

**FINAL
ENVIRONMENTAL IMPACT STATEMENT**

VOLUME 3 - BLM PUBLIC HEARING TRANSCRIPT

SOLEDAD CANYON

SAND AND GRAVEL MINING PROJECT

OEPC #FES-00-18

**BUREAU OF LAND MANAGEMENT
PALM SPRINGS - SOUTH COAST FIELD OFFICE**

JUNE 2000

FINAL ENVIRONMENTAL IMPACT STATEMENT
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VOLUME 3 - BLM PUBLIC HEARING TRANSCRIPT

Prepared for:

BUREAU OF LAND MANAGEMENT
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Project Applicant:

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EIS Consultant:

CHAMBERS GROUP, INC.
17671 Cowan Avenue, Suite 100
Irvine, California 92614

JUNE 2000

VOLUME 3 - TRANSCRIPT OF EIS ORAL COMMENTS

**LISTING OF SPEAKERS WHO PRESENTED TESTIMONY AT EIS
PUBLIC HEARING
JUNE 2, 1999**

CODE	AGENCY	SIGNATURE, TITLE
1	Agua Dulce Town Council	James Duzick, President
2	Agua Dulce Civic Association	Diane Terito
3	Acton-Agua Dulce School Board	James Duzick, President
4		Charles Conklin
5		James Butler
6	Wright Patterson Air Force Base Environmental Group	Joseph Yore
7		Robert Fleck
8		Jan Meggs
9	Natural History Club of Acton-Agua Dulce	Stacey Nickels
10		Marsha McLean
11	Agua Dulce Town Council, Civic Association	Tana Lampton
12	Safe Actions for the Environment, Agua Dulce Civic Association	Linda Kirk
13		Ben Curtis
14		Diane Curtis
15		Dale Curtis
16		Gregg McMillun
17		Allan Cameron
18	Safe Action for the Environment	Andrew Fried, President
19		Stuart Larson
20	Santa Clarita Organization for Planning and Environment	Lynne Plambeck
21		Allan Cameron
22		Arthur Edwards
23		Karen Towles
24		Lynne Plambeck
25		Dr. Jonathan Troung
26		Mike Karbacher
27		Pat Allen

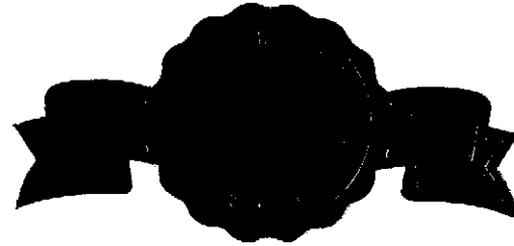
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**PUBLIC MEETING FOR COMMENT ON THE
DRAFT EIS FOR PROPOSED SAND AND GRAVEL
MINING PROJECT**

IN THE MATTER OF THE)
BUREAU OF LAND MANAGEMENT'S)
RELEASE OF DRAFT EIS FOR)
PUBLIC REVIEW)



REPORTER'S TRANSCRIPT OF PROCEEDINGS

**BEFORE: TIM SALT, District Manager for the California
Desert District**

STEVE JOHNSON: Moderator

**SULPHUR SPRINGS ELEMENTARY SCHOOL
16628 WEST LOST CANYON ROAD
CANYON COUNTRY, CALIFORNIA 91351**

**WEDNESDAY, JUNE 2, 1999
4:00 P.M. TO 5:30 P.M. AND 7:00 P.M. TO 9:00 P.M.**

**CERTIFIED
COPY**

**REPORTED BY:
MICHELLE TREESE
C.S.R. NO. 11699**

CORPORATE OFFICE: Eastland Securities Bldg. • 599 S. Barranca Avenue • Penthouse • Covina, CA 91723

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1 CANYON COUNTRY, CALIFORNIA, WEDNESDAY, JUNE 2, 1999

2 4:00 P.M.

3 -000-

4
5 TIM SALT: I am Tim Salt, the district manager for the
6 California Desert District, Riverside, California. I will
7 be the decision maker when that time comes. I'd like to
8 welcome you all here today, and for this opportunity to
9 provide public comment to the draft EIS that will be
10 prepared on the plant operations for the Soledad Canyon Sand
11 and Gravel Project.

12 The purpose of this meeting today is just to
13 listen to you, to hear your comments, to hear what you have
14 to say. I know that this project has been going on for some
15 time, and a lot of people have a lot of input over time.

16 And as you're are well aware, this project was
17 initiated in the late '80s. We issued a contract for sale
18 in the '90s. The review process has been going on since
19 then. The Bureau of Land Management is doing an
20 environmental impact statement parallel action to the
21 County, which is doing an EIR for this project. There was a
22 recent hearing before the County Planning Commission on this
23 project, and this is our hearing on the environmental impact
24 statement.

25 Our process is similar, but slightly different

1 than the County process, and this meeting will be conducted
2 in a slightly different manner. We have issued a draft
3 environmental impact statement, you know, that we contracted
4 with the Chambers Group to prepare. That document is the
5 subject of discussion today. We are interested in people's
6 views on the findings of that document and conclusions of
7 that document. We are interested in hearing concerns, in
8 hearing possible alternatives we might want to consider in
9 this project.

10 The way we conduct these public meetings on the
11 environmental impact statements is to provide testimony. We
12 have a court reporter here today who is taking down every
13 word, including the interruptions, but this is not a meeting
14 where we will be having dialogue with the commentators. We
15 accept comments.

16 Steve Johnson from my staff will be conducting
17 the meeting to ensure that everybody has an opportunity to
18 speak. We do have staff here today though, so anybody who
19 wants to discuss the project, we can step outside certainly
20 or go back to the room and answer questions or discuss the
21 project in more detail. But today, for the purpose of this
22 meeting, it's a matter of providing comment for the record.

23 This is not the only opportunity to provide
24 comment for the record. We're in the middle of a 60-day
25 public comment period right now, and we will accept written

1 comments anytime during those 60 days. There is no
2 difference between oral comments or written comments in
3 terms of its value to us. What is important is the comments
4 we receive are comments of substance and not comments of
5 emotion because we can't really deal with, you know,
6 feelings. We can deal with, you know, facts and issues.
7 And that is what we hope to hear today in terms of public
8 comment.

9 So with that, without any further ado, I will
10 turn it over to Steve Johnson who will be conducting the
11 meeting. And I appreciate all of your attendance today and
12 your participation in this project.

13 And with that, Steve.

14 STEVE JOHNSON: Thank you, Mr. Salt. Good afternoon.
15 It is good to have you here with us. Before we begin, let's
16 take care of a couple of logistic issues so we know what the
17 ground rules are.

18 If you wish to speak, there is a registration
19 table as you came in the door. If you have not filled out a
20 card there, please go ahead at this time do. We certainly
21 welcome you to have the opportunity to provide us comments
22 to help facilitate this meeting this way. We need the cards
23 so we will take you in the order that you signed in.

24 Likewise, since this is the draft EIS,
25 Environmental Impact Statement, if you would like to have --

1 be notified when the final is coming out, there is a box to
2 check on that card. Please go ahead and check that box, and
3 we'll be happy to provide you with information on it at that
4 time.

5 Here to help me this afternoon is Michelle
6 Treese. She's a court reporter who will prepare a verbatim
7 transcript of everything that is said. So to help her, we
8 need to do a couple of things.

9 One is when I've called you, you come up to the
10 microphone here, please state your name clearly for her to
11 understand. If you're using acronyms, make sure that
12 somewhere along the way, hopefully early on, you defined
13 what that acronym is. Yes, she has become familiar with
14 NEPA, CEQA, EIS, EIR, but I'm sure there may be some others
15 that will come out today, and it helps if we know that it's
16 the National Environmental Policy Act, the California
17 Environmental Quality Act. It's an Environmental Impact
18 Statement or Environmental Impact Report. It may be
19 perfectly clear to most of us in this room what these things
20 are, but if there is one person that doesn't understand, it
21 can create a problem.

22 To ensure that everyone has an opportunity to
23 speak today, I'm going to be limiting the time because I
24 know your time is valuable. I'm going to be limiting it to
25 five minutes. However, at the end of that five-minute

1 period, if you have not concluded, I will ask you to try to
2 conclude your presentation immediately. We'll give others
3 an opportunity that have come to be able to voice their
4 comments and concerns, and if you need more time, then I can
5 go back and give you a chance to complete at the end of
6 those who have signed up.

7 Is that fair with all of you?

8 AUDIENCE: Yes, sir.

9 STEVE JOHNSON: Okay. Assuming that is fair, without
10 any further ado, I would like to go ahead at this time and
11 call our first speaker. That is James Duzick. Did I get
12 that correct?

13 **1** JAMES DUZICK: Yes, sir. I'll be giving you a written
14 statement after I'm done. Good evening. My name is Jim
15 Duzick from the Agua Dulce Town Council.

16 The Agua Dulce Town Council has been meeting
17 with community members and community groups wrestling with
18 the idea that large scale mining has been and is being
19 planned for our community.

20 Mining isn't a new phenomena for residents who
21 have lived here a long time. Gold, titanium, borax, sand,
22 gravel, and aggregate have been mined locally for a lot of
23 years. What is new about this mining in the area is the
24 scale of projects in the face of residential development
25 defined by the fact that BLM owns and/or controls a lot of

1 mineral deposits from Santa Clarita to Agua Dulce to Acton
2 to Pearblossom and Littlerock, both split-estate land as
3 well as designated mining areas.

4 Another new idea became apparent with the Town
5 Council's study of the TMC mining project.

6 Riverbed, as you can see on the investigative
7 maps throughout Santa Clarita all the way to the Ventura
8 County line, as well as local mountain areas in Soledad and
9 Agua Dulce Canyon that have been described to local
10 residents as future residential subdivisions, have been
11 designated as future mining area by the State of California
12 under SMARA.

13 The idea that the river bed of Santa Clarita and
14 the land masses of Agua Dulce Canyon and Soledad Canyon
15 would become the next Irwindale or Azusa mining area caught
16 us all off guard, including apparently L.A. County Planners.
17 L.A. County entertained a large mello-roos bonded and L.A.
18 County managed subdivision immediately adjacent to and on
19 some designated mining land in total conflict with what the
20 1975 Mining and Reclamation Act told them to do, and that
21 area is right here (indicating).

22 It seems that the City of Santa Clarita was also
23 caught off guard also as its Bee Canyon development
24 described in a 1990 General Plan update preempts the TMC
25 mining project and sits on some of the designated mining

1 area as well in conflict with SMARA.

2 The idea of designating mining areas or setting
3 aside land areas preempting these areas from other land uses
4 was an idea so foreign to local planners that Santa
5 Clarita's 1990 Plan update -- and the development of Agua
6 Dulce is included in that general plan -- described the RE
7 Land destination (Residential Estate) adjacent and on TMC's
8 Mining Plan area as a category created to ensure the
9 continuation of existing agricultural farming and ranching
10 activities, and to ensure the rural and country character of
11 certain portions of the planning area are maintained.

12 That plan went on further to describe an
13 environmental emphasis that focuses on the maintenance of a
14 high standard and quality of life, and it does so while
15 preserving and enhancing the precious environmental assets
16 and resources present in the Santa Clarita Valley. Ridge
17 line protection and preservation, sensitive hillside
18 development, river maintenance policies, and protection of
19 native oak habitat are just a few examples of areas that the
20 plan emphasized.

21 In reality the Mining Designation Process that
22 could devastate our communities was probably the best kept
23 public secret ever. Clearly it looks like Acton, Agua
24 Dulce, Santa Clarita residents, and L.A. County planners
25 were functionally left out of this designation process even

1 though some of L.A. County's regional planning agencies were
2 involved to some degree in it. School districts definitely,
3 which are legally required by SMARA to be noticed and
4 involved in the process, appear to not have been noticed.
5 School districts have long planning cycles because it takes
6 a long time and involves a lot of agencies to locate and
7 approve and fund school sites.

8 Not everyone though was left out or
9 misunderstood the designation process though. TMC and Cal
10 Mat and other local mining companies understood exactly what
11 was going on.

12 As a result of the designation process and then
13 the BLM bid process, TMC became the successful bidder and
14 was issued two consecutive ten-year mining contracts in
15 1990. A DEIR and this DEIS were subsequently begun which
16 finally triggered local awareness and involvement with L.A.
17 County Regional Planning and the Agua Dulce Town Council,
18 Agua Dulce Civic, and local school districts, and the Acton
19 Town Council.

20 Local agencies still don't appear to understand
21 what was going on though, at least not to the extent that
22 TMC and Cal Mat does. In 1994 TMC circulated, but not very
23 widely, a brochure that said that in four cuts, 83 million
24 tons of material would be removed from the Curtis-owned land
25 mass at the mouth of Soledad Canyon over 20 years. Further

1 graphics in that same brochure describe the TMC's stated
2 anticipation was that BLM will put up the remaining sand and
3 gravel reserves for public bid again and mining is expected
4 to continue.

5 One wonders if any planner or any planning
6 agency understood that further mining meant that the surface
7 level of the TMC mining area, after continued mining, would
8 be slightly higher than Soledad Canyon Road, and one would
9 be able to see the Santa Clara River in Soledad Canyon from
10 Highway 14, and that would seem to be pretty environmentally
11 significant.

12 Cal Mat also began a draft mining and
13 operational plan to describe how 240 million tons of BLM
14 owned aggregate would be mined in Agua Dulce Canyon, and
15 that area extends to about a mile east of Agua Dulce Canyon
16 Road.

17 The Town Council, the Civic Association, and the
18 residents finally caught on to what the stated intention was
19 of this and other mining projects. We also began to get a
20 glimmer of understanding of the unstated notion that our
21 environment had been reorganized in the Mining Designation
22 Process public hearings that were held in Claremont in '85,
23 Palm Desert in '85, and Santa Rosa in '86.

24 SMARA was written to protect the mining of
25 aggregate from urbanization of developing areas that would

1 preclude access to mining areas and mining.

2 SMARA was not written to provide federal, state,
3 or local agencies with a tool or that could devastate local
4 residents, investors, or investment institutions, all in the
5 interest of --

6 STEVE JOHNSON: Your time is up.

7 JAMES DUZICK: Can I finish the letter?

8 AUDIENCE: I recommend that he finishes.

9 STEVE JOHNSON: How close are you?

10 JAMES DUZICK: About a minute.

11 STEVE JOHNSON: If you can do it in a minute, I'll
12 give you the minute.

13 JAMES DUZICK: Okay.

14 The Agua Dulce Town Council is appalled at the
15 seeming legality of the designation of regional significant
16 scarce resources process that ignored the intent of the
17 public process. That intent would have been to inform all
18 citizens and agencies about mining. If people chose to move
19 away from mining areas after being told of the State's
20 plans, they would do so knowing all the facts or they could
21 choose not to move.

22 Conducting the designation process in an
23 apparent full light of day rather than the appearance of the
24 full light of day would have hurt no one. Conceivably the
25 public agencies like L.A. County and the Santa Clarita City

1 Council and Town Councils, if they had been informed, they
2 could have informed residents about the coming mining
3 impacts.

