property value.
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Sincerely,

Francesca Capasso-Schone

FRANCESCA CAPASSO

Vocalist/Songwriter

9262 OLD STAGE RD.
TEL. (661) 268-1022
FAX (661) 268-0852

AGUA DULCE, CA. 91350
voice-mail/ pager (818) 558-0070
e-mail: francescacap@earthlink.net

To: Michael Antonovich
Supervisor, 5th District of Los Angeles
23920 Valencia Blvd. Siute 255
Santa Clarita, CA. 91355

May 30, 1999

Dear Mr. Antonovich ,

As a homeowner in Agua Dulce, California, I am writing you this letter in protest against the "SOLEDAD CANYON SAND AND GRAVEL PROJECT' NO. 91-165-(5). This site is just a couple miles from my home. If this project is given permission to commence as proposed, great harm will come to those of us living in and around Agua Dulce. Our biggest concerns are the health risks we as residents and taxpayers would be facing. Our air and water will become toxic and our peaceful little town will sound like a battle zone with all the blasts set off. Not to mention the loss of our property value.
Please see to it that this project is not allowed . A project like this has no business in our backyard!!!!!

Sincerely,

Francesca Capasso-Schone

Board of Supervisors
County of Los Angeles

MICHAEL D. ANTONOVICH
SUPERVISOR, FIFTH DISTRICT

May 12, 1999

Ms. Virginia Applen
11203 Darling Road
Agua Dulce, California 91350-2840

Dear Ms. Applen:

Thank you for your recent letter expressing your opposition to the proposed Transit Mix mining in Soledad Canyon. I appreciate your interest in this issue.

Your letter raises a number of valid issues that will be addressed through the public hearing process. My office has met with the applicant and has shared our concern for these issues. We have suggested that he sit down in meaningful discussions with his neighbors to see what can be done to resolve these concerns.

The matter is presently before the Regional Planning Commission which is charged with determining whether the permit will be issued. Please be assured that should the proposal be appealed to the Board, I will give your issues serious consideration before I decide whether to support or oppose the application.

By copy of this letter, I am referring your letter to the Commission so that it will be included in the record of the public hearing.

Sincerely,

MICHAEL D. ANTONOVICH
Supervisor, Fifth District

MDA:dvd
transmix/frm

cc: Regional Planning Commission

ROOM 869 KENNETH HAHN HALL OF ADMINISTRATION, 500 WEST TEMPLE STREET, LOS ANGELES, CALIFORNIA
TELEPHONE (213) 974-5555 • (213) 974-1010 (FAX)

THE COMMUNITY OF AGUA DULCE

I-82

COMMUNITY MEMBER COMMENT

C/O The Agua Dulce Town Council and
The Agua Dulce Civic Association
33201 Agua Dulce Canyon Road, Box #8, Agua Dulce, CA 91350

Regional Planning Commission
ATTN: Julie Moore, Project Planner
Los Angeles County
Impact Analysis Section, Room 1348
320 West Temple Street
Los Angeles, CA 90012

RE: Surface Mining Permit #91-165-(5)
Transit Mixed Concrete

FROM: Kayla Marie Bagby
(Full name – Please print)

We, the undersigned, wish to include the following comments in the formal response made by the Agua Dulce Town Council and the Agua Dulce Civic Association to the above referenced project. We/I also request that you take these comments into consideration in your deliberations, and include our/my comments in the public record.

SIGNATURE: Kayla Marie Bagby DATE: 5-22-99

Comments:

I am a Agua Dulce resident, and the pollution that will e going into the air and our water supply will make us ery sick, and might die! Now I am only 12, but I do **NOT** want my family and friends breathing the oxic air! Please DO NOT let TMC project # p91-165-5 be approved!

THE COMMUNITY OF AGUA DULCE

I-83

COMMUNITY MEMBER COMMENT

C/O The Agua Dulce Town Council and
The Agua Dulce Civic Association
33201 Agua Dulce Canyon Road, Box #8, Agua Dulce, CA 91350

Regional Planning Commission
ATTN: Julie Moore, Project Planner
Los Angeles County
Impact Analysis Section, Room 1348
320 West Temple Street
Los Angeles, CA 90012

RE: Surface Mining Permit #91-165-(5)
Transit Mixed Concrete

FROM: Alfred J. Hlavaty
(Full name – Please print)

We, the undersigned, wish to include the following comments in the formal response made by the Agua Dulce Town Council and the Agua Dulce Civic Association to the above referenced project. We/I also request that you take these comments into consideration in your deliberations, and include our/my comments in the public record.

SIGNATURE: [signature] DATE: 5-22-99

Comments:

Too much impact on traffic on #14
Air and water is more than I care to endu
Please do not let this happen to the
surrounding area

THE COMMUNITY OF AGUA DULCE

I-84

COMMUNITY MEMBER COMMENT

C/O The Agua Dulce Town Council and
The Agua Dulce Civic Association
33201 Agua Dulce Canyon Road, Box #8, Agua Dulce, CA 91350

Regional Planning Commission
ATTN: Julie Moore, Project Planner
Los Angeles County
Impact Analysis Section, Room 1348
320 West Temple Street
Los Angeles, CA 90012

RE: Surface Mining Permit #91-165-(5)
Transit Mixed Concrete

FROM: Willard Stephen Bagby
(Full name – Please print)

We, the undersigned, wish to include the following comments in the formal response made by the Agua Dulce Town Council and the Agua Dulce Civic Association to the above referenced project. We/I also request that you take these comments into consideration in your deliberations, and include our/my comments in the public record.

SIGNATURE: Willard Stephen Bagby DATE: 5-22-99

Comments: My family and I are residents of Agua Dulce going on 19 years this Sept. We are very concerned about the damage to the environment and the health of resident living in the area that the proposed TMC project will have. Please do not put the almighty dollar over healt and safety. Willard Stephen Bagby

THE COMMUNITY OF AGUA DULCE

COMMUNITY MEMBER COMMENT

C/O The Agua Dulce Town Council and
The Agua Dulce Civic Association
33201 Agua Dulce Canyon Road, Box #8, Agua Dulce, CA 91350

Regional Planning Commission
ATTN: Julie Moore, Project Planner
Los Angeles County
Impact Analysis Section, Room 1348
320 West Temple Street
Los Angeles, CA 90012

RE: Surface Mining Permit #91-165-(5)
Transit Mixed Concrete

FROM: Jane Ann Bagby an Agua Dulce resider
(Full name – Please print)

We, the undersigned, wish to include the following comments in the formal response made by the Agua Dulce Town Council and the Agua Dulce Civic Association to the above referenced project. We/I also request that you take these comments into consideration in your deliberations, and include our/my comments in the public record.

SIGNATURE: Jane Ann Bagby DATE: 5-22-99

Comments:

There has been talk about valley fever. I have never sued anyone in my life, but God help them if they get this project TMC # CP91-165-5 passed and anyone in our family gets valle fever or any other related sickness from all the possible pollution and toxic run-of from this proposed mining project.

Please take this into consideration when iotina on TMC permit # 91-165-5.

5/9/99

Los Angeles County Regional Planning Commission
170 Hall of Records
320 W. Temple Street
Los Angeles, CA 90012

Dear Planning Commission:

I am writing you with great concern for the detrimental impacts that the Transit Mixed Concrete Mining Project #91165-5, south of the 14 frwy. and west of Agua Dulce Cyn. Road, will have on the quality of life for the nearby residents. I am a 11 year resident, taxpayer, and voter in the town of Agua Dulce, and have seen in the past 10 years an improvement of housing, facilities, and business in this area, yet this project will be a major setback. As you know the east side of Santa Clarita Valley is not as well planned in the development of its growth as the west side is in Valencia. Therefore we have been left vulnerable to exploitation by developers and industry who have no long term concern for our community.