4 The environmental effects, both immediate and
5 cumulative, of industrial mining in the Soledad Canyon and
6 Agua Dulce Canyon on local air quality, water, water
7 quality, viewshed, traffic corridors, and general quality of
8 life are beyond description in the few short minutes
9 provided tonight.

10 The Agua Dulce residents through our Town
11 Council demand that a no-project alternative be selected for
12 this project.

13 Thank you for your time, sir.

14 STEVE JOHNSON: Thank you, Mr. Duzick. If you have a
15 copy of that, would you please provide it to our court
16 reporter.

17 JAMES DUZICK: I'd be glad to.

18 STEVE JOHNSON: Thank you. Diane Terito. Did I get
19 that correct?

20 **2** DIANE TERITO: Yes, you did. Good afternoon, ladies
21 and gentlemen. I'm Diane Terito from the Agua Dulce Civic
22 Association.

23 The Agua Dulce Civic Association has been
24 representing property owners since 1957. The mining site
25 identified for the TMC project is, in fact, part of Agua

1 Dulce Sphere of Influence.

2 A vote on the TMC mining issue was taken by the
3 membership at a civic forum resulting in a unanimous vote
4 rejecting mining in the Soledad Canyon area. The vote
5 included a statement that the L.A. County Board of
6 Supervisors should not issue a statement of overriding
7 considerations for the TMC project.

8 As property owners, we are concerned about the
9 many issues addressed in the Draft EIS, as well as other
10 documents dealing with the initial designation process. A
11 joint response is currently being written by the Agua Dulce
12 Civic and the Town Council, which will be submitted
13 according to your time line.

14 Although Agua Dulce had just 450 residences in
15 the mid-1980s when the significant resources designation
16 process was underway, we have grown to approximately 1800
17 homes today, a growth factor of 300 percent or 12 percent
18 per year averaged over 25 years. In Agua Dulce we have
19 built homes on parcels of two or more acres and committed to
20 mortgages of 200 to 500 thousand dollars. We have found a
21 home here where our children are safe and have room to play,
22 where we can pursue our dreams -- whether these dreams are
23 for open space as opposed to the high density of city living
24 or for investments, which will produce income for our
25 retirement. We have invested in Agua Dulce. We are not

1 merely tenants on the land. We are owners as well as
2 participants in the American dream. The residents of Agua
3 Dulce are the hardworking Americans who help to make the
4 economic life in America possible and our nation a world
5 leader.

6 The crux of the issue appears to be whether to
7 allow mining in the Soledad Canyon area or to locate large
8 mining operations 25 miles further east. The additional
9 distance will add additional costs on this project to the
10 end users; however, the areas you have designated not only
11 provide a desirable commute time for aggregate trucks, but
12 also for employees needed by businesses in the greater Los
13 Angeles area.

14 This project, as well as other projects implied
15 by your designation process, will remove land from housing
16 development which is critical to this region -- development
17 for which both short-term and long-term plans have already
18 been made. The Los Angeles area is facing a ten-percent
19 housing shortfall over the next 20 years. This shortfall
20 will negatively impact the economy of the region because a
21 shortage of homes for employees will influence whether new
22 companies locate in the L.A. area and whether existing
23 companies will remain.

24 The choice you must make is not one of aggregate
25 availability versus lack of aggregate. The choice boils

1 down to competitive advantages. Is the ability of TMC to
2 compete in the marketplace with lower priced aggregate more
3 important than the L.A. area's ability to compete in the
4 world job market? Is it more important that aggregate be
5 produced close to the greater L.A. basin or that employees,
6 human beings, live within a rational commuting distance to
7 their jobs?

8 Observation of other mining areas such as
9 Irwindale, Azusa, and Littlerock leads to the conclusion
10 that this type of activity also has a negative impact on the
11 quality of life as well as property values. Environmental
12 impacts of the TMC project are already identified as
13 unmitigatable. Combined with the impacts of future mining
14 projects on designated land in Soledad Canyon, this area
15 will experience pollution overload.

16 Rarely do you find parents who prefer to raise
17 their children in an area of concentrated air pollution or
18 where school buses compete with a steady stream of
19 80,000-ton trucks on local roads. In an effort to remove
20 their families from exposure to deleterious environmental
21 effects, potential home buyers will avoid Agua Dulce and the
22 Santa Clarita Valley, causing property values to decline.

23 By selecting the Soledad Canyon area as the next
24 Irwindale/Azusa mining capital for Southern California, one,
25 you are down zoning the surrounding area; two, you are

1 precluding needed, suitable housing in a variety of price
2 ranges which are necessary to attract and retain jobs in the
3 region; three, you are impacting the environment and quality
4 of life in the entire Santa Clarita valley; and four, you
5 are snatching away homeowner equity patiently built over
6 decades.

7 The National Environmental Policy Act of 1969,
8 NEPA, states and I quote, "The Congress recognizes that each
9 person should enjoy a healthful environment and that each
10 person has a responsibility to contribute to the
11 preservation and enhancement of that environment."

12 We, the people of Agua Dulce, recognize our
13 responsibility to care for the land and for our
14 environment. We ask you, as representatives government
15 which our forefathers created, and which we have sacrificed
16 to maintain, help us to ensure a healthful and livable
17 environment for us as well as future generations by halting
18 all proposed, unpermitted mining projects along the Santa
19 Clara River to include Soledad Canyon.

20 Thank you.

21 STEVE JOHNSON: Thank you, Ms. Terito. Do you have a
22 copy of that to provide to our court reporter? Okay. Thank
23 you.

24 I have something that is confusing here to me.
25 I have a second card from James Duzick.

1 JAMES DUZICK: I can answer that. I am both the
2 president of the Town Council and the president of the
3 school board and I've been asked to represent the school
4 board this evening and deliver their response.

5 STEVE JOHNSON: Okay, Mr. Duzick. Would you please go
6 ahead then as representing the school board.

7 JAMES DUZICK: Yes.

8 STEVE JOHNSON: Town council or school board?

9 JAMES DUZICK: This is the school board's response.

10 STEVE JOHNSON: Okay.

11 JAMES DUZICK: The first response was from the town
12 council.

13 Dear Mr. Kenna:

14 We believe that residents of the Acton and Agua
15 Dulce communities consider their children to be the most
16 important aspect of their life.

17 The Acton-Agua Dulce School District just
18 recently discovered the regional nature of mining within the
19 district's boundaries. Despite legal requirements that
20 school districts be noticed and involved in any surface
21 mining and reclamation designation process, the EIR and
22 public hearing process establishing areas that would be set
23 aside for mining did not involve the Acton-Agua Dulce School
24 District.

25 Noting that the National Environmental Policy

1 Act of 1969, NEPA, was created to ensure that federal
2 agencies consider the environmental impact of their
3 decisions, the district should be confident that mining will
4 not degrade our educational environment.

5 Knowing that all federal agencies must observe
6 NEPA should also be reassuring. Reading that the basic
7 doctrine of NEPA requires the federal government and BLM to
8 use all practical means to avoid environmental degradation,
9 preserve historic, cultural, and natural resources and
10 promote the widest range of beneficial uses of the
11 environment without undeniable and unintentional
12 consequences should make parents and district officials feel
13 even better.

14 Planning a project that requests that the local
15 lead agency issue a statement of overriding considerations
16 particularly as it relates to environmental air quality, if
17 all these safeguards are true, the combinations just don't
18 make sense.

19 A federal commitment to environmental
20 preservation exists and is coupled with a State of
21 California commitment as stated in SMARA, stating that
22 residual hazards to the public health be eliminated in
23 considering all projects.

24 This commitment should allow our parents within
25 the school district and district officials to rest easy

1 knowing that environmental hazards cannot degrade the
2 learning process.

3 A BLM sanctioned TMC request for a statement of
4 overriding considerations from the Los Angeles County Board
5 of Supervisors questions the sincerity of federal and state
6 commitments to environmental housekeeping.

7 The thought that the TMC project perhaps isn't
8 economically viable and maybe mining the designated areas
9 might not be either without amending or waiving the
10 requirements of NEPA, SMARA, and CEQA is disturbing. To
11 waive environmental requirements that would allow mining
12 companies to mine more tonnage per year while lowering
13 annual operational costs that would normally be incurred to
14 help maintain a clean and safe environment we think is
15 perhaps beyond the scope of what environmental laws intended
16 when they were legislated.

17 The Acton-Agua Dulce School District is
18 dedicated to providing a safe, secure, stimulating, and
19 healthful environment where parents can feel comfortable
20 that they can raise and educate their children here. We
21 hope that it is everyone's right to expect that their
22 children can learn, grow, and prosper as individuals within
23 these two communities undisturbed.

24 The school district cannot reach its goal of
25 creating an environment where each child may reach his or

1 her maximum potential if the district encourages a plan or a
2 project that we know ahead of time will degrade our learning
3 environment. We know that the TMC project will lead to a
4 larger Cal Mat and other mining projects similar in scale.
5 These projects will overwhelm our best efforts to nurture
6 children now and perhaps even more so in the future.

7 We're asking BLM to impose any and all
8 mitigation measures that will keep the roads we bus children
9 on safe, the air the children breathe as they learn and play
10 clean, and we try to remember to keep the landscape the
11 children see every day pleasing to look at when and while
12 you consider this project.

13 The Surface Mining and Reclamation Act of 1975
14 and NEPA granted no one the license to diminish the quality
15 of life for parents and children living anywhere. We
16 understand that NEPA requires the federal government to be
17 prudent and cautious and we think sensitive to the local as
18 well as regional needs as it conducts business. The nation
19 demands that each generation be the trustee of the
20 environment for succeeding generations.

21 We urge you to limit the scope of this project
22 to practical, controllable levels or mine aggregate
23 somewhere else. The school district prefers the no-project
24 alternative.

25 Thank you for your time, sir.

1 STEVE JOHNSON: Thank you, Mr. Duzick. Charles
2 Conklin.

3 **4** CHARLES CONKLIN: The Bureau of Land Management does
4 not adhere to its own policy statements. It is given
5 preferential alterations that the state procedures to
6 involved entities. The court of federal regulations, CFR
7 Title 40, CFR Title 43, U.S. Code 30, Titles 29 through 32
8 and SMARA establish principle protocol in consideration of
9 designations, management policies, and interactions of the
10 participants. These guidelines should decrease potential
11 collusion among initiating parties.

12 The BLM has a stated responsibility of objective
13 resource management planning. To this end, the BLM has
14 specified guidelines. During the application of the
15 guidelines, the BLM's representatives are accountable for
16 proper and procedural correctness in all phases of the
17 aforementioned objectives.

18 Thank you.

19 **5** STEVE JOHNSON: Thank you, Mr. Conklin. James Butler.

20 JAMES BUTLER: Good afternoon, gentlemen. My name is
21 James R. Butler. I reside at 14226 West Everglades Court in
22 Canyon Country, which is the Stonecrest Development,
23 approximately a mile and a half to the edge of the proposed
24 TMC project.

25 We just moved up from beautiful San Diego

1 County, Fallbrook, capitol of avocados, about 11 months ago;
2 and truthfully, had we known that this project was in this
3 stage at this present time, we would have located elsewhere.
4 We would have been back here because of children and
5 grandchildren, but we would have relocated elsewhere. There
6 is no sense coming to an area if this project is approved.

7 Today, the two hearings, this one and the one at
8 7:00, 7:30 that you're going to have, you're going to hear
9 many reasons. You've heard many good and valid reasons thus
10 far early on, and all of these reasons I personally and many
11 of the residents are opposed to the Transit Mix Project and
12 hope it is rejected in its entirety. A partial doesn't do
13 any good.

14 A few mining projects that have been approved in
15 the past many years, as I understand, have not been a
16 problem. But anything further now than what this has
17 proposed is a monstrous project, and from what I understand,
18 Cal Mat is just waiting in the wings. Well, one just sets a
19 precedent for the other and it just keeps going.

20 I believe with all of the air pollution, the
21 water pollution, and monstrous traffic tie-ups that this
22 will all generate that this will make this area -- well, I
23 don't want to call it a blight area, but I think it will go
24 on the decline very definitely. One of the ladies earlier
25 said the equity in the property for all of us residents

1 certainly will diminish.

2 I believe that with many, many housing projects
3 that are currently here and the numerous ones that are
4 certainly on the drawing boards that more that can be built,
5 that they should not subject all of these people, the
6 population here in this area to the environment hazards that
7 we know that will come. I don't understand. We cannot do
8 things under current ways, the way we did things back in the
9 '50s, '60s, '70s, '80s, and even '90s.

10 There must be better methods. One of the
11 methods, of course, new and creative things must be
12 developed. I mean, we can do what we can do with the
13 astronauts on the moon and putting people out. I don't
14 understand why we can't simply move out the mining projects
15 further out, as the lady alluded, and come up with creative
16 methods -- still allow for a project, just don't bring them
17 in next to the people. I mean, people are more important
18 than one firm, and I think it will always stand that way.

19 If it means locating them further out from the
20 people, then this must be done so all of the residents of
21 the Santa Clarita Valley can live in an environmentally safe
22 atmosphere. We hope that this project is taken and given
23 thought by your bureau so that it will be declined and
24 either relocated way out.

25 Thank you very much.

1 STEVE JOHNSON: Thank you, Mr. Butler. The next
2 speaker is Nancy Miller. She had to leave? Will she be
3 back? Okay. I will go ahead and put her card at the end,
4 and we'll give her a try if she is able to come back.

5 Joseph Yore.

6 **6** JOSEPH YORE: My name is Joseph Yore, and I'm from
7 Palmdale, California. I'm a member of Wright Patterson Air
8 Force Base Environmental Group. I'm also an activist. We
9 have 27 contaminated sites up there in Plant 42. We have
10 110 contaminated sites up there in Edwards.

11 BLM has a great track record for saving our
12 mountains. Recently they saved the northern route running
13 across Santa Clarita and preserved it. Northern -- up north
14 by California City, they saved the turtle area. Up off the
15 Harbor turnoff on 15, Route 15, you saved thousands of acres
16 of land so that bicycle riders and motorcycle riders don't
17 run through that land and ruin that area.

18 Our mountains are historical sites. Ninety
19 percent of your environmental impacts are never truly
20 environmental impacts. I've gone over several of them in
21 Palmdale. They all lie. They never truly do a complete
22 environmental impact.

23 The people that benefit by the environmental
24 impacts are greedy, greedy people. Transit Mix is going to
25 leave a big hole in the ground and they're going to get rich

1 off of it. Their employees are going to make money. The
2 engineers are going to make money. BLM, they are greedy
3 people.

4 The brook just down the road here where they're
5 building homes, there was oil well drillings all through
6 there. I'll guarantee I never read that environmental
7 impact, and I'll guarantee not one place in their
8 environmental impact did they say there was oil well
9 drilling in that area and they're building homes. We know
10 down in Long Beach where Belmont School is, they may have to
11 rip that school area up down there.

12 Soledad Canyon Road is a historical site, if
13 you've ever driven it. Tippy Hendricks (sic) has a
14 sanctuary in this area. She won an academy award for
15 Birds. If you are driving down this area, you see no guard
16 rails; no guard rails. You're going to run 750 trucks down
17 this area, going to run down 14 -- Right Aid and Michaels is
18 going to open up next month in Lancaster. You've got
19 several trucks running out of the prison out of California
20 City. You're going to have over 2,000 trucks running down
21 the road.

22 You've had 50 -- 50 people die going over the
23 side of the mountain on 14, and seven of them were
24 teenagers. This is murder.

25 Now, talking about dynamite. I lived in

9 Hollywood for 33 years and still have an office on Hollywood
10 and Vine. They drained the water out at Hollywood and Vine.
11 He said this is a big mistake. This is a lake under here
12 you're draining this water. What happened when they drained
13 the water on Hollywood and Vine. Your water wells dropped
14 50 feet up here. Your water flows through the whole
15 Antelope Valley, all throughout Agua Dulce, all over the
16 area, and they want to suck up billions of gallons of water
17 in 20 years. Where is this water going to come from? It's
18 not going to rain every day like it's raining now.

19 Shame on these people. It's all greed. How
20 many people are going to die going down these roads because
21 these trucks are going through them.

22 Now, they're going to sit in dynamite.
23 Everybody knows there is radio waves out there. There is
24 television waves out there. All sorts of waves out there,
25 including spiritual waves.

26 When they dynamited under Hollywood Boulevard,
27 they built their subway. Kind of strange. All of a sudden
28 you had an earthquake in Northridge. Now, what do you
29 suppose caused the earthquake in Northridge? There was no
30 water holding the slabs together, and you had waves running
31 through those tunnels developing through there causing the
32 Northridge earthquake. Nobody will tell you that. They'll
33 say, oh, just land slippage. It just happens. Blame it on

1 God.

2 Now, they're going to start to dynamite in this
3 area right here (indicating). Right here. And you've got
4 one of the major earthquakes running through there. You
5 have five major earthquakes running through Palmdale through
6 the Antelope Valley. And what are you going to have sooner
7 or later? Another major earthquake like Northridge, only
8 bigger.

9 BLM, don't let these people dynamite this area
10 because the catastrophe is going to be bigger than you can
11 dream. This will be a big nightmare. Believe me, a
12 nightmare. I said it when I was in Hollywood 20 years ago
13 that sooner or later this would happen. Nobody wanted to
14 believe me. They're going to suck that water out of there.
15 They don't even have enough water for the farmers. You go
16 through the Antelope Valley, and what does the farmers have
17 up there? They're building more farms up there and don't
18 have water.

19 Palmdale wants to build thousands of homes. Ten
20 thousand homes down in Santa Clarita. Where is the water
21 going to come from? Get this nightmare out.

22 STEVE JOHNSON: Thank you. Robert and Jane Fleck. I
23 assume you're Robert.

24 **7** ROBERT FLECK: Good guess. Hi. My name is Robert
25 Fleck. I live at 27363 Sand Canyon Road, Santa Clarita.

1 And I'm sure that it was an oversight the Sand Canyon
2 Homeowners Association didn't receive a notice of this
3 meeting, so my remarks are going to be largely unscripted
4 and contemporaneous, to be followed at a later date by a
5 written document to be submitted by mail.

6 And it's -- the main thing I have to say is the
7 Sand Canyon Homeowners Association recently conducted a
8 survey regarding this presently proposed mining project and
9 Cal Mat project, which is on the heels of the TMC project.
10 And the Sand Canyon Homeowners Association represents
11 approximately 900 households in the area here immediately
12 adjacent to where we're standing, and also very close to the
13 mining project which has been proposed.

14 Out of the 900 households which we polled, we
15 received 128 responses. Of these responses, one party was
16 for the project. Two were neutral. One hundred twenty-six
17 have expressed their opposition. Therefore, we derived a
18 number that says 99 percent of our constituency is opposed
19 to expansion of mining activity and that is based on better
20 than a ten-percent response through the poll.

21 So our membership seems to be concerned about
22 the negative impacts on this project, just a few of which
23 are overdraft water resources, PM-10 contamination, truck
24 traffic, incompatibility with housing areas which are
25 adjacent to the proposed mining area. And also that there

1 is a statement of overriding consideration that has been
2 requested from L.A. Board of Supervisors, which clearly
3 seems inappropriate.

4 Therefore, based on the results of our recent
5 survey, we ask that the project application be denied. And
6 by the way, I'm the director of the homeowners association.

7 Thank you.

8 STEVE JOHNSON: Thank you, Mr. Fleck. I apologize on
9 behalf of the agency that you didn't receive notice, and
10 it's a good time to also remind all of you that written
11 comments will still be taken through the comment period. So
12 you have the opportunity to provide those to us, Mr. Fleck,
13 and they will be considered equal with the weight to any of
14 the testimony given here today or tonight.

15 Jan Meggs.

16 **8**

JAN MEGGS: I'll try to make this brief and slow.
17 I'll slow down, I think (inaudible). I won't rattle it off.
18 This is totally unprepared. I'm a 30-year resident of this
19 valley. I'm a local real estate broker. I am a local
20 activist who has been coming to this valley since the early
21 '60s. My parents brought us to Soledad Canyon when my son
22 was a baby, and we have fun up there. I know the area.

23 We are very mineral rich in the area, and we
24 have the mind and we have everything here. We have
25 everything that is wonderful here. We have gold, ore -- I'm

1 sorry. I'm getting feedback from the microphone. We have
2 gold, ore; we have titanium. You name it, we have it here.
3 And they have been taking these minerals out for years. No
4 big deal. It's great. They haven't hurt anybody. But my
5 concern right now is that TMC, Cal Mat, and the others
6 following it for several reasons. And I'm dead set against
7 all of them. And I'll try to make this as brief as possible
8 so you can understand me.

9 I'm an activist and a lobbyist who does it for
10 principle, not for pay. I vote for the man, not the party,
11 and I know them all, or practically all of them, but I have
12 never run for office to the time. I have knowledge of the
13 health hazards. I went to college in the San Joaquin
14 Valley. I know about valley fever. Valley fever is
15 rampant. And they call it San Joaquin Valley Fever because
16 it was the first -- it showed up in the canyons of the
17 Silicon Valley, but it didn't. Another high area, hot area,
18 is the Santa Clarita Valley. The Semi Valley is down there.
19 It goes down the river. That is a danger, and we have had
20 recent behaviors of valley fever in this valley, and this is
21 before TMC starts creating dust. That is a health hazard.

22 There is also another disease called silicosis,
23 which is the opposite of Black Lung, and (inaudible). It
24 will also go into the air. From what I understand, my
25 friend Pauline is here with me. She doesn't want to speak.

1 From what I understand, Pauline is the one that brought it
2 to my attention.

3 TMC is based (inaudible). They have no idea
4 what a Stanton Island wind is. They have no idea about the
5 wind. They have an environmentally bad report that is so
6 darned old, and we didn't find out about it until a few
7 months ago. We knew nothing about it here. And we have --
8 we've had oil taken out of here, and it's great. We were --
9 the first gold was discovered right here in Santa Clarita
10 before they did it in 1849 and said gold. We found it. It
11 was found two years before. We were just quiet about it.

12 And I'm not being funny. It's a very serious
13 issue, and I'm trying to put a little levity into it because
14 otherwise I'll cry, and I don't like to cry. Smiling makes
15 less wrinkles than crying.

16 It has -- I'm just going by my notes -- it is a
17 case of dirty politics, and I'm not talking about politics
18 Republican or Democrat. I'm talking about someone is going
19 to come out the winner, and it will not be the Santa Clarita
20 Valley. It is called the golden rule and you have the
21 golden rule and somebody -- I don't know who that somebody
22 was -- went back so as a result, the BLM was given a story
23 by someone I have no clue who did it, and I don't know
24 whether it was a Republican or Democrat who did it.

25 I come from a broken home. My father was a

1 Democrat and he's 85 years old, and we are still arguing
2 about politics. But the thing is the -- Washington will be
3 a winner. The State of California will be a winner. TMC,
4 Cal Mat, they will all be winners. Everybody will be
5 smiling all the way to the bank, and who will be here but
6 the few residents who have the tenacity to hang in who are
7 not killed off by the trucks, by the traffic, by silicosis,
8 by valley fever, or get out and take their kids with them
9 because they're afraid for their children.

10 I would liken the Santa Clarita Valley if these
11 things go through to another Three Mile Island. A very
12 pretty place to visit, but wear your gas masks or your crash
13 helmets wherever you can when you go through because get the
14 hell out of there or we'll put a big circle around it and
15 have tours at high levels and say, "Isn't it a beautiful
16 place (inaudible)? It's not far from L.A. This is no
17 longer habitable."

18 Thank you very much.

19 STEVE JOHNSON: Okay. We're back to Nancy Miller.
20 Has Ms. Miller returned? Do we have any other speakers who
21 have signed up at this time? No. Okay.

22 Well, since we have no further speakers this
23 afternoon, I want to thank you all for taking time from your
24 schedules and coming to our meeting here. Again, you can
25 supplement whatever your oral comments were with written

1 comments. They will be taken by the BLM, either through to
2 be postmarked or E-mailed to us by July 5th. So the mailing
3 addresses are provided on the news release that is available
4 at the desk, registration desk.

5 And with that, I'll conclude today's meeting or
6 this afternoon's meeting -- yes, Mr. Salt.

7 TIM SALT: Rather than conclude, let's say that we are
8 temporarily adjourned. If any speakers should come in
9 between now and 5:30, which is the appointed hour for this
10 session, we will certainly take those comments. We'll all
11 be hanging around if anybody wants to discuss the issues or
12 anything, but I think we need to still remain available
13 should anyone come in between now and 5:30.

14 STEVE JOHNSON: That would be fine. That would be
15 fine with me. So with that, I will bid you a good
16 afternoon.

17
18 Second Session

19
20 TIM SALT: Good evening. If we can have everybody
21 take their seat we will go ahead and get started and make
22 full use of our time this evening.

23 I'd like to welcome everybody here this evening.
24 I'm Tim Salt. I'm the district manager for the California
25 Desert District of Bureau Land Management. I'd like to

1 welcome you to our second session of public hearing on the
2 Soledad Canyon Sand and Gravel Draft Environmental Impact
3 Statement.

4 The purpose of this meeting tonight, as was this
5 afternoon, is to solicit input from the public about the
6 draft environmental impact statement that we've prepared and
7 has been out for public review now for about a month.

8 This proposed project has been the subject of
9 analysis since about 1989 in one form or another. Right now
10 we're on a parallel track with the County of Los Angeles,
11 who is preparing the environmental impact report to satisfy
12 the State's requirements for this project. While we are
13 doing separate documents, the documents are both being
14 prepared by the same consultant and they're on a similar
15 track and we hope to keep it that way.

16 The purpose of our meeting tonight is to solicit
17 comments from you. The comments on a federal environmental
18 impact statement are slightly different than the comments
19 you might give to the planning commission and all. We're
20 interested in your input. We're interesting in hearing what
21 you have to say relative to the advocacy of the analysis and
22 whether or not there are additional things we should
23 consider.

24 This is not a setting where we would enter into
25 dialogue. We have a court reporter here this evening who

1 will be taking down everything, and then we will take that
2 information back and prepare it with what we have in the
3 draft document and make sure that everything has been
4 adequately covered. We do want to encourage dialogue
5 though, and if you have questions that you'd like to ask,
6 there is staff here that we can go out into the foyer here
7 and carry on discussion or after the other testimony has
8 been given.

9 But in order to keep the meeting moving along,
10 we would like to limit the official time to specific
11 comments for the record. I think that is about all I have
12 to say. Like I said, I am Tim Salt. I am the district
13 manager, and I will be making the final decision on this
14 project.

15 Tonight Steve Johnson from my staff will be the
16 hearing officer and will facilitate the conduct of the
17 meeting to ensure we stay on track. So with that, I'll turn
18 it over to Steve for the formal conduct of the meeting.

19 STEVE JOHNSON: Thank you, Mr. Salt. Good evening. I
20 am Steve Johnson, and tonight I am here to function as the
21 hearing officer. There is a few ground rules I would like
22 to establish right up front so that everybody knows, there
23 is no question, and I think it will make it a little easier
24 for all of us.

25 In logistics, as you notice when you came in,

1 there is a registration table. If you have not signed in
2 there, please do. It also gives you the opportunity to
3 state if you wish to speak or not. If you do, then the card
4 comes to me and I will take them in the order in which we
5 received them. Likewise, if you wish to receive
6 notification of the availability of the final environmental
7 impact statement or EIS, there is also a box there to check.
8 This is the way to get that information to you.

9 However, if you -- whether you testify tonight
10 or not, you are still asked, if you wish, to provide us
11 written comments. And I'll talk a little bit more about
12 that later, but they are given the same weight as the
13 testimony you give here.

14 With us tonight we have Michelle Treese, a court
15 reporter, who will take a verbatim record of everything
16 said. That will then help us to review and be able to
17 assure that your comments have been captured, and that we
18 didn't miss something along the way.

19 So when you do speak, I would appreciate a
20 couple of things. One is state your name. Use the
21 microphone up here but stand a little bit away from it. We
22 had a couple of people this afternoon that about swallowed
23 the mike, and it was very hard to understand them, starting
24 to get some feedback, and that created a problem, not only
25 for us to hear, but even more important for Michelle to be

1 able to get it down on the transcript.

2 To ensure that everyone who would like to have
3 an opportunity to speak tonight, I'm going to be limiting
4 the time. I'm going to limit it to five minutes per
5 speaker. We know your time is valuable, and the reason that
6 we're doing this is to give everybody a timely opportunity.

7 However, if you need more time than five
8 minutes, I will call time and I will hold your card, and at
9 the end of all the assigned speakers, I will reinvoke you to
10 come and conclude your statement. So I just want to have
11 you aware that the five-minute bell clicks, I'm going to be
12 cutting you off. It's not because I'm being nasty or
13 anything else, other than just to keep the people who are
14 here their time maximized.

15 So without further ado, I would like to go ahead
16 at this time and call the first speaker, and that is Stacey
17 Nickels. Stacey.

18 STACEY NICKELS: Okay. Is this good?

19 STEVE JOHNSON: Yeah.

20 **9** STACEY NICKELS: Stacey Nickels. I am here
21 representing the Natural History Club of Acton-Agua Dulce.
22 We have approximately 328 members presently, and we are very
23 concerned with the environmental impacts. We do not think
24 that they have been mitigated enough to protect what we hold
25 very valuable to us. And that is the river. That is the

1 stickleback, and we would like you to go back and rethink
2 that. We've worked that river, and we're very concerned
3 about that.

4 Secondly, I am here representing myself and my
5 family, and we think this project stinks. We live there.
6 This is a canyon that we have come to enjoy over the years,
7 and we are very concerned with the traffic and the safety of
8 that canyon once this project gets started. The air quality
9 is going to just degrade everything in the area so bad.
10 It's not going to be a place for people to live, and there
11 is a lot of valuable homes and property surrounding there
12 that the dust is going to impact us all tremendously. From
13 what we understand, the wind modules that were used to do
14 that with are in Newhall and do not reflect what actually
15 happens through that canyon.