I am asking you at this time to (1) make a stand for the residents of the east side of the valley and demand a rejection of the mining permit because of the significant environmental impacts; major degradation of our air quality, noise pollution due to extensive blasting and transportation, ground water and surface water pollution and flooding, general health and safety concerns, and aesthetically ugly areas for east side residents to have in their daily lives, along with adverse affects on our property values. (2) At the very least you should demand a proper investigation of these impacts which to date have not been thoroughly reported or shared with the community, so as to include those having to live with these impacts for a lifetime (as opposed to those who would experience a temporal financial gain and then move out). And please (3) communicate to me your position on this matter and what your office has done to further these concerns for the nearby residents and voters in the east side of the Santa Clarita Valley.

I look forward to your response.

Sincerely,

Kurt L. Hayden
11705 Laramie Way
Agua Dulce, CA 91350
661-268-0084
fax 661-268-0363

5/9/99

Julie Moore, Planner
Department of Regional Planning, Room 1383
320 W. Temple Street
Los Angeles, CA 90012

Dear Ms. Moore:

I am writing you with great concern for the detrimental impacts that the Transit Mixed Concrete Mining Project #91165-5, south of the 14 frwy. and west of Agua Dulce Cyn. Road, will have on the quality of life for the nearby residents. I am a 11 year resident, taxpayer, and voter in the town of Agua Dulce, and have seen in the past 10 years an improvement of housing, facilities, and business in this area, yet this project will be a major setback. As you know the east side of Santa Clarita Valley is not as well planned in the development of its growth as the west side is in Valencia. Therefore we have been left vulnerable to exploitation by developers and industry who have no long term concern for our community.

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I look forward to your response.

Sincerely,

Kurt L. Hayden
11705 Laramie Way
Agua Dulce, CA 91350
661-268-0084
fax 661-268-0363

April 12, 1999

Los Angeles County Regional Planning
320 West Temple Street Room 138
Los Angeles, California 90012

Subject: Proposed Hearing April 21, 1999
Re:: Surface Mining Permit #91-165-(5)

Dear Ladies and Gentlemen,

I would like to address the health affects caused by dust on humans living within the proposed mining area and surrounding communities.

(4) newspaper articles have been attached to my letter for your review concerning the seriousness of dust exposure to humans.

#1 **Dust clouds can carry Valley Fever, experts say.**
(March 19, 1997 Daily News)

This article is about the 1994 Northridge Earthquake and a dust cloud blamed for 3 deaths and more than 200 cases of Valley Fever. The article also quotes Center of Disease Control and Prevention.

#2 **Anonymous Illness.**
(February 18, 1999 The Signal)

This article details a family with Valley Fever, in Stevenson Ranch 2 months ago. This is very close to home.

#3 New Rules to Cut Dust Approved
(February 15, 1997 L.A. Times)

This article details that 50% of dust comes from roads. Also construction sites, mines, farms and landfills will be required to boost their efforts to reduce dust. Nell Soto, who represents the AQMD is worried that all cities are broke and unable to fund the Federal mandate. Also under a separate measure construction companies, mines and utilities must water dusty areas more often and clean up dust tracked from their sites.

#4 New Federal Rules In The Air
(January 22, 1997 Valley Press)

To quote Dr. Ricardo Tan, people with allergies or asthma can become seriously ill if blowing dust aggravates their conditions. Also, shutting down agricultural and construction operations during windy afternoons (this should be considered as a condition for permit #91-165-5)

After you have the opportunity to review and discuss the information I have presented to you, I feel that you the Regional Planning Board should require that a BOND of (1.5-2 million dollars) be posted and kept enforce for the next 25 years for the protection of the citizens exposed to dust.

Hopefully no one will have to make a claim, but if need be it could mean the difference between keeping a family together and not placing a burden for many years on them, until the courts could hear their case.

After all the Federal Government, State of California and Los Angeles County are all getting a BIG piece of the pie (CASH UP FRONT). It is up to you the members of Regional Planning to place safeguards within the permit for the protection of the public.

Sincerely yours,

Pat Allen

Pat Allen
11535 Mint Canyon Rd.
Saugus, Ca. 91350

c.c Natural History Club of Acton/Agua Dulce.

c.c. Agua Dulce Civic Association

c.c. Supervisor Antonvich,

c.c. L.A. Times

c.c. Daily News

c.c. The Signal

c.c. The Valley Press

Dust clouds can carry Valley Fever, experts say

By Betty Kwong
Daily News Staff Writer

Tiny spores scattered over Ventura County in a dust cloud raised by the 1994 Northridge Earthquake are blamed for three deaths and more than 200 cases of Valley Fever, researchers have concluded.

Next time the earth rumbles — be it a quake or any other massive dust-stirring event — keep your distance from the dust, said Dr. Eileen Schneider, lead author of a report published in today's Journal of the American Medical Association.

"We would ask people to stay away from physically being in a dust cloud," Schneider said Tuesday from her Atlanta office.

"Be aware that this is a risk factor, and try to lessen your exposure somehow," she said. "People who were in it for just a minute said they (contracted Valley Fever)."

The advisory applies to residents throughout the southwestern United States and parts of Central and South America, all areas where the fungal spores that cause Valley Fever grow, she added.

Schneider and co-author Dr. Rana Hajjeh, both epidemiologists with the Centers for Disease Control and Prevention in Atlanta, based their advisory on findings of their study of Simi Valley residents after the January 1994 earthquake.

They discovered that people who reported being enveloped in the dust cloud were most at risk of coming down with Valley Fever. The amount of time they spent in that cloud also played a part.

Researchers measured exposure to the dust cloud in 15-minute intervals.

"As you went from one to 15 minutes, then 15 to 30 minutes, the longer you spent in it, the more you had an increased risk," Schneider said.

People who were 40 or older also had a greater tendency of falling ill from the fungal infection, although Schneider said it's unknown why.

Coccidioidomycosis, commonly known as Valley Fever, is an infection caused by inhaling airborne spores of a fungus native to the Southwest. About 60 percent of people who contract it experience little or no sign of exposure. The rest come down with mild to serious flulike symptoms that include fatigue, fever, coughing and sometimes pneumonia. In rare instances, the infection can spread to other organs and lead to death.

Reports of Valley Fever in Ventura County, never before considered a breeding ground for the disease, have fallen to more normal levels of 24 cases in 1995 and 13 in 1996 since the high of 243 cases in 1994, said Marilyn Billemek, the county's epidemiologist.

"It was exciting," Billemek said Tuesday of that record year. "But we're happy that people are not getting the disease anymore."

At least, not in such great numbers.

Billemek said Ventura County officials have not discussed the possibility of warning residents the next time an event causes a massive dust cloud.

"By the time we got something in the news, it would be too late," she said. "People just need to learn by experience."

Local differences

But the cause of air pollution in the Antelope Valley is different from that of the Los Angeles Basin, said David Myers, Palmdale city councilman and AV Pollution Control District board member.

"Pollution control here will require different methods of regulation and this is one of the reasons we came up with our own district. We needed an air control district that would be tailored to our needs."

Although it must comply with the federal Clean Air Act, the local district plans to enact measures that are far more practical for Antelope Valley and friendlier to industries interested in relocating to the area, Myers said.

"We will have to look at how we can deal with natural conditions here."

The district will hold an organizational meeting Jan. 30 to begin a review of specific pollution control requirements before July 1, when it officially takes control of air quality regulations for Antelope Valley, according to board member Vern Lawson Jr.