16 Thank you.

17 STEVE JOHNSON: Thank you. Marsha McLean.

18 **10**

MARSHA MCLEAN: Good evening. My name is Marsha
19 McLean, and I'm a resident of Santa Clarita-Newhall. I'm
20 president of the Santa Clarita Valley Canyon Preservation
21 Committee. I'm also the chairperson of the Santa Clarita
22 Valley Chamber of Commerce.

23 I would like to tell you that first of all,
24 there has not been adequate public notice for this meeting.
25 I just happened to find out about it the day before

1 yesterday. There was nothing in our local newspapers about
2 this meeting. There were 200 people at the hearing on
3 May 11th on this same subject because they did have adequate
4 notice. I believe if you had done adequate notice, you
5 would have had many more people here concerned about this
6 project.

7 The environmental impact statement, if it at all
8 parallels the environmental impact report, does not
9 adequately address the water issue, the water quality
10 issues. It does not adequately address the air pollution
11 that will result from this, dust particulates. It does not
12 adequately address land use conflicts. Cumulative effects
13 with this project and the other three projects that are also
14 proposed for this same area, should this one happen to go
15 through, it does not -- the traffic study is not adequate.

16 At the May 11th hearing, we talked about what
17 about mitigating the traffic, not only right there at the
18 project site, but on the freeway. I happen to live in
19 Newhall. The freeway, the 14 freeway and the 5 freeway, are
20 so totally impacted at this particular time that adding more
21 truck traffic to it is going to create a problem. What
22 about mitigation? They said there would be no mitigation
23 for that impact on the 14 freeway.

24 I believe I already mentioned the dust
25 particulates. Public health and safety is not adequately

1 addressed. Quality for life for the entire Santa Clarita
2 Valley is not addressed. Visual light is addressed.

3 The environmental impact statement mentions all
4 of these things. The problem is there is no mitigation, and
5 there is not adequate studies to determine the true impact
6 of these things. I could keep on going. The list is very
7 long, as the impacts this project will have, and the
8 citizens of Santa Clarita need to rely on your good judgment
9 as to the impacts. They are significant, and hopefully you
10 will give a good look at it. Like I said, I

11 believe you need to have another public meeting in which you
12 notify the residents of Santa Clarita that this meeting is
13 taking place so that they can give you their comments. And
14 I also believe that you need to give an extension for
15 adequate comment on the EIS. I don't believe that -- I
16 think it's July 7 or July --

17 STEVE JOHNSON: July 5th.

18 MARSHA MCLEAN: July 5th. I do not believe that's
19 adequate time. I don't know how many people here have
20 received a copy of the EIS or even seen it. If -- you've
21 said you've been working on this since 1989. This has been
22 a deep dark secret here in Santa Clarita. So there has not
23 been adequate time to address all of the problems that this
24 project will bring to us.

25 So I respectfully request that one, you have

1 another notice in which -- and public meeting in which you
2 notify the residents of Santa Clarita in our local
3 newspapers, and also that you give a several month
4 extension. The EIR received a three-month extension this
5 morning, and I believe hopefully you will do the same.

6 Thank you.

7 STEVE JOHNSON: Thank you, Ms. McLean. Tana Lampton.

8 **11**

TANA LAMPTON: Tana Lampton, and I reside in Agua
9 Dulce, California. I'm about a mile and a half to two miles
10 as the dust flies from this site. I'm a charter member of
11 the Agua Dulce Town Council and 22-year member of the Civic
12 Association.

13 Ladies and gentlemen of the BLM, I think not
14 only in the EIR and EIS, it states this is not a very
15 populated area, and that's really -- that is really a
16 misnomer. This was prepared at least ten years ago, and the
17 EIR was started ten years ago, and it's stale. It's a
18 well-known fact that there are 1600 families, approximately,
19 in Agua Dulce. That is probably what, three or four
20 thousand people. Acton has about 12,000 people. The County
21 has allowed building in Pinetree and a place called
22 Stonecrest, as well as going up Sand Canyon. We're talking
23 probably 25 or 30 thousand people within the immediate area.

24 You state that -- or Transmit, sorry, states
25 that the dust can't be mitigated. This is going to be

1 horrendous. This will be worse, a million times worse, than
2 Elmore Canyon. This is going to be very devastating to the
3 health of our children and ourselves and our lungs too, not
4 to mention property values. They will be in the toilet.
5 This project is horrendous. I would like a no-project
6 alternative.

7 Thank you.

8 STEVE JOHNSON: Thank you, Miss Lampton.

9 Our next speaker is Linda Kirk.

10 **12**

LINDA KIRK: My name is Linda Kirk. I'm an Alga Dulce
11 resident. I am also a member of Safe Actions for the
12 Environment, a newly formed group of people. I'm also a
13 member of the Agua Dulce Civic Association. I'm also a
14 member of the Acton-Agua Dulce Brokers Association, who
15 oppose this project.

16 My own -- I'm going to reiterate everything that
17 has been said so far, and you're going to hear all night
18 long. This is an environment disaster. What I'd like to
19 first tell you is that all I've been hearing is BLM says
20 this project is stamped, a done deal. And I believe all of
21 these folks in this audience tonight pay all of your
22 salaries, and I do not think the BLM is representing the
23 people of this area.

24 Thank you.

25 STEVE JOHNSON: Thank you. Ben Curtis. Is that

1 correct?

2 **13** BEN CURTIS: Yes. My name is Ben Curtis. I happen to
3 own the property upon which this project is planned. I've
4 got a lot of notes. I probably won't get through them all.
5 I'll do the best I can; try to read what I wrote.

6 I'm here to express my concerns of the proposed
7 project by the Sand and Gravel Corporation. My interest is
8 somewhat unusual in that I am the owner of the surface of
9 the property; the permit application of private property is
10 described as a split estate. I own the surface. The
11 government owns the minerals. It's unusual. I'm also a
12 competitor of Transit Mix Concrete Company. I operated sand
13 and gravel on that back property for over 20 years, until a
14 change in federal definition of reserved minerals caused me
15 to lose the rights to the underlying sand and gravel.

16 There are major irreversible environmental
17 impacts that cannot be overlooked. Most of them can be met
18 with on a much smaller scale operation than the one proposed
19 by TMC. Air quality, truck exhaust, airborne dust, water
20 pollution, no provision for the protection of the waste in
21 settling ponds. Do they really have the water rights they
22 say they have? No, they don't.

23 Traffic issues. A drastic increase in truck
24 traffic on all the lanes are much more pronounced than
25 described in the EIR.

1 It's true that we were the only other bidder to
2 submit a bid to drill on the site. Our operations were
3 proposed to be much smaller than this. Throughout a 12-year
4 battle we have owned the rights to the property, we are
5 experiencing a number of acts by the BLM which show a
6 complete disregard for our rights as the property owner as
7 well as the rights of the taxpayers of the United States.

8 In my opinion, they've made numerous decisions
9 that are in contradiction with the CFR 43, which governs a
10 sale by the government. A lot of talk about the income of
11 the United States and the taxpayers of this project.
12 Nothing's happening. At this point there are literally
13 millions of dollars in back royalties owed by Transit Mix
14 Concrete.

15 In my community I have reached a number of
16 declarations (inaudible), which is a finding of
17 nonsignificant impact, folks, in relation to that sale.
18 Regulation is found in the 40 CFR report, public review
19 period, when such a finding is declared. Why weren't the
20 citizens of that area notified of such hearings ten years
21 ago?

22 It took you ten years to develop this draft EIS.
23 You've given us a mere 45 days to answer it. I'd like you
24 to consider a minimum 95-day extension to the comment
25 period. You are required to develop a community profile

1 prior to determining the method by which you hold these
2 meetings. I'd like a copy of that profile.

3 You are also required to identify stake holders,
4 people or organizations that might be affected by the
5 proposal. I would like to know why I, as the owner of the
6 property, am not considered a stake holder. It took me
7 three weeks to get a copy of the EIS. Why was I excluded on
8 that list? Combative nature of the elements. That is my
9 answer.

10 During the rest of the entire process, you have
11 elected to ignore the seven cardinal rules of written
12 communication determined by the EPA. Was this done due to
13 the fact you knew there were no significant dangers -- there
14 were significant dangers to the community, and you did not
15 want to open this up to public scrutiny? Would it have made
16 it easier to get away with the obscene project on the people
17 of the valley?

18 According to 40 CFR 513.4, you're required to
19 respond to the public as alternatives and modifications,
20 among other things. What alternatives have you considered?
21 You're in violation of 40 CFR 1503.4 by even holding this
22 meeting.

23 Are your reasons for allowing this mining
24 company to leave over 23 million tons of mining waste on
25 private property? Is that okay? I don't think so.

1 (Inaudible) You may well have the right to enter the private
2 property and that can create the process, but where in 3610
3 CFR are they allowed to leave their waste on private
4 property? 23 million tons of waste will be left on private
5 property.

6 You say the need for the project is to provide
7 reliable, economically sound sources for construction in
8 that agreement. Right now the materials available -- the
9 materials projected for this site are tenfold what this area
10 will ever use, and I know because I work in it every day.

11 Another need is for Ready Mix Concrete in the
12 Santa Clarita Valley. Why doesn't BLM think it's necessary
13 for them to provide a concrete source when they are not in
14 the concrete business? They're in the mineral sales
15 business. The concrete plant on site is not contemplated
16 with the government's CRF, and most likely is abusive
17 discretion. No surprise considering your track record.

18 You say that division of mines will run out by
19 2016. Is that your estimation or is that their estimation
20 or is that Transit Mix's pipe dream?

21 Section S.2.1.3 of your report tells that the
22 BLM has agreed with TMC to pigeonhole this resource until
23 TMC runs out of aggregates on this location. This is done
24 with the current loss to the taxpayer of over five million
25 dollars currently as we sit here today. TMC has been

1 allowed to defer payment to the United States by application
2 of what CFR?

3 It's clear that this is a violation of
4 regulations. It is not contemplated by other bidders at bid
5 time. Had we been a successful bidder (inaudible) instead
6 by some bureaucratic magic. This short review period --
7 I've had my copy for less than a week -- is an abuse of the
8 process and (inaudible) my competitors. I will hope you
9 understand and take appropriate action to extend the time
10 period for comment.

11 The EIS is not sufficient in its present form.
12 It looks very similar to the one TMC just hoisted upon us,
13 and you should know that this community will not allow this
14 kind of treatment by the United States Government and will
15 fight to preserve our way of life and aesthetics for this
16 community and our health and our children.

17 Thank you.

18 STEVE JOHNSON: Thank you, Mr. Curtis.

19 Dianne Curtis.

20 **14** DIANNE CURTIS: My name is Dianne Curtis, and I too am
21 the property owner of the location where Transit Mix won the
22 bid. I'm here this evening to talk to you on several
23 issues, one of which is the truck traffic that is going to
24 be going up and down Soledad Canyon Road and on the 14
25 freeway.

1 I have been in the trucking business since 1980.
2 At one point in time in my trucking career I have had seven
3 trucks. I currently have five that are on the road. I can
4 tell you that truck traffic and the pollution with what is
5 going to be happening on that Soledad property is going to
6 be horrendous. I don't know if the health and the safety of
7 our community will survive all that truck traffic. I'm here
8 to say that it is outrageous, and that this community cannot
9 support that kind of truck traffic.

10 I, too, would like to see an extension in giving
11 us the time and allow us to address each issue. Therefore
12 I, too, am asking you for an extension of at least 90 days.

13 When Curtis Sand and Gravel got into the bid
14 process to actually obtain our own property back from
15 mining, it was never, ever mentioned to us or brought to our
16 attention that there would be a Ready Mix Plant put on this
17 property, as TMC so issued that they are going to do. We
18 own the surface of that land, and I think it is outrageous
19 that you have the guts to come in and think that you are
20 going to put a Ready Mix Plant on the surface of our
21 property and get away with it. That will not happen.

22 I have watched my husband and my children suffer
23 from this process, and I think that it's time that you
24 understand that the community, who knows the Curtis Sand and
25 Gravel family very well, will not tolerate this type of

1 large extraction in our valley.

2 STEVE JOHNSON: Thank you, Mrs. Curtis. Surprise. We
3 have another Curtis. Dale Curtis.

4 **15**

5 DALE CURTIS: I don't have much politically to say
6 about what is happening here, but I do want to reiterate
7 what Ms. McLean said about this meeting. It is that no one
8 is here. I've attended two other of these meetings and the
9 passion that was in the audience that was against this
10 project was overwhelming, and I just don't understand why no
11 one was given enough notification.

12 The only thing I do need to say is anyone who is
13 here needs to watch these people right here. They are not
14 playing with a full deck. They will -- this is personal.
15 I've seen it go on and just watch your back.

16 That is all I'm going to say.

17 STEVE JOHNSON: Thank you. Gregg McMillun.

18 **16**

19 GREGG MCMILLUN: I'm a lifetime resident out here in
20 Canyon Country, and I remember the reason why my parents
21 actually moved out here before I was born was to kind of get
22 away from all the building and all that. And with the
23 expansion that has gone on already in Santa Clarita, that is
24 one of the few beautiful canyons we have left.

25 If you look at the pictures that you have out
here before you walk in, you'll see all the mountains around
it. What is planned to be done there, there is going to be

1 nothing. It is going to be wiped out. And like previous
2 speakers have said, the dust and the trucks are going to be
3 outrageous. That's it.

4 STEVE JOHNSON: Allan Cameron.

5 **17**

ALLAN CAMERON: Thank you very much. A number of
6 observations. Did I hear you earlier indicate that it was
7 one of your goals to reconcile the process in which you were
8 engaged with the process that the County of Los Angeles is
9 engaged with? Was I correct in hearing that?

10 STEVE JOHNSON: Basically, you're correct, but this is
11 a chance for you to provide testimony here tonight.
12 Questions such as you're asking should be asked outside this
13 meeting, and I will have to assure that that occurs.

14 ALLAN CAMERON: Thank you. You may possibly be aware
15 by now that to the considerable credit of Los Angeles County
16 Regional Planning Commission by a unanimous vote of five to
17 zero this morning in response to overwhelming amount of
18 support and sentiment expressed by the Santa Clarita
19 community; again by that five/zero vote decided to extend
20 the period of time for which comments on the county
21 environmental report, CEQA, could be submitted to the County
22 of a minimum of at least the 14th of September of 1999,
23 about another three and a half months.

24 And the commitment from the County Planning
25 Commission is at the end of that period of time, should the

1 independent environmental studies currently underway not be
2 successfully concluded, that still more time will be granted
3 to the Santa Clarita community at large to be able to
4 properly and accurately assess the effects of the project,
5 and I would like to ask that the most modest administrative
6 level in the BLM respond to that clear expression of
7 sentiment from at least the county reviewing agency and
8 reconcile your EIS process with that and extend your period
9 of time for comments to be considered on your EIS to that
10 same period of time.

11 That would be appropriate for many other
12 perspectives as well. The Santa Clarita organization for
13 planning the environment scope is on your distribution list.
14 One of your colleagues showed me the mailing date of the
15 19th of May, but in point of fact, the document actually
16 appeared in SCOPE's mailbox yesterday. So that already cut
17 into the minimal period of time that you would be able to
18 hear by an unacceptably short amount.