$16.7 million cost

Measures proposed by South Coast that will affect counties and cities not included in the AV district would cost an average of $16.7 million per year for the next 13 years, according to the South Coast district's economist.

Those local governments would be responsible for 89% of the cost, with contractors, farmers, mining companies and public utilities picking up the remaining 11%.

Public works departments with roadways affected by windstorms, high winds, mudslides or truck spills that cover a paved roadway with more than 200 square feet of dirt, must begin cleaning up the sand, dirt or mud within 72 hours and complete the cleanup as soon as possible.

Williams predicted little difficulty in complying if the AV Air Quality Control District adopts the same or similar regulations.

"There are only three dirt roads in Palmdale," Williams said. Lancaster officials didn't immediately know how many miles of unpaved roads there are in that city.

Los Angeles County provides street cleaning within Palmdale, which would eliminate extra costs involved in purchasing new street sweepers that use filters or vacuums to remove minute soil particles, Williams said.

Government exempted

Some agricultural operations previously exempt from dust control rules would maintain their exemption if the operations have [illegible] soil erosion plan [illegible] Department of Agriculture. And petroleum coke facilities with approved dust control plans, public services, including sewage treatment plants, prisons, police and fire departments, schools, hospitals, landfills and water companies with dust control measures would be exempt.

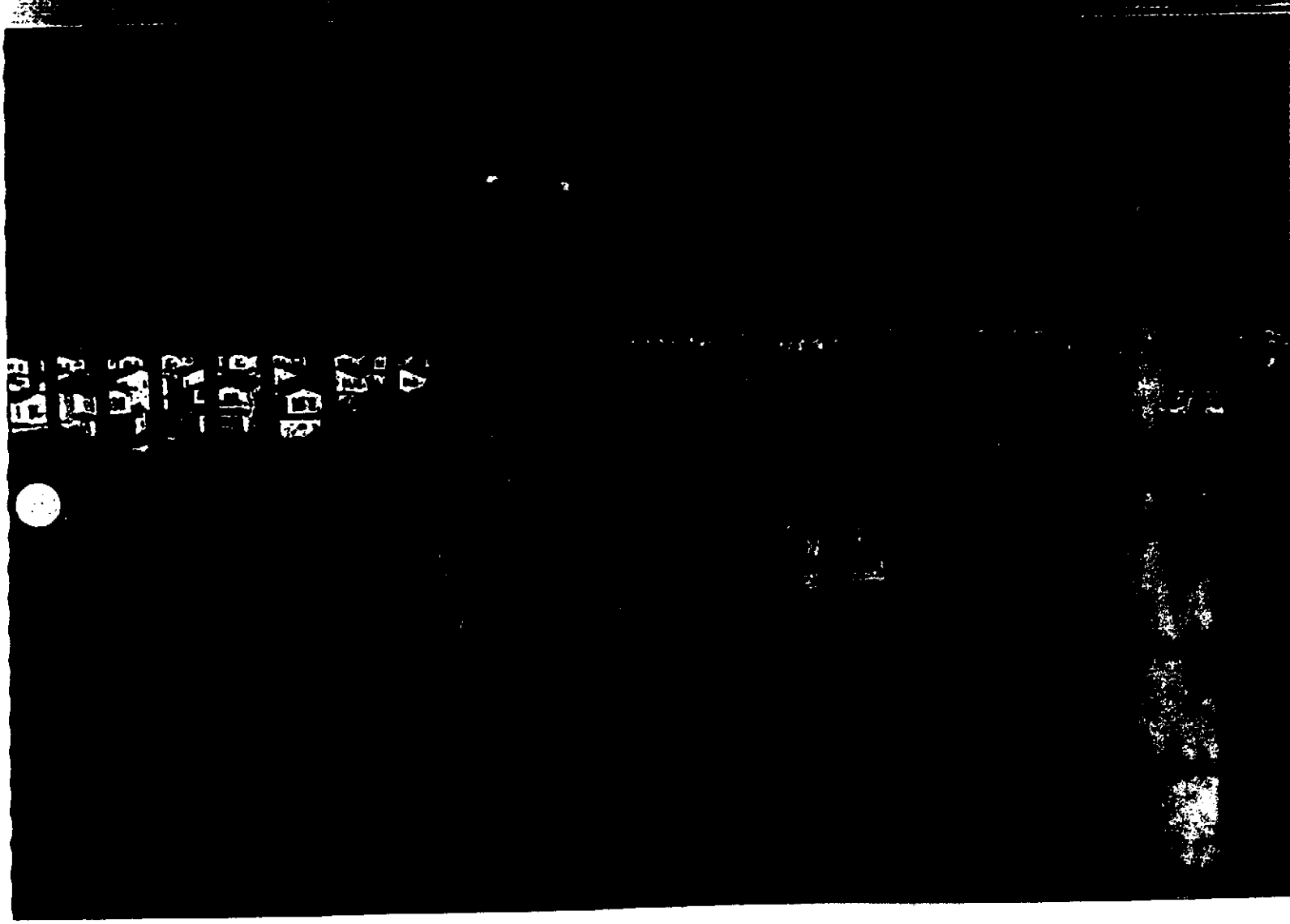
The regulations would not require cities to clean dirt roads with fewer than 500 average trips per day or roads affected by earthquakes, mudslides or other disasters declared a State of Emergency by the governor.

Mountain dirt roads above 3,000-foot elevation with fewer than 500 trips a day, used for essential public services such as fire or flood protection and dirt alleys, also would be exempt from cleanup rules.

Although the federal Clean Air Act requires adoption of more stringent dust control measure by Feb. 8, Antelope Valley cities, farmers, construction contractors and drivers have a reprieve until after July 1 when the new air district proposes its own regulations to the EPA.

THURSDAY
February 18, 1999

Anonymous Illness



DAVID BRYTON/The Signal

om Schumacher of Stevenson Ranch thought he had pneumonia, but after two weeks, doctors finally diagnosed him with alley Fever, an airborne fungus that attacks the lungs and can lead to meningitis.

Doctors say Valley Fever, an airborne fungal infection that ttacks the lungs, afflicts thousands of people, but most never now they have it. Though its symptoms mimic a cold, the isease can be fatal.

BY MIKE PENNER
Signal Staff Writer

Stevenson Ranch resident Tom Schumacher had never heard of Valley Fever when he went to Henry Mayo Newhall Memorial Hospital in December.

"It was just pneumonia-type symptoms — coughing, really bad cold, hacking, shortness of breath and high fever and just feeling basically like a cold," Schumacher said.

After nearly two weeks of testing, Schumacher, 37, was diagnosed with Valley Fever, a fungus that grows in the spores of soil in dry, alkaline, arid regions, and is sent into the air when the dust is disturbed.

Schumacher said doctors were able to detect the disease only after extensive blood tests.

"I had all the symptoms of pneumonia as far as mass in my lungs in X-rays, and I wasn't responding to normal pneumonia medication, so they had to go in and start taking more blood and finding out exactly what was wrong," he said.

The disease, medically termed *coccidioidomycosis*, has been termed San Joaquin Valley Fever because of its frequency in Central California, according to a report issued by doctors Richard M. Deaner and Hans Einstein of the Kern Medical Center in Bakersfield.

They write that the disease flourishes during favorable weather conditions and is spread once kicked up by the wind or another disturbing force.

After the spores are inhaled and go to the lungs, they grow in the tissue and "the pneumonia will spread until the body develops immunity to the fungus and thereby contains and suppresses the infection, or until a medication effective in destroying the fungus or in retarding the growth of the fungus is given," the report said.

Schumacher was not the only member of his household to come down with the disease. Shortly after returning home from the hospital, Zoe, his miniature dachshund, was diagnosed with Valley Fever.

"I was in the hospital for two weeks and when I came back my daughter noticed a bump on (the dog's) lymph node," he said.

The disease is not believed to be communicable, but it is common among dogs and other animals.

"Dogs are especially susceptible, probably because they are close to the ground and like to sniff in rodent burrows," said Dr. Marion Wieden of the Valley Fever Center for Excellence at the University of Arizona.

Zoe's veterinarian, Dr. John Burkhartsmeyer, said Valley Fever is not anything new to the area, but did not recall encountering any cases since just after the Northridge earthquake.

"After the quake there was kind of a flare-up; we assume it was from all of the dust that was shaken up from it," he said.

Burkhartsmeyer said most of the cases he had heard of were in areas that were not as well developed as Stevenson Ranch, but that some of the development in the area may have led to the contraction of the disease.

dirt over in Stevenson Ranch," he said.

The Acute Communicable Disease Control Unit of the L.A. County Department of Health Services reported that nine of 28 new cases in 1998 in L.A. County were in the San Fernando and Antelope Valley Health Districts, following a year in which 13 out of 40 were from that area. The city of Santa Clarita lies in both districts.

Dr. Gary Ordog, a toxicologist at Henry Mayo Newhall Memorial Hospital, said many people have the disease and do not even know it.

Ordog said he has probably diagnosed 30 cases over the last five years, a number he believes is low in relation to the number in the Santa Clarita Valley.

"There are probably a lot more than we're actually testing or diagnosing," he said. "The only way to tell is through a blood test, but we don't usually do them because it is such a common thing."

He estimated that "two-thirds of the population have had it and just thought they had the flu or some form of a milder infection," adding that they probably did not even bother to see a doctor.

Meningitis (inflammation of the membranes that envelop the brain and spinal cord) is among the potential diseases that can result from more severe cases of Valley Fever, but Ordog said he has known the disease to be fatal only when a patient was "immuno suppressed" — when the immune system was already weakened by a disease such as AIDS or cancer.

Dr. Elsworth Pryor, in Newhall since 1979, said for most people the infection stops in the lungs and they get pneumonia.

He said he had seen between 50 and 100 cases over the years, and "in the vast majority of people it goes away and they never even knew they had it unless they had a skin test," which he said does not always detect the disease because it may not have developed yet.

Schumacher, who recently quit smoking, said the habit may have played a role in his developing a more noticeable case of Valley Fever.

"I've had pneumonia before, so my lungs are really susceptible to that kind of junk, and I smoke — it really cures you of smoking," he said. "No one's ever told me that smoking's OK — if you smoke your lungs are not going to be 100 percent, but I had pneumonia before and I don't think my respiratory system is full bore anyway."

To combat the disease, Schumacher is taking 800 milligrams daily of the medication Diflucan, which kills the *Coccidioides* fungus while it is in the lungs. Schumacher said his dog is also taking much smaller doses of Diflucan — 3 milliliters per day.

ly," he said. "Everything I've read about Valley Fever is that it's a slow fever and it's not a bounce back process."

Valley Fever is nothing new to Santa Clarita resident David Hamilton. Hamilton's father, an entomologist, died from the disease in 1969.

Hamilton said his father, Warren, who used to work for the department of agriculture, first started displaying symptoms of the disease after being transferred to Twin Falls, Idaho, in 1957.

He said doctors were not able to diagnose his father right away because the landscape there does not fit the bill of being dry and arid, so it may not have even entered into their minds.

"In Idaho they simply did not recognize these symptoms for what they were," he said. "(Valley Fever) is not going to be high on the list in the northern area."

Hamilton said his father's problems began with an infection on the right ankle joint, and before long he had to have his lower right leg amputated.

After being diagnosed in Idaho, Hamilton's father was sent by the government to a public health office in San Francisco, where he would stay months at a time.

"The fungus traveled through his blood stream to other parts of his body," he said. "They took X-rays of his joints and they were essentially gone — they were just chewed up."

Warren Hamilton, who died in 1969, was moved to a rest home when it became apparent the disease was going to be terminal.

Hamilton said his father's condition (which also included the amputation of the left arm above the elbow), coupled with limited knowledge about the disease, led to drastic measures by health officials.

"A few days before his death the rest home where he was basically got ordered to throw him out because at that point he had such severe infections they couldn't handle it there," Hamilton said.

"State health officials ordered his coffin be sealed because they were so concerned about the infections," he added.

The Santa Clarita Valley falls under the jurisdiction of the South Coast Air Quality Management District, which has two particular rules for addressing dust abatement.

Rule 402 bans anyone from putting contaminants or other materials into the air "which cause injury, detriment, nuisance or annoyance to any considerable number of persons to the public, or which endanger the comfort, repose, health or safety of any such

Los Angeles Times
F/CC† SATURDAY, FEBRUARY 15, 1997

New Rules to Cut Dust Approved

■ Air: AQMD tells all cities and counties in region to boost street sweeping and control particles on unpaved roads.

By MARLA CONE
TIMES ENVIRONMENTAL WRITER

Southern California streets and skies should be cleaner under a new regulation approved Friday that requires all cities and counties in the region to improve their street sweeping and to control dust on unpaved roads.

Clouds of road dust are a major source of particulates, the microscopic pieces of pollution that can trigger serious respiratory problems and form a gritty, gray haze. Dust accounts for about a third of the particulates in the Los Angeles Basin and reducing dust is regarded as one of the cheapest and most effective ways to clean up the air here.

Two measures, approved unanimously Friday by the South Coast Air Quality Management District board, are designed to scrub the skies of an estimated 86 tons of particles every day.

The more sweeping mandate affects the upkeep of tens of thousands of miles of paved and unpaved roads in Los Angeles, Orange and nondesert portions of Riverside and San Bernardino counties.

Sweepers equipped with vacuums or filters capable of removing fine pieces of dust and silt will be purchased for paved streets, and many of the basin's 4,600 miles of unpaved roads will be paved or subjected to other dust controls.

Also, under the second measure, construction sites, mines, farms and landfills will be required to boost their efforts to reduce dust.

Please see DUST, B7

Continued from B1

The AQMD estimates that the measures will cost $10.6 million yearly, of which $8.8 million will be borne by the region's 150 city and county governments.

At a time when local governments are already strapped for money, many mayors and other city officials opposed the rule, saying they will have trouble paying for the extra street maintenance.

"We are more than willing to comply as far as improving the quality of life of our citizens, but where are we going to get the money?" said Jane Williams, an associate traffic engineer for Moreno Valley near Riverside.

Although construction sites and landfills have faced AQMD dust requirements for years, this is the first time that the agency's quest for clean air has turned to the massive amounts of road dust that loft up into the sky.

Every year from 1998 through 2006, each city and county must either pave one mile of unpaved road, apply dust suppressants such as polymers to two miles, or reduce speeds to 15 mph on three miles. The roads chosen are required to be among those that are the most well-traveled.

Of the basin's 4,600 miles of unpaved roads, more than half are in Los Angeles County. Even the city of Los Angeles has some stretches of unpaved streets left.

Livestock operations, mostly in Riverside and San Bernardino counties, also are required under the new rule to pave or lay thick gravel on their private roads.

In addition, cities and counties must purchase special street sweepers that can suck up microscopic particles under 10 microns in diameter. They must also remove large areas of dust from paved roads within 72 hours of a windstorm, mudslide, truck spill or other event.

Today, most cities use broom sweepers, which many residents have long ridiculed as ineffective since they can stir up more dust than they pick up. But beginning in 1999, newly purchased equipment for use on roads where a lot of silt builds up must be vacuum sweepers or equivalent technologies for

persons or the public, or which cause, or have a natural tendency to cause, injury or damage to business or property."