19 On the 11th of May, 19 community organizations
20 comprising some 54 different individuals took the time and
21 trouble to appear before the Santa Clarita City Council for
22 the express purpose of asking that an adequate amount of
23 time and independent, objective studies be initiated and
24 completed on the effects this project will have on this
25 community.

1 It was in response to that overwhelming
2 expression of interest and concern, such a broad based
3 coalition, that the City of Santa Clarita sent its request
4 to the County of Los Angeles asking for the additional time
5 to be granted for those studies to be conducted. And again,
6 to the credibility of Los Angeles County, it was in response
7 to that expression that the County this morning voted
8 five/zero to grant that additional time.

9 So I would now formally like to request of you
10 on behalf of myself and behalf of my firm, Comprehensive
11 Development Company, that you also extend the period of time
12 available for comments on this EIS to certainly no later
13 than the 14th of September 1999.

14 Having entered into the record, there are a
15 number of observations that are appropriate regarding this.
16 One is that the compatibility of this project with its
17 surroundings is about 35 years too late.

18 Is my five minutes expired?

19 STEVE JOHNSON: Your time is up. Would you wish to
20 continue afterwards or would you care to provide written
21 comments within the time frame for review?

22 AUDIENCE: I'd like to hear the rest of your
23 statement.

24 ALLAN CAMERON: Thank you. I will reserve.

25 STEVE JOHNSON: That will be fine.

1 TIM SALT: I'd like to announce right now that we will
2 take action on Friday to extend the comment period to be
3 consistent with the extension the County of Los Angeles has
4 granted.

5 AUDIENCE: I don't think your microphone is working,
6 sir. Can you repeat what you said?

7 TIM SALT: I said that on Friday we will take the
8 appropriate action to extend the time period for this EIS to
9 coincide with that extension that was granted by the County
10 of Los Angeles so that they will still be on the same tract.

11 STEVE JOHNSON: Andrew Fried, I believe.

12 **18** ANDREW G. FRIED: Good evening. How are you? My name
13 is Andy Fried. I'm president of SAFE, which is Safe Action
14 for the Environment. We are a newly formed about to be
15 nonprofit corporation, solely for the purpose of watching
16 out for the environment here in the Santa Clarita and the
17 Antelope Valley.

18 We feel very, very strongly that this is a
19 shotgun wedding. We're not happy with it. Organizations
20 such as the Sierra Club have already indicated in writing
21 that environmental law breaking is an unacceptable practice,
22 and there seems to be a lot of material to back that up. We
23 will provide all of this to you in writing.

24 We have retained an urban planner, and
25 Mr. Carmona is in the process of going through all of the

1 material. We appreciate the extension. Thank you. It is
2 going to be necessary to go through everything, and thank
3 you.

4 STEVE JOHNSON: Thank you, Mr. Fried.

5 Stuart Larson.

6 **19** STUART LARSON: Good evening. I, as well as many
7 other people in the audience, I won't speak for most of
8 them, but I think most of us share a concern about the
9 proximity of this project to our residences. I live in a
10 area called Stonecrest, which is approximately a mile and a
11 half from the project. And in reviewing the EIR and the
12 EIS, the word that keeps popping out at me is significant,
13 as far as the air quality goes.

14 Time and time again, nitrogen oxide, the active
15 organic, PM-10, exceed thresholds in Phases 1 and 2. Carbon
16 monoxide emissions exceed thresholds in Phase 2. Even after
17 mitigation, impacts on air quality remain significant.

18 Many of us have moved into this area with our
19 children to raise them, and we're rather upset at finding
20 out that there is going to be a surface mining project a
21 mile and a half from our community.

22 That is the biggest problem most of us have in
23 addition to the traffic. I understand what you are -- what
24 the EIS -- what you are required to do, but I think it is
25 rather disingenuous to ignore the impact that those trucks

1 are going to have on the freeway. To equate one of those
2 trucks with two passenger cars, I think, going up and down
3 hills on windy streets is ludicrous because those trucks
4 cannot maintain their speed going up hills. We've all seen
5 driving on the freeway in the morning, how they slow the
6 traffic down when they're going up hills.

7 That is the biggest thing, though, is the air
8 quality. The other thing is in living in the area, I know
9 for a fact, after living there for over a year, that there
10 are extremely high winds in this area, specific area. And
11 the air quality studies were done in Newhall which is 11
12 miles away. Again, that is totally inadequate.

13 I suggest and I request that air quality studies
14 and wind studies be done of these surrounding areas right
15 around the area to see what kind of effects those winds have
16 on carrying pugitive dust to the residential areas that are
17 a mile and a half from the project site. I think that is a
18 very reasonable request.

19 I also request that if this project is approved,
20 that there be wind monitors or air quality monitors at
21 either end of the site to monitor what is happening with
22 pugitive dust.

23 As far as the projected population growth in the
24 traffic studies, it assumes one and a half percent per year.
25 The projections that I have heard for this region is that it

1 will reach from 150,000 now, by the 2010 it will reach
2 270,000, almost double. That is way out of line with the
3 projections that are being made here, and I think in another
4 ten or twenty years, the effect of these trucks on our
5 traffic is going to be so great that none of us will be able
6 to live with it.

7 That needs to be studied now. A one and a half
8 percent growth is totally out of line with everything that
9 I've read concerning what the projections are for this area.
10 This is an area where most of the growth from L.A. County is
11 coming out here because this is the only place where there
12 is any land left.

13 Again, the proximity of this project to
14 residences is way too close, and I think that needs to be
15 taken into account. In all the maps and the pictures that I
16 saw in the EIS and the EIR, it's very strange that none of
17 our houses are visible, even though they're there now. So I
18 think that updated pictures should be taken, and it should
19 be acknowledged that there are families living there with
20 children within a mile and a half of this site because it is
21 not apparent in this EIS.

22 For instance, it says here that -- it mentions
23 one house, the rivers and trailer park as being sensitive
24 receptors within 3,000 feet, and finally Agua Dulce, which
25 is three miles away. Why is there no mention of Stonecrest

1 and Shadowpines, which is a mile and a half away? It's
2 totally ignored. There is no pictures. There is no mention
3 of it. That needs to be acknowledged.

4 Thank you.

5 STEVE JOHNSON: Thank you, Mr. Larson. Lynne
6 Plambeck. Did I get that correct?

7 **20** LYNNE PLAMBECK: I'm here representing Santa Clarita
8 Organization for Planning and Environment, and I first would
9 like to apologize and correct a misstatement that
10 Mr. Cameron accidentally said that we didn't timely receive
11 the EIR. I received the EIR. He doesn't pick up the mail.
12 It was last week that we got it. We did get it timely, and
13 of course you got the certified receipt to show that. I
14 just wanted to fix that comment. He didn't do that on
15 purpose. He doesn't pick up the mail.

16 I just wanted to comment on your air quality
17 section a little bit. We'll be providing more extensive
18 written comments, but the air quality section should include
19 modeling that would indicate where the dust is going to be
20 in the community, and I know there was a presentation in the
21 EIR in the community in Canyon Country. The company stated
22 that the dust would be falling directly back on the project,
23 and we find with the amount of winds in this area that is a
24 little difficult to believe and probably is plain not true.

25 We believe you need to disclose health effects

1 of pugitive dust in the EIR. You've stated there are health
2 effects, but there has been quite extensive finding recently
3 about respiratory disease and cancer that is caused by
4 pugitive dust and that should be disclosed to the community
5 and to decision makers, yourself, and the EIR.

6 We are in the nonattainment zone for dust, a
7 no-zone, and to comply with the Federal Clean Air Act you
8 need to not increase that, and of course you will be, and of
9 course you will be affecting sensitive receptors. It is
10 noted in here, so we don't know how you are going to comply
11 with the Clean Air Act, and we think that is a serious
12 deficiency in this EIR that will make it look like you will,
13 but you won't. Of course, in that case you will probably
14 have some people who will go after you for that, a problem
15 we could all avoid.

16 Also the Regional Water Quality Board submitted
17 a letter to the County on the DEIR stating that they
18 wouldn't approve the project as it's presently presented,
19 and we wondered -- we hope that you will have some sort of
20 disclosure about how you plan to remedy that situation. We
21 do have prehistoric fish in the Santa Clara River, which I'm
22 sure has been disclosed in here. I didn't read the biology
23 section yet.

24 We all like the Santa Clara River a whole lot,
25 and we don't want it muddied up. We want to keep our fish,

1 and we want to keep our downstream habitats, and we need to
2 keep our water supply in good shape, and also the Santa
3 Clara river is currently in a state of overdraft due to
4 pumping in the area and the increase in withdrawal from that
5 would just increase the problem downstream, and this company
6 has applied to appropriate 500-acre feed from the alluvial
7 water system, and that would be a serious impact to
8 communities and water quality and our water supply. And we
9 think that they really need to look at a different way of
10 getting water to the project. They can't take any more out
11 of the river. We don't have an adjudicated system, but none
12 of us are going to let this continue to happen because it's
13 our water supply and it's not healthy.

14 The wellness of our community is at stake, and
15 there are, of course, federal remedies. If we can't get the
16 State or anybody else to do something about it, we can go to
17 the Clean Water Act and Safe Drinking Water Act. We will be
18 submitting more comments and thank you for being here.

19 STEVE JOHNSON: Thank you, Ms. Plambeck. Mr. Cameron,
20 you may continue.

21 **21** ALLAN CAMERON: Thank you. When people do the right
22 thing, they need to be commended for it, and I would like to
23 personally thank you for disclosing to this group this
24 evening that you have agreed to reconcile your time line
25 with that of the County of Los Angeles. That is deeply

1 appreciated, as I'm sure you noticed here.

2 During the now-extended period of time that
3 you'll be considering this project, should there be a
4 somewhat more forthcoming and comprehensive program of
5 notification to the general public, you would see a vastly
6 larger number of people than even the people you see this
7 evening. I mean, when Transit Mix was forthright enough to
8 advertise a meeting just for one, one of these many
9 communities directly affected by this project, the Sand
10 Canyon Community, of which this school is an integral part,
11 there were 150 people in this room just from the immediate
12 Sand Canyon area. And Sand Canyon is one of about eight or
13 nine residential communities that are significantly affected
14 by this project. So with a greater amount of publicity,
15 you'll have a significantly larger number of people in
16 attendance to express their views on this project than you
17 have here this evening.

18 Frankly there was a minimal amount of public
19 exposure in the local media. I don't know of a single news
20 story written in any of the five publications that cover the
21 area that specifically address the fact that this meeting
22 was going to be held in this location at this time this
23 evening.

24 A couple of quick generic comments, and I'll
25 avail myself of your kindness and submit comments in writing

1 prior to the deadline. In terms of the compatibility with
2 its surroundings, this project is about 40 years out of
3 date. If you look at the incompatible land uses that have
4 been legally ratified by the lead agencies within a two- to
5 five-mile radius of this proposal, you will find fully
6 certified environmental impact reports from Cal Trans, from
7 the Southern California Association of Governments, from the
8 County of Los Angeles, from the City of Santa Clarita that
9 were officially noticed with notices of preparation,
10 reviewed by the appropriate lead agencies, and certified as
11 being complete with no notification, no cumulative impact
12 analysis, no protestations, no comments about the effect on
13 those proposed land uses in the preceding ten years by this
14 gravel mine, and it was obligatory upon the BLM and upon the
15 leaseholder to enter into the environmental review of these
16 incompatible land uses and provide notice that this pending
17 proposal would possibly interfere with the appropriate use
18 of the land that was being studied in the environmental
19 impact reports that were actually certified.

20 So as that process went on not once, but a
21 minimum of ten separate times, the window of opportunity to
22 have this legally designated as a compatible land use with
23 its surrounding expired. It is no longer conceivably
24 compatible with the surroundings that are now in existence,
25 and the opportunity to make those protestations, to require

1 those disclosures was abrogated not once, by multiple times.

2 Again, I would like to thank you again for
3 having granted that extra time, and our firm will be
4 submitting about -- in conjunction with our colleagues --
5 some two to three hundred pages of analysis regarding a lot
6 of the issues that are clearly amiss on this proposal.

7 Thank you.

8 STEVE JOHNSON: Thank you, Mr. Cameron. Do we have
9 any other speakers? Yes, sir. Did you fill out a card for
10 us, sir?

11 ARTHUR EDWARDS: I filled out a card, yes.

12 STEVE JOHNSON: The gentleman said he filled out a
13 card, Elena. What is your name, sir?

14 ARTHUR EDWARDS: Arthur Edwards.

15 STEVE JOHNSON: Arthur Edwards.

16 **22** ARTHUR EDWARDS: My name is Arthur Edwards. I am 56
17 years old today. I short-circuited a birthday party to be
18 here tonight. Why did I plan it this way? Because I found
19 out about this meeting this morning.

20 I teach at Canyon High School. A colleague of
21 mine who teaches at the College of the Canyons tonight said
22 this meeting is really important, and she just bought a home
23 not too far from where my wife and I have lived in our home
24 in Pinetree for now more than 30 years, and I've taught at
25 Canyon High School for 31 years, and I've raised my children

1 here. I have a grandchild on the way. And I'm telling you
2 this is a wonderful community, and I love this place. I
3 plan to retire here in six years and just stay here because
4 there are nice people here. But I tell you, 30 years ago a
5 gravel pit was not part of the bargain, and I've taught so
6 many kids here whose parents have moved at great sacrifice
7 into this community because we have excellent schools. We
8 try our best to communicate from the high school to the
9 parents. Many of them are sitting here. I had some of
10 their children in my classes throughout the years and
11 wonderful people.

12 How did I find out about this meeting this
13 morning? A colleague of mine put a note in my box. She had
14 received an E-mail from somebody else. Not a very good way
15 to notify us about a meeting tonight. So I thank you for
16 extending it. Next time I hope we have the proper kind of
17 mail a taxpayer deserves about this kind of meeting, and I
18 thank you very much.

19 STEVE JOHNSON: Thank you, Mr. Edwards, and on behalf
20 of our agency, I do apologize that we missed your card. Is
21 there anyone else that now would like to have the
22 opportunity? Yes, ma'am?

23 AUDIENCE: I would like to know if you are going to
24 have another public hearing.

25 STEVE JOHNSON: I'm not able to answer that tonight.

1 AUDIENCE: Will you take that back and make that a
2 consideration?

3 TIM SALT: Yes, we will consider it.

4 AUDIENCE: Make it public information?

5 STEVE JOHNSON: Again, this is for being able to
6 provide comments and not for being able to answer; however,
7 what we will do is we will keep it open. We will basically
8 go into a recess mode and keep it open. If you have
9 questions that you would like to ask any of the BLM people
10 here tonight, you're certainly welcome to off the record and
11 if that results in you wishing to make a statement tonight,
12 we, again, will be happy to entertain it.