However, according to the rule, those growing crops or raising livestock are exempt from punishment for t lors emanating from such practices.

Rule 403 goes into greater detail regarding "fugitive dust" and is chiefly concerned with the prevention of dust from man-made sources from emanating to other areas, listing various sources of fugitive dust and actions that may be taken to control it.

Sam Atwood, spokesman for the SCAQMD, estimated the district receives 13,000 calls each year regarding air pollution.

"The lion's share of the complaints we receive for nuisance are due to odors," he said.

When the district receives a complaint, Atwood said, it sends out an inspector, who must witness the problem and track the dust back to the source before issuing a violation notice. The notice is forwarded to the district prosecutor's office for review.

If it is a minor violation, it can be settled between one of the investigators and the property owner. If it is more significant, it would likely go to one of the attorneys in the district prosecutor's office and would be settled e n attorneys representing the ent and the developer.

"The business has to take steps to solve the problem and keep it from curring," Atwood said.

Meanwhile, Schumacher, a UPS pervisor, has since returned to work d his strength is coming back slowbut he continues to feel its effects.

"I get tired mowing my lawn. I on't go running or I don't do any realphysical stuff at the moment, where did before I got it," he said.

DAVID BITTON-The Sign

Tom Schumacher feeds his miniature dachshund Zoe her daily dose of bubble gum-flavore Diflucan to combat a fungus known as Valley Fever. The disease features many pneumonia-typ symptoms, but usually cannot be diagnosed without blood tests.

THE COMMUNITY OF AGUA DULCE

I-89

COMMUNITY MEMBER COMMENT

C/O The Agua Dulce Town Council and
The Agua Dulce Civic Association
33201 Agua Dulce Canyon Road, Box #8, Agua Dulce, CA 91350

Regional Planning Commission
ATTN: Julie Moore, Project Planner
Los Angeles County
Impact Analysis Section, Room 1348
320 West Temple Street
Los Angeles, CA 90012

RE: Surface Mining Permit #91-165-(5)
Transit Mixed Concrete

FROM: ROBERT K GRIER
(Full name – Please print)

We, the undersigned, wish to include the following comments in the formal response made by the Agua Dulce Town Council and the Agua Dulce Civic Association to the above referenced project. We/I also request that you take these comments into consideration in your deliberations, and include our/my comments in the public record.

SIGNATURE: Robert K Grier DATE: 5-15-99

Comments:

Please do not issue a permit

R.K. Grier
0321 ESCONDIDO CYN RD
AGUA DULCE CA
91350

THE COMMUNITY OF AGUA DULCE

COMMUNITY MEMBER COMMENT

C/O The Agua Dulce Town Council and
The Agua Dulce Civic Association
33201 Agua Dulce Canyon Road, Box #8, Agua Dulce, CA 91350

Regional Planning Commission
ATTN: Julie Moore, Project Planner
Los Angeles County
Impact Analysis Section, Room 1348
320 West Temple Street
Los Angeles, CA 90012

RE: Surface Mining Permit #91-165-(5)
Transit Mixed Concrete

FROM: Charlotte B. Van Lohn
(Full name – Please print)

We, the undersigned, wish to include the following comments in the formal response made by the Agua Dulce Town Council and the Agua Dulce Civic Association to the above referenced project. We/I also request that you take these comments into consideration in your deliberations, and include our/my comments in the public record.

SIGNATURE: Charlotte B. Van Lohn DATE: 5/15/99

Comments:

I am an Agua Dulce resident — please do not contaminate our air to breathe — and the NOISE, too. NO NO NO — leave us alone we like it here!

I-91

THE COMMUNITY OF AGUA DULCE

COMMUNITY MEMBER COMMENT

C/O The Agua Dulce Town Council and
The Agua Dulce Civic Association
33201 Agua Dulce Canyon Road, Box #8, Agua Dulce, CA 91350

Regional Planning Commission
ATTN: Julie Moore, Project Planner
Los Angeles County
Impact Analysis Section, Room 1348
320 West Temple Street
Los Angeles, CA 90012

RE: Surface Mining Permit #91-165-(5)
Transit Mixed Concrete

FROM: LINDA F. KIRK
(Full name – Please print)

We, the undersigned, wish to include the following comments in the formal response made by the Agua Dulce Town Council and the Agua Dulce Civic Association to the above referenced project. We/I also request that you take these comments into consideration in your deliberations, and include our/my comments in the public record.

SIGNATURE: Linda F. Kirk DATE: 5-15-99

Comments:

This is the most devastating project to the Santa Clarita, Agua Dulce & Acton areas. Bad air, Horrible Land Use, Devasting to the Hwy 14 + local streets. (not built to stand that many heavy trucks).

The EIR should start over!!! too old & not accurate data, No attempt to look at cummulative effect of Transit Mix and Cal Mat 545ac 1200ac

Linda Kirk

for a Agua Dulce resident.

THE COMMUNITY OF AGUA DULCE

I-92

COMMUNITY MEMBER COMMENT

C/O The Agua Dulce Town Council and
The Agua Dulce Civic Association
33201 Agua Dulce Canyon Road, Box #8, Agua Dulce, CA 91350

Regional Planning Commission
ATTN: Julie Moore, Project Planner
Los Angeles County
Impact Analysis Section, Room 1348
320 West Temple Street
Los Angeles, CA 90012

RE: Surface Mining Permit #91-165-(5)
Transit Mixed Concrete

FROM: ROBERT E. BOWERS
(Full name – Please print)

We, the undersigned, wish to include the following comments in the formal response made by the Agua Dulce Town Council and the Agua Dulce Civic Association to the above referenced project. We/I also request that you take these comments into consideration in your deliberations, and include our/my comments in the public record.

SIGNATURE: Robert E Bowers DATE: 5/15/99

Comments:

I am a resident of Palmdale but I work in Agua Dulce

THE COMMUNITY OF AGUA DULCE

COMMUNITY MEMBER COMMENT

C/O The Agua Dulce Town Council and
The Agua Dulce Civic Association
33201 Agua Dulce Canyon Road, Box #8, Agua Dulce, CA 91350

Regional Planning Commission
ATTN: Julie Moore, Project Planner
Los Angeles County
Impact Analysis Section, Room 1348
320 West Temple Street
Los Angeles, CA 90012

RE: Surface Mining Permit #91-165-(5)
Transit Mixed Concrete

FROM: Carl Eugene Gorham
(Full name – Please print)

We, the undersigned, wish to include the following comments in the formal response made by the Agua Dulce Town Council and the Agua Dulce Civic Association to the above referenced project. We/I also request that you take these comments into consideration in your deliberations, and include our/my comments in the public record.

SIGNATURE: Carl Eugene Gorham DATE: 5/15/99

Comments:
I am a Agua Dulce resident
& support the Agua Dulce Town Council & Civic
association response

THE COMMUNITY OF AGUA DULCE

COMMUNITY MEMBER COMMENT

C/O The Agua Dulce Town Council and
The Agua Dulce Civic Association
33201 Agua Dulce Canyon Road, Box #8, Agua Dulce, CA 91350

Regional Planning Commission
ATTN: Julie Moore, Project Planner
Los Angeles County
Impact Analysis Section, Room 1348
320 West Temple Street
Los Angeles, CA 90012

RE: Surface Mining Permit #91-165-(5)
Transit Mixed Concrete

FROM: BRAD JOHNSON
(Full name – Please print)

We, the undersigned, wish to include the following comments in the formal response made by the Agua Dulce Town Council and the Agua Dulce Civic Association to the above referenced project. We/I also request that you take these comments into consideration in your deliberations, and include our/my comments in the public record.