13 Ladies in the back, you both raised your hands.

14 Is this --

15 AUDIENCE: I was wondering if I could speak. I didn't
16 fill out a card.

17 STEVE JOHNSON: Sure. What was your name, please.

18 KAREN TOWLES: My name is Karen Towles.

19 STEVE JOHNSON: Karen Towles.

20 **23**

21 KAREN TOWLES: My name is Karen Towles, and I came
22 here just to kind of hear about everything that was going to
23 be happening in our valley, and the reason I decided to
24 speak is because I'm a registered nurse, and I happen to
25 have recently taken care of a patient who died of valley
fever. She was a 30-year-old woman who was pregnant giving

1 birth to her first child, and she got the spores in her
2 lungs, and they went to her brain. We gave her multiple
3 doses of antigy (sic). We infused antigy (sic) directly
4 into her brain, and she still died. Her baby has no mother,
5 and I think this is one of the diseases that we can all get,
6 all of us, our kids, because of this mining project, and I
7 just became very involved and felt I needed to say this
8 because I happen to take care of this patient, and she
9 greatly attached my life.

10 Thank you.

11 STEVE JOHNSON: Thank you. Was there one other?

12 **24**

13 LYNNE PLAMBECK: Yeah, I forgot when I was giving
14 comment that we had written and requested that the two
15 processes, the EIR and EIS process. I forgot to have this
16 up here because it is difficult for the community to come
17 out for two sets of meetings every time, and for instance
18 this last meeting where the EIR process was discussed, I
19 think it would have been helpful if the BLM could have been
20 there at that time and heard concerns of the community and
21 not to have everybody come to a second meeting and write two
22 sets of comments. Is that possible?

23 STEVE JOHNSON: On behalf of our court reporter, would
24 you state your name.

25 LYNNE PLAMBECK: Oh, Lynne Plambeck.

STEVE JOHNSON: Thank you. I'm not able to respond to

1 that at this particular point in time, but your comment is
2 noted.

3 Anyone else? Not hearing anyone -- yes, sir.

4 AUDIENCE: May I say something?

5 STEVE JOHNSON: Yes. Please state your name. Did you
6 fill out a card?

7 DR. JONATHAN TROUNG: I did.

8 STEVE JOHNSON: Okay. The one you just gave me, okay.
9 Thank you.

10 **25** DR. JONATHAN TROUNG: My name is Jonathan Troung. I'm
11 a physician. I practice internal medicine in Santa Clarita.
12 I reviewed your EIS, and I've said this before recently at
13 the City Council meeting about this project.

14 I'm against the project because of the negative
15 health consequences that the project will produce. There
16 are three aspects here. Firstly, the particulate matters
17 produced by the project, particularly the 2.5 to 10 micron
18 particles. These particles cannot be cleared by the human
19 body. If they get into your eyes, they cause irritation of
20 the irucoten (sic). We call that conjunctivitis. They get
21 into your nose causing allergic rititus and as inhaled
22 deeper into your sinuses, they can cause inflammation of
23 your sinuses. We called that sinositis.

24 As they go deeper into your trachea, your
25 bronchi, they cause bronchitis, and when they go deeper down

1 into your lungs, they call it asthma. They also call
2 napoleofibrosis (sic) which is a very strong (inaudible),
3 end stage case of asthma.

4 Of course, if you had no diseases, this will
5 trigger diseases in your body. If you've had other diseases
6 before, such as emphysema, you've had lung cancer in the
7 past, you've overcome previous pneumonia, this will only
8 make your present disease worse.

9 That is just the particulate matters inhaled.
10 What about the type? There is a second disease called
11 pulmonary silicosis. Silicosis is a compound, silicon
12 dioxide produced by mining. It's found in cement. It's
13 found in aggregate material. It's found in sand. As you
14 inhale the stuff, it causes a severe pulmonary inflammation
15 and fluid and just bad lung disease.

16 You can be exposed to the disease -- to the
17 material for ten months, and you can develop death within
18 two years. Of course, sometimes some people don't develop
19 death, and they get the disease 50 years later after the
20 mining has been closed. That is called pulmonary silicosis.

21 We know that even with people working in the
22 industry even with their specialized equipment, they can
23 still get the disease; let alone us living in this area, and
24 of course, the three elementary schools that are around
25 here.

1 And finally there is valley fever. Valley fever
2 is caused by a form of the fungus, coccidioides immitis.
3 The stuff is inhaled. It settles in your lungs, and it
4 spreads quickly to your joints, it can go to your bones,
5 causing bone abscesses, and finally to your brain causing
6 meningitis. There is no cure for this disease. Even with
7 the best (inaudible) you can still die if you are not able
8 to put the disease yourself.

9 The last outbreak of pulmonary silicosis
10 occurred after the 1924 earthquake in Ventura County. Two
11 hundred three cases were reported by the Semi Valley
12 epidemiologists. This is published in the journal, which is
13 Journal of Medical Association. It occurred after the
14 earthquake shifts in landslides and the winds coming
15 through. Two hundred three cases occurred. On average,
16 Semi Valley gets a third of the cases. We do know these
17 things are very dangerous.

18 Overall, I am worried about the project on the
19 negative -- very negative health impact in our way of living
20 around here.

21 Thank you.

22 STEVE JOHNSON: Thank you, Doctor. Anyone else? Your
23 name please.

24 **26** MICHAEL KARBACHER: My name is Mike Karbacher. I'm an
25 Agua Dulce resident. I just would like to ask you if our

1 health and safety is worth the 28 million that you get.

2 This just appears to me as -- if this project is approved --
3 man's inhumanity to man, and I would like you to think about
4 that.

5 STEVE JOHNSON: I will take yours, and then we will go
6 into a recess. We will be here until 9:00.

7 **27** PAT ALLEN: My name is Pat Allen. I'm a resident of
8 Agua Dulce, and I would like to make a comment. Several
9 weeks ago through the forest service, they did a burning.
10 And we did not have significant winds, but that smoke came
11 from all the way up the back of Sylmar and just went all the
12 way to Agua Dulce, and that's basically what is going to
13 happen to the dust. There was no wind, and yet it still
14 surrounded the whole community.

15 STEVE JOHNSON: Thank you. Like I said, we will be
16 here until 9:00 and we'll take a little recess, give all of
17 us a chance to stretch our legs a little bit. If you would
18 like to speak, please let our desk know. We'll still
19 entertain comments, but I would also want to encourage you
20 that we will accept written comments until the end of the
21 comment period, which Mr. Salt has just now extended. And
22 they can also -- besides being postmarked, they can be
23 E-mailed to us. Those addresses are on the news release
24 that is also available there at the front desk if you
25 haven't picked one up.

4 STEVE JOHNSON: Ladies and gentlemen, we've not had
5 anyone else who has filled out a card. So I would assume we
6 do not have anyone else tonight to speak to our group. We
7 do appreciate all of you coming and before we conclude this
8 meeting, Mr. Salt would like to say a few words.

9 TIM SALT: I just want to thank everybody for coming.
10 I think we received a lot of really valid comments tonight,
11 and we're going to be doing a lot of work between now and
12 the close of this process to analyze those comments and make
13 sure those issues are appropriately addressed.

14 I really appreciate you coming tonight, and
15 there will be a notice coming out later this week, first
16 part of next week, formally announcing the extension of the
17 comment period.

18 Thank you.

19 AUDIENCE: Do you notice the basis of what the
20 extension might be?

21 TIM SALT: We will duly note the extension.

22 STEVE JOHNSON: Thank you again for coming and good
23 night.

24

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REPORTER'S CERTIFICATE

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STATE OF CALIFORNIA)
) ss.
COUNTY OF RIVERSIDE)

I, MICHELLE TREESE, Certified Shorthand Reporter
No. 11699, in and for the State of California, do hereby
certify:

That the foregoing transcript of proceedings, Pages 2
through 70, was taken before me on June 2, 1999, at the
place set forth, and was taken down by me in shorthand, and
thereafter transcribed into typewriting under my direction
and supervision; and I hereby certify that the foregoing
transcript of proceedings is a true and correct transcript
of my shorthand notes so taken.

I further certify that I am not of counsel or attorney
of the parties hereto or in any way interested in the events
of this case and that I am not related to any of the parties
thereto.

WITNESS my hand this 9th day of June, 1999.

Michelle Treese

MICHELLE TREESE
C.S.R. NO. 11699

CERTIFIED COPY CERTIFICATE

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4 I, MICHELLE TREESE, Certified Shorthand Reporter
5 No. 11699, hereby certify that the foregoing proceedings,
6 Pages 2 through 70, is a correct and certified copy of the
7 proceedings taken before me on June 2, 1999, as thereon
8 stated.

9 I declare under penalty of perjury that the foregoing
10 is true and correct.
11

12 Executed at Corona, California, this 9th day of June,
13 1999
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15 

16 MICHELLE TREESE
17 C.S.R. NO. 11699
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Concordance Report	13:16	29 [1]	33:9, 13	6:3; 10:9; 24:4; 36:16; 37:1;
Unique Words: 2,116	1849 [1]	21:7	5th [3]	51:3, 17; 56:5; 63:25; 64:5,
Total Occurrences: 6,319	31:10	<hr/> ** 3 ** <hr/>	33:2; 40:17, 18	6; 65:25; 68:7
Base Words: 384	19 [1]		<hr/> ** 6 ** <hr/>	abrogated [1]
Total Words In File:	51:19	3,000 [1]	60 [1]	62:1
15,681	1924 [1]	56:24	4:1	abscesses [1]
Single File Concordance	68:10	30 [4]	60-day [1]	68:5
Case Insensitive	1957 [1]	21:7; 41:23; 62:24; 63:4	3:24	abuse [1]
Noise Word List(s):	12:24	30-year [1]	60s [2]	47:7
NOISE.NOI	1969 [2]	29:18	23:9; 29:21	abusive [1]
Cover Pages = 1	16:7; 18:1	30-year-old [1]	<hr/> ** 7 ** <hr/>	46:16
Includes ALL Text	1975 [2]	64:25	7 [1]	academy [1]
Occurrences	7:20; 20:13	300 [1]	40:16	25:14
Dates ON	1980 [1]	13:17	70 [2]	accept [3]
Includes Pure Numbers	48:1	31 [1]	71:10; 72:6	3:15, 25; 69:20
Possessive Forms ON	1989 [2]	62:25	70s [1]	access [1]
<hr/> ** 1 ** <hr/>	34:9; 40:21	32 [1]	23:9	11:1
1 [1]	1990 [3]	21:7	750 [1]	accidentally [1]
54:15	7:24; 8:5; 9:15	328 [1]	25:16	57:10
10 [1]	1994 [1]	37:22	7:00 [1]	according [2]
66:17	9:22	33 [1]	22:8	13:13; 45:18
11 [2]	1999 [7]	26:1	7:30 [1]	account [1]
22:1; 55:11	2:1; 50:22; 52:13; 71:10,	35 [1]	22:8	56:15
110 [1]	21; 72:7, 13	52:17	<hr/> ** 8 ** <hr/>	accountable [1]
24:10	19th [1]	3610 [1]	80,000-ton [1]	21:15
1699 [4]	51:15	46:2	15:19	accurately [1]
7, 24; 72:5, 17	<hr/> ** 2 ** <hr/>	<hr/> ** 4 ** <hr/>	80s [2]	51:4
11th [3]	2 [7]	40 [5]	2:17; 23:9	acknowledged [2]
39:3, 16; 51:19	2:1; 54:15, 16; 71:9, 10;	21:7; 44:18; 45:18, 21; 61:2	83 [1]	56:19; 57:3
12 [1]	72:6, 7	24:9	9:23	acres [2]
13:17	2,000 [1]	21:7; 44:9	85 [3]	13:19; 24:15
12,000 [1]	25:20	44:23	10:22, 23; 32:1	acronym [1]
41:20	2.5 [1]	450 [1]	86 [1]	5:13
12-year [1]	66:17	13:14	10:23	acronyms [1]
44:3	20 [5]	4:00 [1]	<hr/> ** 9 ** <hr/>	5:11
128 [1]	9:25; 14:19; 26:9; 27:12;	2:2	90 [1]	act [10]
28:15	43:13	<hr/> ** 5 ** <hr/>	48:12	5:16, 17; 7:20; 16:7; 18:1;
14 [6]	200 [2]	5 [1]	900 [2]	20:13; 58:7, 11; 59:17
10:10; 25:17, 23; 39:19, 23;	13:20; 39:2	39:19	28:11, 14	action [5]
47:24	2010 [1]	50 [4]	90s [2]	2:20; 47:9; 53:2, 8, 13
14226 [1]	56:1	25:22; 26:6; 67:19	2:18; 23:9	actions [1]
21:21	2016 [1]	500 [1]	95-day [1]	42:11
14th [2]	46:19	13:20	44:24	active [1]
00:22; 52:13	22-year [1]	500-acre [1]	99 [1]	54:14
15 [2]	41:11	59:6	28:18	activist [3]
34:15	23 [2]	50s [1]	9:00 [2]	24:8; 29:20; 30:9
150 [1]	45:24; 46:4	23:9	69:6, 16	activities [1]
00:11	240 [1]	513.4 [1]	9th [2]	8:10
150,000 [1]	10:13	45:18	71:21; 72:12	activity [2]
03:1	25 [3]	54 [1]	<hr/> ** A ** <hr/>	15:10; 28:19
1503.4 [1]	13:18; 14:8; 41:23	51:20	ability [2]	acton [5]
46:21	27 [1]	62:16	15:1, 3	7:1; 8:23; 9:18; 17:14;
1500 [1]	24:9	5:30 [2]	able [13]	41:20
1:18	270,000 [1]			acton-agua [5]
100 [1]	56:2			17:17, 23; 19:17; 37:21;
	27363 [1]			42:14
	27:25			acts [1]
	28 [1]			44:5
	69:1			add [1]
				14:9
				adding [1]