SIGNATURE: [illegible] DATE: 5.14.99

Comments:

I am agua dulce resident. I support agua Dulce Town council resolution.

[illegible]

I-95

THE COMMUNITY OF AGUA DULCE

COMMUNITY MEMBER COMMENT

C/O The Agua Dulce Town Council and
The Agua Dulce Civic Association
33201 Agua Dulce Canyon Road, Box #8, Agua Dulce, CA 91350

Regional Planning Commission
ATTN: Julie Moore, Project Planner
Los Angeles County
Impact Analysis Section, Room 1348
320 West Temple Street
Los Angeles, CA 90012

RE: **Surface Mining Permit #91-165-(5)**
Transit Mixed Concrete

FROM: Carnetta Jones
(Full name – Please print)

We, the undersigned, wish to include the following comments in the formal response made by the Agua Dulce Town Council and the Agua Dulce Civic Association to the above referenced project. We/I also request that you take these comments into consideration in your deliberations, and include our/my comments in the public record.

SIGNATURE: Carnetta Jones DATE: 3/13/99

Comments:

I am an Agua Dulce resident and I support the Agua Dulce Town Council's decision.

THE COMMUNITY OF AGUA DULCE

COMMUNITY MEMBER COMMENT

C/O The Agua Dulce Town Council and
The Agua Dulce Civic Association
33201 Agua Dulce Canyon Road, Box #8, Agua Dulce, CA 91350

Regional Planning Commission
ATTN: Julie Moore, Project Planner
Los Angeles County
Impact Analysis Section, Room 1348
320 West Temple Street
Los Angeles, CA 90012

RE: Surface Mining Permit #91-165-(5)
Transit Mixed Concrete

FROM: TOM TRIMBLE
(Full name – Please print)

We, the undersigned, wish to include the following comments in the formal response made by the Agua Dulce Town Council and the Agua Dulce Civic Association to the above referenced project. We/I also request that you take these comments into consideration in your deliberations, and include our/my comments in the public record.

SIGNATURE: [signature] DATE: 5/15/99

Comments:

I AM AN AGUA DULCE RESIDENT, I SUPPORT AGUA DULCE TOWN COUNCIL RESPONSE.

[signature]

THE COMMUNITY OF AGUA DULCE

COMMUNITY MEMBER COMMENT

C/O The Agua Dulce Town Council and
The Agua Dulce Civic Association
33201 Agua Dulce Canyon Road, Box #8, Agua Dulce, CA 91350

Regional Planning Commission
ATTN: Julie Moore, Project Planner
Los Angeles County
Impact Analysis Section, Room 1348
320 West Temple Street
Los Angeles, CA 90012

RE: Surface Mining Permit #91-165-(5)
Transit Mixed Concrete

FROM: HARRY LOCKART
(Full name – Please print)

We, the undersigned, wish to include the following comments in the formal response made by the Agua Dulce Town Council and the Agua Dulce Civic Association to the above referenced project. We/I also request that you take these comments into consideration in your deliberations, and include our/my comments in the public record.

SIGNATURE: Harry E. Lockart **DATE:** 5/15/99

Comments:

Please Do Not Let this happen to Our community. Our children will be breathing the Dust when the wind Blows! Please Don't let money Be more important than childrens Health!

THE COMMUNITY OF AGUA DULCE

I-98

COMMUNITY MEMBER COMMENT

C/O The Agua Dulce Town Council and
The Agua Dulce Civic Association
33201 Agua Dulce Canyon Road, Box #8, Agua Dulce, CA 91350

Regional Planning Commission
ATTN: Julie Moore, Project Planner
Los Angeles County
Impact Analysis Section, Room 1348
320 West Temple Street
Los Angeles, CA 90012

RE: Surface Mining Permit #91-165-(5)
Transit Mixed Concrete

FROM: Roma Lockart
(Full name – Please print)

We, the undersigned, wish to include the following comments in the formal response made by the Agua Dulce Town Council and the Agua Dulce Civic Association to the above referenced project. We/I also request that you take these comments into consideration in your deliberations, and include our/my comments in the public record.

SIGNATURE: Roma Lockart DATE: 5/15/99

Comments:

Stop the mine please!
for the children!

Stuart Larson <slarson@westworld.com> on 08/27/56 11:27:18 PM

To: Elena Misquez/CASO/CA/BLM/DOI
cc:
Subject: Proposed Soledad Canyon mining project

Mr. James G. Kenna
Field Manager
Bureau of Land Management
Palm Springs-South Coast Field Office
690 W. Garnet Avenue
PO Box 1260
North Palm Springs, CA 92258

Dear Mr. Kenna:

I am writing in response to the Supplemental Draft EIS for the Transit Mixed proposed Mining Project in Soledad Canyon. I have reviewed copies of both the DEIS and SDEIS and have grave concerns about the project. Although it appears that the newly proposed conveyor belt system would result in reduced air pollution, it is clearly stated in the SDEIS that air quality would still be significantly adversely affected. This is unacceptable due to the close proximity of residential areas (both existing and planned), including schools, to the proposed mine site. Since the air studies were based on data collected in Newhall (which is over 11 miles away), it is clearly possible, even probable, that the increased air pollution near the proposed project site would be even greater than the SDEIS predicts. 1

One would hope and expect that the DEIS and SDEIS would be objective documents, but they certainly appear to be severely biased toward approval of the project. They are highly technical documents, so it is difficult for the layman to understand many of the technical issues. However, many statements in the DEIS and SDEIS are clearly misleading to the point of being disingenuous, even to a layman. For example, on page 2-16 of the SDEIS, it states, ¸The Project proposes mining sand and gravel on a site that has been mined for much of the past 30 years¸. In fact, however, according to the owner of the property, Mr. Ben Curtis, THERE HAS BEEN NO MINING ON THIS SITE SINCE 1986! 2

The SDEIS also continually refers to BACM (¸best available control measures¸), which implies some measure of effectiveness, while in fact the ¸best available control measures¸ may have absolutely no effective mitigation results whatsoever. There are no quantifiable standards for a measure to qualify as ¸best available¸--it may have absolutely no effect, yet still qualify as being the ¸best available control measure¸. 3

The documents repeatedly compare the proposed mining project with an alternative of hauling aggregate from Palmdale and cite emissions caused 4

by increased truck travel as a result of this alternative. This is inherently a false conclusion, since this is only one of many alternatives that could be used if the proposed project is denied, and there is no guarantee this alternative would be used. Other alternatives may not result in increased haul trips, such as transport by rail. For this reason, the statements which draw conclusions about the impacts of the No Project alternative, such as that on page 2-18 of the SDEIS, should be widened to take into account other alternatives or deleted from the documents. 4

In the Air Quality Modeling Results section of the SDEIS, it is repeatedly stated that certain air quality standards, such as those for PM10 and NO2, are ¸currently exceeded without the project¸. The document seemingly implies that the project would therefore have a reduced effect. Those of us who live in proximity to the proposed site, however, have the more obvious view that adding pollution to a site which already has poor air quality would be disastrous. 5

My personal experience from living in this area for the past two years is that the winds are extremely strong. In fact, Soledad Canyon is a main conduit for Santa Ana winds, and the effect of these winds on fugitive dust generated by the project would be to blow them directly over the adjacent residential areas. This is not addressed in the air quality studies based on the Newhall data. 6

The traffic study included in the DEIS is also very misleading. Since virtually every truck leaving the site would be a dual-semi truck fully loaded with aggregate, the choice of a Passenger Car Equivalent (PCE) of ¸2¸ borders on the ridiculous. Since this is so obviously inaccurate, the validity and objectivity of the DEIS is called into question. Using a more correct PCE of 4 (or higher, according to some traffic experts), the effect on traffic on the 14 freeway would be substantial enough to call for additional study. 7