20	6:22; 10:14, 25; 14:11, 24, 25; 15:2, 4; 20:22; 67:13	americans [1]	33:9	27:23; 70:5
addition [1]	aggregates [1]	14:3	appreciate [5]	assumes [1]
admission [5]	46:23	amiss [1]	4:11; 36:19; 54:1; 70:7, 14	55:24
1; 8, 9; 34:22; 52:4, 8	agreed [2]	62:6	appreciated [1]	assuming [1]
address [6]	46:22; 59:24	amount [6]	60:1	6:9
1; 9, 10, 12; 40:23; 48:11;	agreement [1]	50:17; 51:18, 22; 57:23;	appropriate [7]	assure [2]
21	46:8	60:14, 18	47:9; 51:11; 52:15; 53:8;	38:17; 50:13
addressed [5]	agricultural [1]	analysis [4]	59:6; 61:10, 17	asthma [2]
1; 9; 40:1, 2; 70:13	8:9	34:9, 21; 61:12; 62:5	appropriately [1]	67:1, 3
addresses [2]	agua [34]	analyze [1]	70:13	astronauts [1]
1; 3; 69:23	6:15, 16; 7:1, 9, 14; 8:5, 23;	70:12	approve [2]	23:13
adequate [9]	9:17, 18; 10:14, 15; 11:14;	andrew [2]	9:7; 58:18	atmosphere [1]
1; 24; 39:3, 4, 15; 40:5, 15,	12:6, 10, 21, 23, 25; 13:11,	53:11, 12	approved [4]	23:22
1, 23; 51:22	14, 18, 25; 14:2; 15:21;	andy [1]	22:6, 14; 55:19; 69:2	attached [1]
adequately [5]	16:12; 17:14; 26:7; 41:8,	53:13	approximately [6]	65:9
1; 4; 39:9, 10, 12, 25	11, 19; 42:13; 56:24; 68:25;	angeles [12]	13:16; 21:23; 28:11; 37:22;	attendance [2]
where [1]	69:8, 12	14:13, 18; 19:4; 34:10;	41:18; 54:10	4:11; 60:16
1; 4	aid [1]	50:8, 15; 52:4, 6; 53:3, 10;	area [58]	attended [1]
adjacent [4]	25:17	59:25; 61:8	6:23; 7:11, 15, 21; 8:1, 8,	49:7
1; 8; 8:7; 28:12, 25	air [20]	announce [1]	11; 10:7, 15; 13:4; 14:7, 13,	attention [2]
ajourn [1]	12:6; 15:17; 18:16; 20:9;	53:1	18, 22; 15:14, 17, 23, 25;	31:2; 48:16
1; 2	22:20; 24:7; 30:24; 38:8;	announcing [1]	22:6, 22, 23; 23:6; 24:14,	attorney [1]
ajourned [1]	39:10; 43:19; 54:13, 17;	70:16	17; 25:9, 11, 14, 15, 17;	71:16
1; 3	55:7, 11, 13, 20; 57:16, 18;	annual [1]	26:8; 27:3, 9; 28:11, 25;	attract [1]
ajudicated [1]	58:7, 11	19:13	29:22, 23; 30:17; 38:9;	16:2
1; 11	airborne [1]	answer [6]	39:14; 41:15, 23; 42:23;	audience [13]
administrative [1]	43:19	3:20; 17:1; 44:23; 45:9;	44:20; 46:9; 54:10, 18;	6:8; 11:8; 42:21; 49:8;
1; 5	alga [1]	63:25; 64:6	55:8, 10, 15; 56:9, 10;	52:22; 53:5; 54:7; 63:23;
1; 0 [3]	42:10	antelope [4]	57:23; 59:4; 60:12, 21;	64:1, 4, 15; 66:4; 70:19
1; 0; 37:15	allan [5]	26:7; 27:6, 16; 53:17	67:23	avail [1]
stages [1]	50:4, 5, 14; 52:24; 59:21	anticipation [1]	area's [1]	60:25
1; 1	allen [2]	10:2	15:3	availability [2]
advertise [1]	69:7	antigy [2]	areas [16]	14:25; 36:6
1; 3	allergic [1]	65:3	7:3, 8; 8:2, 3, 19; 10:25;	available [5]
advocacy [1]	66:21	anybody [4]	11:1, 19; 14:10; 15:8;	33:3, 12; 46:8; 52:12; 69:24
1; 21	allow [6]	3:18; 30:4; 33:11; 59:16	17:22; 19:8; 28:24; 55:14,	average [1]
aesthetics [1]	14:7; 18:24; 19:11; 23:16;	anytime [1]	16	68:15
1; 15	47:13; 48:11	4:1	arguing [1]	averaged [1]
ected [3]	allowed [3]	anywhere [1]	32:1	13:18
1; 4; 60:9, 13	41:21; 46:3; 47:1	20:15	arthur [6]	avocados [1]
ecting [1]	allowing [1]	apologize [3]	62:11, 14, 15, 16	22:1
1; 9	45:23	29:8; 57:9; 63:20	aside [2]	avoid [3]
orementioned [1]	alluded [1]	appalled [1]	8:3; 17:23	15:21; 18:8; 58:15
1; 17	23:15	11:14	asking [5]	award [1]
raid [1]	alluvial [1]	apparent [3]	20:7; 48:12; 50:12; 51:22;	25:14
1; 9	59:6	7:4; 11:23; 56:21	52:4	aware [3]
ernoon [8]	alone [1]	apparently [1]	aspect [1]	2:16; 37:11; 50:14
1; 4; 5:5; 12:20; 21:20;	67:23	7:16	17:16	awareness [1]
23; 33:16; 34:5; 36:22	alterations [1]	appear [3]	aspects [1]	9:16
ernoon's [1]	21:5	9:4, 20; 51:21	66:16	azusa [3]
1; 3	alternative [3]	appearance [1]	assess [1]	7:15; 15:9, 24
erwards [1]	12:11; 20:24; 42:6	11:23	51:4	<hr/>
1; 20	alternatives [3]	appeared [1]	assets [1]	** B **
encies [10]	3:8; 45:19, 20	51:16	8:15	<hr/>
1; 6, 20; 11:3, 18, 25;	amending [1]	appears [2]	assigned [1]	baby [2]
2, 5; 61:4, 10	19:9	14:6; 69:2	37:9	29:22; 65:4
ency [5]	america [1]	application [4]	association [12]	bank [1]
1; 8; 15; 29:9; 51:7;	14:4	21:14; 29:5; 43:9; 47:1	10:17; 12:22, 23; 28:2, 7,	32:5
gregate [10]	american [1]	applied [1]	10; 29:6; 41:12; 42:13, 14;	bargain [1]
1; 1	14:2	59:6	61:7; 68:13	63:5
1; 1		appointed [1]	assume [2]	base [1]

in addition to base

24:8	biology [1] 58:22	29:16; 30:7	58:3; 67:6	certified [8] 57:13; 61:6, 10, 19; 71:6;
based [4] 28:19; 29:4; 31:3; 52:2	birds [1] 25:15	broad [1] 52:2	canyon [40] 2:1, 10; 7:9, 14, 23; 9:25;	72:1, 4, 6
basic [1] 18:6	birth [1] 65:1	brochure [2] 9:23; 10:1	10:8, 9, 14, 15; 12:5, 6;	certify [4] 71:8, 13, 16; 72:5
basically [3] 50:10; 64:7; 69:12	birthday [1] 62:17	broken [1] 31:25	13:4; 14:7; 15:14, 23;	cf [8] 21:6, 7; 44:9, 18; 45:18, 21;
basin [1] 15:5	bit [4] 36:11, 21; 57:17; 69:17	broker [1] 29:19	16:19; 21:22; 25:12; 27:25;	46:3; 47:2
basis [1] 70:19	black [1] 30:23	brokers [1] 42:14	28:1, 7, 10; 29:21; 34:2;	chairperson [1] 38:21
battle [1] 44:4	blame [1] 26:25	bronchi [1] 66:25	38:6, 8, 15, 20; 41:22; 42:2;	chamber [1] 38:22
beach [1] 25:10	blight [1] 22:23	bronchitis [1] 66:25	47:24; 49:18; 57:21; 60:10,	chambers [1] 3:4
beautiful [3] 21:25; 32:15; 49:22	blm [24] 6:25; 9:13; 10:2, 13; 18:7;	brook [1] 25:4	12; 62:20, 25	chance [3] 6:5; 50:11; 69:17
bed [1] 7:13	19:3; 20:7; 21:12, 13;	build [1] 27:19	canyons [3] 30:16; 49:22; 62:21	change [1] 43:14
bee [1] 7:23	24:11; 25:2; 27:9; 31:22;	building [5] 25:5, 9; 27:17; 41:21; 49:20	capital [1] 15:24	character [1] 8:10
begun [1] 9:15	33:1; 41:13; 42:19, 22;	built [4] 13:19; 16:5; 23:4; 26:19	captured [1] 36:17	charles [2] 21:1, 3
behalf [5] 29:9; 52:10; 63:19; 65:22	44:5; 46:12, 22; 51:6;	bureau [4] 2:19; 21:3; 23:23; 33:25	carbon [1] 54:15	charter [1] 41:10
behaviors [1] 30:20	61:14; 64:9; 65:18	bureaucratic [1] 47:6	card [13] 4:20; 5:2; 16:25; 24:3; 36:3;	check [3] 5:2; 36:7
beings [1] 15:6	blm's [1] 21:15	burning [1] 69:9	37:8; 62:9, 11, 13; 63:20;	child [2] 19:25; 65:1
believe [16] 17:14; 22:20; 23:2; 27:11,	board [8] 13:5; 17:3, 4, 6, 8; 19:4;	bus [1] 20:8	64:16; 66:6; 70:5	children [19] 13:21; 15:17; 17:15; 19:20;
4; 39:4, 24; 40:11, 14, 15,	29:2; 58:16	buses [1] 15:18	cardinal [1] 45:11	22; 20:6, 8, 9, 11, 15; 22:4;
18; 41:5; 42:20; 53:11;	board's [1] 17:9	business [4] 20:18; 46:14, 15; 48:1	cards [1] 4:22	32:9; 42:3; 47:16; 48:22;
47:24, 25	boards [1] 23:4	businesses [1] 14:12	care [5] 4:16; 16:13; 52:20; 64:24;	54:19; 56:20; 62:25; 63:10
bell [1] 47:11	body [2] 66:19; 67:5	butler [4] 21:19, 20, 21; 24:1	65:8	choice [2] 14:24, 25
belmont [1] 25:10	boils [1] 14:25	buyers [1] 15:21	career [1] 48:2	choose [1] 11:21
ben [3] 42:25; 43:2	bonded [1] 7:17		carmona [1] 53:25	chose [1] 11:18
beneficial [1] 18:10	bone [1] 68:5	** C **	carry [1] 35:7	circle [1] 32:14
benefit [1] 24:23	bones [1] 68:4	c.s.r. [2] 71:24; 72:17	carrying [1] 55:16	circulated [1] 9:22
besides [1] 49:22	borax [1] 6:21	cal [9] 9:9, 22; 10:12; 20:4; 22:18;	cars [1] 55:2	citizens [3] 11:18; 40:8; 44:20
bicycle [1] 24:16	born [1] 49:19	28:9; 30:5; 32:4; 61:6	case [4] 31:17; 58:13; 67:3; 71:18	city [9] 7:22; 11:25; 13:23; 24:14;
bid [7] 10:13; 10:3; 33:15; 44:2;	bought [1] 62:22	california [17] 2:1, 6; 5:16; 7:11; 15:24;	cases [3] 68:11, 15, 16	25:20; 51:21; 52:3; 61:8;
47:4, 22; 48:13	boulevard [1] 26:18	18:21; 24:7, 14; 25:19;	catastrophe [1] 27:10	66:13
bidder [3] 4:13; 44:1; 47:5	boundaries [1] 17:19	32:3; 33:24; 41:9; 61:7;	category [1] 8:8	civic [8] 9:18; 10:17; 12:21, 23;
bidders [1] 47:4	box [4] 5:1, 2; 36:7; 63:13	71:3, 7; 72:12	caught [3] 7:15, 23; 10:18	13:3, 12; 41:11; 42:13
bigger [2] 27:8, 10	brain [3] 65:2, 4; 68:5	call [8] 6:11; 22:23; 30:15; 37:8,	caused [4] 26:21; 43:14; 58:3; 68:2	clara [5] 10:9; 16:19; 58:21, 24; 59:3
biggest [2] 44:22; 55:7	breaking [1] 53:21	16; 66:20; 67:1	cautious [1] 20:17	claremont [1] 10:22
billions [1] 49:8	breathe [1] 20:9	cameron [8] 50:4, 5, 14; 52:24; 57:10;	cement [1] 67:12	clarita [35] 7:1, 7, 13, 22; 8:16, 24;
	brief [2]	59:19, 21; 62:8	ceqa [3] 5:14; 19:10; 50:21	11:25; 15:22; 16:4; 23:21;
		cancer [2]	certificate [2] 71:1; 72:1	24:13; 27:20, 25; 30:18;
				31:9, 19; 32:10; 38:20, 21;

From based to clarita

1, 8, 12, 22; 41:2; 46:12; 21; 50:18; 51:3, 12, 21; 2; 63:16; 57:7; 61:8; 1 rita's [1] rita-newhall [1] 10 ses [1] 10 an [5] 4; 20:10; 58:7, 11; 17 er [3] 47:3; 51:6 red [1] 18 ts [1] 1 red [1] 19 2] ; 63:20 1] tion [1] ldoides [1] 1] elde [1] ague [2] 63:13 agues [2] 62:4 ge [2] 62:21 ion [1] ative [1] inations [1] ined [1] ortable [1] ing [12] 2; 22:6; 29:20; 3:11; 68:14; 70:7, 8, 22 ended [1] ent [17] 2, 24, 25; 4:8; 2:15; 44:24; 47:10; 114, 16; 65:13; 1, 21; 70:17 ntators [1] ta's to crying	3:14 comments [36] 2:13; 3:15; 4:1, 2, 3, 4, 21; 6:4; 29:11; 32:25; 33:1, 10; 34:17, 18; 35:11; 36:11, 17; 40:13; 50:20; 51:9; 52:12, 21; 57:18; 59:18; 60:24, 25; 61:12; 64:6; 65:21; 69:19, 20; 70:10, 12 commerce [1] 38:22 commission [4] 2:22; 34:19; 50:16, 25 commitment [4] 18:19, 21, 24; 50:24 commitments [1] 19:6 committed [1] 13:19 committee [1] 38:21 communicate [1] 63:8 communication [1] 45:12 communities [6] 8:22; 17:15; 19:23; 59:8; 60:9, 13 community [26] 6:17, 19; 44:15, 25; 45:14; 47:13, 16; 48:7, 8, 24; 50:19; 51:3, 19, 25; 54:21; 57:20, 21; 58:4; 59:14; 60:10; 63:2, 7; 65:15, 19; 69:14 commute [1] 14:11 commuting [1] 15:6 companies [4] 9:10; 14:22, 23; 19:12 company [5] 43:12; 45:24; 52:11; 57:21; 59:5 compatibility [2] 52:16; 61:1 compatible [2] 61:22, 24 compete [3] 15:2, 3, 18 competitive [1] 15:1 competitor [1] 43:12 competitors [1] 47:8 complete [4] 6:5; 24:21; 44:6; 61:11 completed [1] 51:24 comply [2]	58:7, 10 compound [1] 67:11 comprehensive [2] 52:10; 60:4 comprising [1] 51:20 conceivably [2] 11:24; 61:23 concentrated [1] 15:17 concern [3] 30:5; 52:2; 54:8 concerned [6] 13:8; 28:21; 37:23; 38:2, 7; 39:5 concerning [1] 56:9 concerns [4] 3:7; 6:4; 43:6; 65:19 conclude [5] 6:2; 33:5, 7; 37:10; 70:7 concluded [2] 6:1; 51:2 conclusion [1] 15:9 conclusions [1] 3:6 concrete [6] 43:12; 44:14; 46:11, 13, 14, 15 conduct [3] 3:10; 35:16, 18 conducted [3] 3:1; 28:7; 52:5 conducting [3] 3:16; 4:10; 11:22 conducts [1] 20:18 confident [1] 18:3 conflict [2] 7:19; 8:1 conflicts [1] 39:12 confusing [1] 16:24 congress [1] 16:8 conjunction [1] 62:4 conjunctivitis [1] 66:20 conklin [3] 21:2, 3, 19 consecutive [1] 9:14 consequences [2] 18:12; 66:15 consider [7] 3:8; 17:15; 18:2; 20:12;	34:23; 44:24; 64:3 considerable [1] 50:15 consideration [3] 21:8; 29:1; 64:2 considerations [3] 13:7; 18:15; 19:4 considered [4] 29:13; 45:6, 20; 51:9 considering [3] 18:23; 46:17; 60:3 consistent [1] 53:3 constituency [1] 28:18 construction [1] 46:7 consultant [1] 34:14 contaminated [2] 24:9, 10 contamination [1] 28:23 contemplated [2] 46:15; 47:4 contemporaneous [1] 28:4 continuation [1] 8:9 continue [4] 10:4; 52:20; 59:12, 20 continued [1] 10:7 contract [1] 2:17 contracted [1] 3:3 contracts [1] 9:14 contradiction [1] 44:9 contribute [1] 16:10 controllable [1] 20:22 controls [1] 6:25 copy [8] 12:15; 16:22; 40:20; 45:2, 7; 47:7; 72:1, 6 corona [1] 72:12 corporation [2] 43:7; 53:15 correctness [1] 21:16 corridors [1] 12:7 costs [2] 14:9; 19:13 council [15]	6:15, 16; 9:17, 19; 10:17; 11:14; 12:1, 11; 13:12; 17:2, 8, 12; 41:11; 51:21; 66:13 council's [1] 7:5 councils [1] 12:1 counsel [1] 71:16 country [5] 2:1; 8:10; 21:22; 49:18; 57:21 county [32] 2:21, 22; 3:1; 7:8, 16, 17, 18; 8:24; 9:17; 11:25; 13:5; 19:4; 22:1; 34:10; 41:20; 50:8, 15, 20, 21, 24; 51:7; 52:4, 6, 7; 53:3, 9; 56:10; 58:17; 59:25; 61:8; 68:10; 71:4 county's [1] 9:1 couple [5] 4:16; 5:8; 36:20, 22; 60:24 coupled [1] 18:20 course [9] 23:11; 57:13; 58:8, 9, 13; 59:15; 67:4, 18, 24 court [9] 3:12; 5:6; 12:15; 16:22; 21:6, 21; 34:25; 36:14; 65:22 cover [1] 60:20 covered [1] 35:4 crash [1] 32:12 create [3] 5:21; 39:21; 46:2 created [4] 8:8; 16:15; 18:1; 36:24 creating [2] 19:25; 30:21 creative [2] 23:11, 15 credibility [1] 52:6 credit [1] 50:15 crf [1] 46:16 critical [1] 14:16 crux [1] 14:6 cry [2] 31:14 crying [1]
--	--	---	--	---