There is substantial evidence that Southdown (TMC¸s parent company) has a poor environmental record. I urge you to examine the website at <http://www.geocities.com/~watchdogs>. The Watchdogs are a group of citizens in Colorado that live near a Southdown mine. This mine is not identical to the proposed Soledad Canyon mine, but there are many similarities. The Colorado mine has generated a significant amount of fugitive dust¸there are many pictures on the website documenting this. In some of these pictures, the mine is completely obscured from view by dust clouds. ¸Baghouse¸ dust pits were causing much of the dust, and, after resident¸s complaints, media exposure in local newspapers, and a directive from the Colorado Department of Health and Environment, Southdown Corporation covered these pits -- but it still took 91 days after the directive for Southdown to comply. It appears that there are problems with air quality even when laws and rules are in effect. Although Southdown has been portrayed as ¸a good neighbor¸ and ¸environmentally conscientious¸ at some of the meetings I have attended, real-world testimony appears to contradict these characterizations. There are other links from the Watchdogs website detailing lawsuits brought against Southdown in Ohio. 8

After serious consideration of the effects of the proposed project, I am adamantly proposed to this project and urge you to deny the permit. It is vital for you to note the overwhelming community opposition to this project. Please examine the list of opponents to this project: The Cities of Santa Clarita, Agua Dulce, and Acton; U.S. Representative 9

¸Buck¸ McKeon, Assemblyman George Runner, and Senator Pete Knight; the Santa Clarita Valley Chamber of Commerce; three local school districts; the Southland Regional Association of Realtors; every local environmental group; local water agencies; and every homeowners group within miles of the mine site. As you obviously know, the permit was unanimously rejected by the Regional Planning Commission of Los Angeles County.

The only proponents of this mine, however, are those who would profit from it: Southdown/TMC and their employees, paid consultants, or other parties in the construction industry. Virtually no local group without ties to the mine is in favor of it.

Please follow the will of the populace and reject this project. It is abundantly clear that this project is not in the best interests of the public.

Sincerely,
Stuart Larson

--

14215 W. Everglades Court
Canyon Country, CA 91351
661-251-5146
fax 661-298-0312
slarson@westworld.com

10

I-100

RECEIVED
BUREAU OF LAND MANAGEMENT
00 JAN 12 PM 3: 11
PALM SPRINGS-SOUTH COAST
RESOURCE AREA

January 10, 2000

James G. Kenna, Field Manager
Palm Springs-South Coast Field Office
Bureau of Land Management
P.O. Box 1260
North Palm Springs, CA 92258

Re: OEPC # DEIS 99-57 Transitmixed Co. (Southdown Co.)

Dear Mr. Kenna:

We have perused the supplement to the D.E.I.S. Soledad Canyon sand and gravel mining project and feel that while the addition of the conveyer belt will mitigate some of the dust, perhaps three per cent , it is certainly not sufficient to approve this project.

This company initially claimed the Santa Clarita valley area was in dire need of aggregate. Which by the way was blatantly untrue, as the Con Rock mining operation, which is within yards of the proposed site, was shut down several years ago for lack of business. When this didn't work they decided the San Fernando Valley needed the aggregate, however Con Rock Had also shut down an operation in San Fernando. So now they claim the rock is needed in the L.A. Basin. I personally think they are grasping at straws to justify this environmentally destructive operation. It will also add to the atrocious traffic problems plaguing this area To truck aggregate fifty to sixty miles is ludicrous and we ask you to deny this operation. 1

Sincerely,

Tana Lampton

Tana F. Lampton

Vinton M. Lampton

31851 Windrush Rd.
Agua Dulce, CA 91350
Ph 661-268-1136
Fx 661-268-8864

I-101

James Frautnick
29319 Snapdragon Place
Santa Clarita CA 91351

4 October 1999

Mr. James Kenna
Bureau of Land Management
Palm Springs/Southcoast Field Office
PO Box 1260
N. Palm Springs, CA 92258

Dear Mr. Kenna;

I am writing to strongly oppose the extension of the Rock Quarry in Canyon Country. The proposed extension is unhealthful and will cause severe health and safety problems in the Santa Clarita valley. The dust that is generated by the excavations and blasting will aggravate my existing lung condition. In addition, people without existing health problems will begin to develop Pulmonary Silicosis, Valley Fever, and allergies. 1

The extra truck trips on our local roads and freeways will add to an already bad traffic congestion and create more air pollution. Traffic accidents with trucks will increase. Debris from loaded trucks will create safety and health problems, as well. 2

The daily blasting will be heard through the valley. Blasts from the old Bermite Plant in Saugus were clearly heard throughout the valley when it had unplanned explosions a few times a year. Daily blasting will make residents feel like they are in a war zone and will cause nervous conditions in residents. 3

Please, please do not subject us to such an unwarranted degradation of our health, both mental and physical. 4

Sincerely

James Frautnick

I-102

October 5, 1999

Mr. James Kenna
Palm Springs/Southcoast Field Office
P.O. Box 1260
N. Palm Springs, CA 92258

Dear Mr. Kenna:

This letter is to inform you that as a resident of Canyon Country, I do *not* support the gravel mining project off Soledad Canyon. 1

My husband, little son and I moved here last December because we loved the neighborhood, clean air, light traffic, and rural feel. Although we expected some developments to be built, we felt confident that Santa Clarita's master plan was operating to our benefit.

We were very disappointed to hear about this proposed mining operation so close to our neighborhoods, including a large projected increase in traffic – and heavy trucks, at that. 2

Please vote a decided NO on the mining project.

Sincerely,

Alan and Christine Chudnow
15603 Lucille Ct.
Canyon Country, CA 91351

cc: L.A. Regional Planning Commission

10060 Lagos Road
Agua Dulce, California 91350

13 December 1999

Mr. James Kenna
Field Manager, Palm Springs-South Coast Office
Bureau of Land Management
Post Office Box 1260
North Palm Springs, California 92258

Dear Sir...

No doubt you are aware by now that the LA County Planning Commission has denied Transit Mix Company's request for a Surface Mining Permit. They denied the Permit unanimously and in spite of Transit Mix's lobbying attempts in Washington. No doubt the LA County Board of Supervisors, having also seen through the strenuous attempts of Transit Mix to muscle through their project, will follow suit and deny TMC the requested Statement of Overriding Considerations.

I am sure you are familiar with all of the hazards to health and safety of this mining project, all of the affronts to peace, quiet and beauty and all of the incomplete, distorted and inadequate aspects of TMC's Environmental Impact Report.

It is my understanding that the Bureau of Land Management is considering over-ruling LA County's unanimous and completely unambiguous resounding "NO" to TMC. I hope that my understanding is mistaken.

It may very well be that **at the time** the BLM designated not only the 460 acres earmarked for TMC's operation but a much larger portion of the Santa Clara River/ Soledad Canyon Region as a Signifiant Resource for Sand & Gravel it was the appropriate designation. Given the current density and the projected residential growth of this area, it is clearly time to re-think the designation.

Please do not over-ride the unanimous decison of the LA County Regional Planning Commission. Such a move would only compound an already volatile situation and would run completely counter to the clearly-expressed will of the citizens of this area. You need only visit us here to experience for yourself the quality of life we are bound and determined to protect. 1

Thank you for your attention to this matter.

Sincerely yours,

JOSEPH V. CASTAGNA. JR.
7030 SENALDA ROAD
LOS ANGELES. CALIFORNIA 90068

I-104

RECEIVED
1/3/00

December 26, 1999

Mr. James G. Kenna, Feild Manager
Palm Springs - South Coast Field Office
Bureau of Land Management
P. O. Box 1260
North Palm Springs, CA 92258

RE: SOLEDAD CANYON PROJECT

Greetings:

As General Partner, on behalf of myself and other partners of Lambert Ranch which owns a 40 acre parcel of land close by the proposed Transit Mixed Concrete Sand and Gravel 20 year mining project in the Soledad Canyon and Agua Dulce Canyon Area, we strenuously object to the project for any period of time let alone 20 years. 1

Yours very truly,

Joseph V. Castagna, Jr.
General Partner

I-105

B & R Gallery

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Originals/Prints/Fine Custom Frames

12-12-99

To: James E. McKenna
Bureau of Land Management
P.O. Box 1260
No. Palm Springs CA 92258

Dear Mr McKenna.

Hello! My name is Dave Joseph & I am a local Agua Dulce resident, and business man in the area. I have 2 children 12 & 16 - Donette & Steven. I am concerned for them & my family, in regard to the situation of "Transit Mixed Concrete". The decision made will impact & protect our health. How would you feel if you were a resident here & in our situation? Would you want your family exposed to these elements & a threat to their health?

I appreciate an answer & your support to find a more appropriate location for the population.

Thank you,
Dave Joseph

I-106

October 12, 1999

To: LA Regional Planning Commission
320 W. Temple St.
Los Angeles, CA 90012

and

Bureau of Land Management
Mr. James Kenna
Palm Springs/Southcoast Field Office
POB 1260
N. Palm Springs, CA 92258

From: Peter J. Saputo
24841-A Apple St.
Newhall, CA 91321

RE: Surface Mining Proposal for Canyon Country and Aqua Dulce

To All Parties Concerned:

I am writing this letter in adamant protest to the proposals now being considered to allow a 20 year strip mining project for the Santa Clarita Valley (specifically the Pinetree, Stonecrest and Aqua Dulce areas).

This project will not only negatively impact on the quality of life in the Santa Clarita Valley, but it will also irreparably damage the full environmental spectrum of life, flora and fauna, and the air quality in this area. It will further damage, if not destroy, a road structure already woefully inadequate because of the already untrammeled growth in this area. Add to this the noise and inevitable uglincss of such a project and you are destroying a beautiful area of the county and further degrading the monetary and esthetic value of this same area.

Please do not allow this proposal to be approved. Do not let this project go forward for even one more day!

Sincerely,

Peter J. Saputo

Peter J. Saputo

I-107

George E. Miller
55549 Wisconsin St.
Acton, CA 93510
10-12-1999

LA Regional Planning Commission
320 W. Temple St.
Los Angeles, CA 90012

Re: Proposed Transit Mixed Concrete (TMC)
Soledad Canyon Sand & Gravel Mining Project

Dear Planning Commissioner:

The TMC site is not a sand and gravel deposit. This site is a conglomerate cemented with silica. The site requires blasting to remove the conglomerate from the earth. TMC will have to backfill 26 million tons of siliceous particles which is the cause of silicosis, a disease of the lungs, caused by inhalation of siliceous particles. Allowing TMC to mine this site, will open the area to other large mining companies, ie Cal Mat.

TMC is using the Division of Mines and Geology maps that are five years old. The production of sand and gravel in California was $752 million dollars in 1998. Cal Mat was the largest producer. Vulcan Materials Co. which is the largest producer of aggregate in the United States, announced their acquisition of Cal Mat in November, 1998. This acquisition gave Vulcan control of over 2 billion tons of aggregate in California, Arizona and New Mexico. Prior to this acquisition, Vulcan

did not operate in the western United States. The following already permitted reserves can supply construction needs for many years per the Division of Mines and Geology (DMC), Aggregate Resources in the Los Angeles Metropolitan Area, 1999 Map No. 010.

The Irwindale Production Area supplied 60 cities with sand and gravel, aggregate reserves of 250 million tons, with depletion date of 2017. The longest distance hauled is 45 miles for $6.11 per ton. The Sun Valley Production Area is the site that will be depleted in 2001. This site supplies only 14 cities, and the longest distance hauled is 58 miles for $5.31 per ton. The sites currently permitted in the Soledad Production Area will be depleted in 2046, with 160 million tons of aggregate reserves. Also Little Rock Creek Fan deposit has 160 million tons which will be depleted in 2046. The haul from this deposit to the Soledad area will increase the cost to $4.00 per ton or $108.00 per 27 ton load. Trucks from the Little Rock Creek Fan are hauling every day. As many as 12 trucks can be counted in a five mile stretch of Hwy 14, from Crown Valley Road to Pearblossom Hwy, where the trucks enter Hwy 14. To the east of Little Rock Creek Fan deposit is a large deposit in Llano. Based on the 1999 DMC map on aggregate supplies, the Soledad Cyn. area has a 30-40 years supply.

On site TMC project generated PM-10 dust (0.0004 inches) and exhaust particulate loading for one day is calculated at approximately 1,555 pounds per day with blasting. Based on the 150 pound-per-day impact criterion, this value is considered a significant adverse impact. With high wind gusts in this area, siliceous particles will be carried for many miles from this mining site.

Sincerely,

George H. Miller

George H. Miller

cc: Bureau of Land Management

Congressman Howard "Buck" Mc Keon

I-108

Mr. & Mrs. Dale Stuart
28916 Poppy Meadow Street
Canyon Country, CA 91351

RECEIVED
BUREAU OF LAND MANAGEMENT
99 OCT 25 PM 2:05
PALM SPRINGS-SOUTH COAST
RESOURCE AREA

October 20, 1999

LA Regional Planning Commission
320 W. Temple Street
Los Angeles, CA 90012

RE: Huge Surface Mining Proposal in Canyon Country

This letter is to inform you that I live in the Pinetree area of Canyon Country on Poppy Meadow Street and I and my family are against the above referenced mining proposal.

My backyard is parallel with Soledad Canyon Road, which is also parallel with the 14 Freeway. I do not want this proposal passed and will fight it with every possible means available. Albeit, means of collecting signatures, attending meetings, whatever is necessary. I have many friends and neighbors who are also against this. We currently have a beautiful neighborhood and all the upgrades the city has done to better our community (i.e. planter mediums, walls, sidewalks etc.) should not be ruined with this mining proposal. We have paid for all these upgrades as citizens who pay their property taxes and will not let this happen to us. Not only will our new streets be affected, but our new expanded freeway, that is still currently being upgraded, will be heavily ruined with all the truckloads of equipment and mining.

Again, I want to state that I, my family, friends and neighbors are ***AGAINST*** this proposal! It can and should be done at some other remote location that won't be affected so badly from it. Our city has come a long way from the small rural town it was when we first moved in 16 years ago, and we have paid our portion of taxes to get it to where it is. We will not let this happen! We will not let our beautiful city take giant steps backwards after it has come so far.

Sincerely,

Dale Stuart

Monique Stuart

Dale & Monique Stuart

cc: Bureau of Land Management
Mr. James Kenna
Palms Springs/Southcoast Field Office
PO Box 1260
N. Palm Springs, CA 92258

I-109

29178 FLOWERPARK DR
CANYON COUNTRY, CA 91351-1863.

October 5, 1999

Mr. James Kenna
Bureau of Land Management
Palm Springs/Southcoast Field Office
PO Box 1260
N. Palm Springs, CA 92258

Dear Sir:

Subject: Canyon Country Mining Project

We strongly oppose the mining project proposed for Canyon Country. We believe that this project will increase noise, dust, pollution and traffic, all to the detriment of the quality of life in our quiet neighborhood.

Sincerely,

Elaine R. and Howard R. Fox