1:15	decided [2]	13:23	die [3]	districts [4]
cultural [1]	50:19; 64:22	deposits [1]	25:22; 26:12; 68:7	9:2, 5, 18; 17:20
9	decision [3]	7:1	died [2]	disturbing [1]
cumulative [3]	2:7; 35:13; 58:5	derived [1]	64:24; 65:4	19:10
2:5; 39:12; 61:11	decisions [2]	28:17	diego [1]	division [1]
ure [1]	18:3; 44:8	describe [3]	21:25	46:18
6	deck [1]	8:12; 10:1, 13	difference [1]	doctor [1]
urrent [2]	49:13	described [5]	4:2	68:22
8:8; 46:24	declarations [1]	7:9, 24; 8:6; 43:10, 25	difficult [2]	doctrine [1]
urrently [6]	44:16	description [1]	57:24; 65:15	18:7
3:11; 23:3; 46:25; 48:3;	declare [1]	12:8	diminish [2]	document [6]
1:1; 59:3	72:9	desert [3]	20:14; 23:1	3:4, 6, 7; 28:5; 35:3; 51:15
urtis [13]	declared [1]	2:6; 10:23; 33:25	dioxide [1]	documents [3]
2:25; 43:2; 47:18, 19, 20;	44:19	deserves [1]	67:12	13:10; 34:13
3:13, 24; 49:2, 3, 4	decline [2]	63:17	direction [1]	doesn't [6]
urtis-owned [1]	15:22; 22:24	designated [8]	71:12	5:20; 22:12; 30:25; 46:12;
24	declined [1]	7:3, 11, 19, 25; 14:10;	director [1]	57:11, 15
ut [1]	23:23	15:14; 19:8; 61:22	29:6	dollars [3]
1:16	decrease [1]	designating [1]	dirty [1]	13:20; 44:13; 46:25
uts [1]	21:10	8:2	31:17	door [1]
23	dedicated [1]	designation [11]	disaster [1]	4:19
utting [1]	19:18	8:21, 25; 9:9, 12; 10:21;	42:18	doses [1]
7:12	deep [1]	11:15, 22; 13:10, 15; 14:15;	disclose [1]	65:3
ycles [1]	40:22	17:21	57:25	double [1]
5	deeper [3]	designations [1]	disclosed [2]	56:2
	66:22, 24, 25	21:9	58:4, 22	downstream [2]
	deeply [1]	desirable [1]	disclosing [1]	59:1, 5
	59:25	14:11	59:23	dr [2]
	defer [1]	desk [4]	disclosure [1]	66:7, 10
	47:1	33:4; 69:18, 24	58:20	draft [9]
	deficiency [1]	despite [1]	disclosures [1]	2:9; 3:2; 4:24; 10:12; 13:9;
	58:12	17:19	62:1	34:2, 6; 35:3; 44:22
	defined [2]	destination [1]	discovered [2]	drained [2]
	5:12; 6:25	8:7	17:18; 31:9	26:2, 4
	definitely [2]	detail [1]	discretion [1]	draining [1]
	9:2; 22:24	3:21	46:17	26:4
	definition [1]	determine [1]	discuss [3]	drastic [1]
	43:14	40:5	3:19, 20; 33:11	43:23
	degradation [1]	determined [1]	discussed [1]	drawing [1]
	18:8	45:12	65:17	23:4
	degrade [4]	determining [1]	discussion [2]	dream [3]
	18:4; 19:1; 20:2; 38:9	45:1	3:5; 35:7	14:2; 27:11; 46:20
	degree [1]	devastate [2]	disease [10]	dreams [2]
	9:2	8:22; 11:3	30:22; 58:3; 67:8, 10, 15,	13:22
	deir [2]	devastating [1]	16, 19, 23; 68:6, 8	drill [1]
	9:15; 58:17	42:2	diseases [4]	44:2
	deis [1]	develop [4]	65:5; 67:4, 5	drilling [1]
	9:15	44:22, 25; 67:17, 18	disingenuous [1]	25:9
	deleterious [1]	developed [1]	54:25	drillings [1]
	15:20	23:12	disregard [1]	25:5
	deliver [1]	developing [2]	44:6	drinking [1]
	17:4	10:25; 26:23	distance [2]	59:17
	demand [1]	development [8]	14:9; 15:6	driven [1]
	12:11	6:24; 7:23; 8:5, 18; 14:16;	distribution [1]	25:13
	demands [1]	21:22; 52:11	51:13	driving [2]
	20:19	dialogue [3]	district [15]	25:15; 55:5
	democrat [3]	3:14; 34:25; 35:4	2:5, 6; 17:17, 24; 18:3, 12,	dropped [1]
	31:18, 24; 32:1	diane [3]	25; 19:17, 24; 20:1, 23;	26:5
	denied [1]	12:18, 20, 21	33:24, 25; 35:12	due [2]
	29:5	dianne [3]	district's [1]	45:12; 59:3
	density [1]	47:19, 20	17:19	dulce [40]

*** D ***

From cultural to dulce

15, 16; 7:1, 9, 14; 8:6, 24;
 17, 18; 10:14, 15; 11:14;
 10, 21, 23; 13:1, 11,
 18, 25; 14:3; 15:21;
 12; 17:15, 17, 23; 19:17;
 7; 37:21; 41:9, 11, 19;
 10, 13, 14; 56:24; 68:25;
 12
 121
 16
 21; 38:12; 39:11, 24;
 10, 25; 43:19; 50:2;
 16, 22; 57:19, 22; 58:1,
 8; 69:13
 15
 11, 13, 15; 11:7, 10, 13;
 14, 17; 16:25; 17:1, 5, 7,
 11; 21:1
 4
 25; 26:14; 27:2, 9
 1
 18

 1
 14
 2
 2; 69:23
 3
 2; 22:10; 29:20
 6
 20, 21, 24; 27:7; 68:10,
 2
 4, 5
 2
 23; 45:16
 2
 15; 14:8
 1
 25
 1
 4
 2
 14; 46:7
 1
 20
 1
 13
 1
 20
 1
 10; 62:11, 14, 15, 16;
 10
 2
 1; 61:12
 8

**** E ****

12:4; 15:21; 39:12; 51:4,
 24; 55:15; 57:25; 58:2
 effort [1]
 15:19
 efforts [1]
 20:5
 eight [1]
 60:12
 eir [17]
 2:21; 5:14; 17:21; 41:4, 14,
 17; 43:25; 54:11; 56:16;
 57:11, 21; 58:1, 5, 12;
 65:14, 17
 eis [21]
 2:9; 4:24; 5:14; 13:9; 36:7;
 40:15, 20; 41:14; 44:22;
 45:7; 47:11; 51:8, 9; 52:12;
 53:8; 54:12, 24; 56:16, 21;
 65:14; 66:12
 elected [1]
 45:11
 elementary [1]
 67:24
 elements [1]
 45:8
 elena [1]
 62:13
 eliminated [1]
 18:22
 elsewhere [2]
 22:3, 5
 elsmore [1]
 42:2
 emissions [1]
 54:16
 emotion [1]
 4:5
 emphasis [1]
 8:13
 emphasized [1]
 8:20
 emphysema [1]
 67:6
 employees [4]
 14:12, 21; 15:5; 25:1
 encourage [2]
 35:4; 69:19
 encourages [1]
 20:1
 end [10]
 5:25; 6:5; 14:10; 21:13;
 24:3; 37:9; 50:25; 55:21;
 67:3; 69:20
 engaged [2]
 50:8, 9
 engineers [1]
 25:2
 enhancement [1]
 16:11
 enhancing [1]
 8:15

enjoy [2]
 16:9; 38:6
 ensure [8]
 3:17; 5:22; 8:8, 10; 16:16;
 18:1; 35:17; 37:2
 enter [3]
 34:24; 46:1; 61:15
 entered [1]
 52:14
 entertain [2]
 64:12; 69:19
 entertained [1]
 7:17
 entirety [1]
 22:12
 entities [1]
 21:6
 environment [20]
 10:21; 16:3, 9, 11, 14, 17;
 18:4, 11; 19:14, 19, 25;
 20:3, 20; 23:6; 42:12, 18;
 51:13; 53:14, 16; 57:8
 environmental [47]
 2:20, 23; 3:3, 11; 4:25;
 5:16, 17, 18; 8:13, 15; 12:4;
 15:11, 20; 16:7; 17:25;
 18:2, 8, 16, 19; 19:1, 6, 11,
 15; 24:8, 19, 20, 22, 23;
 25:6, 8; 34:2, 6, 11, 17;
 38:6; 37:23; 39:7, 8; 40:3;
 43:16; 50:21; 51:1; 53:21;
 61:6, 15, 18
 environmentally [3]
 10:10; 23:21; 31:5
 epa [1]
 45:12
 epidemiologists [1]
 68:12
 equal [1]
 29:13
 equate [1]
 55:1
 equipment [1]
 67:22
 equity [2]
 16:5; 22:25
 establish [2]
 21:8; 35:22
 establishing [1]
 17:22
 estate [3]
 8:7; 29:19; 43:10
 estimation [2]
 46:19
 evening [15]
 6:14; 17:4; 33:20, 22, 23;
 34:25; 35:19; 38:18; 47:22;
 53:12; 54:6; 59:24; 60:7,
 17, 23
 events [1]
 71:17

everglades [1]
 21:21
 everybody [9]
 3:17; 26:15; 32:4; 33:20,
 23; 35:22; 37:6; 65:20; 70:9
 everyone's [1]
 19:21
 exactly [1]
 9:10
 examples [1]
 8:19
 exceed [2]
 54:15, 16
 excellent [1]
 63:7
 excluded [1]
 45:7
 executed [1]
 72:12
 exhaust [1]
 43:19
 existence [1]
 61:24
 existing [2]
 8:9; 14:22
 exists [1]
 18:20
 expansion [2]
 28:19; 49:21
 expect [1]
 19:21
 expected [1]
 10:3
 experience [1]
 15:15
 experiencing [1]
 44:5
 expired [2]
 52:18; 61:23
 exposed [1]
 67:16
 exposure [2]
 15:20; 60:19
 express [3]
 43:6; 51:22; 60:16
 expressed [2]
 28:17; 50:18
 expression [3]
 51:6; 52:2, 7
 extend [6]
 47:9; 50:19; 51:8; 52:11;
 53:2, 8
 extended [1]
 69:21
 extending [1]
 63:16
 extends [1]
 10:15
 extension [12]
 40:14; 41:4; 44:24; 48:10,
 12; 53:3, 9; 54:1; 70:16, 20,

21
 extensive [2]
 57:17; 58:2
 extent [1]
 9:21
 extra [1]
 62:3
 extraction [1]
 49:1
 extremely [1]
 55:10
 eyes [1]
 66:19

**** F ****

 face [1]
 6:24
 facilitate [2]
 4:22; 35:16
 facing [1]
 14:18
 fact [7]
 6:25; 12:25; 41:18; 45:13;
 51:15; 55:9; 60:21
 factor [1]
 13:17
 facts [2]
 4:6; 11:20
 fair [2]
 6:7, 9
 fallbrook [1]
 22:1
 falling [1]
 57:22
 familiar [1]
 5:13
 families [3]
 15:20; 41:18; 56:19
 family [2]
 38:5; 48:25
 farmers [2]
 27:15, 16
 farming [1]
 8:9
 farms [1]
 27:17
 father [1]
 31:25
 federal [12]
 11:2; 18:1, 5, 7, 19; 19:5;
 20:16; 21:6; 34:17; 43:14;
 58:7; 59:15
 feed [1]
 59:6
 feedback [2]
 30:1; 36:24
 feel [3]
 18:12; 19:19; 53:18
 feelings [1]
 4:6

duly to feelings

<p>6; 42:19; 50:9; 63:24; 66:3 hearings [3] 10:22; 44:20 els [1] 8:9 held [2] 0:22; 60:22 hell [1] 2:14 helmets [1] 2:13 help [7] 4:22; 5:5, 7; 14:3; 16:16; 9:14; 36:16 helpful [1] 5:18 helps [1] 1:15 hendricks [1] 5:13 hereby [3] 1:7, 13; 72:5 hereto [1] 1:17 hi [1] 2:24 high [8] 1:14; 13:23; 30:17; 32:15; 9:10; 62:20, 25; 63:8 higher [1] 8 highway [1] 9:10 hills [3] 5:3, 4, 6 hillside [1] 17 historic [1] 14:9 historical [2] 1:18; 25:12 history [1] 7:21 hoisted [1] 12:12 hold [3] 8, 24; 45:1 holder [1] 6 holders [1] 3 holding [2] 22; 45:21 hole [1] 4:25 hollywood [6] 1, 2, 5, 18; 27:12 home [5] 21; 15:21; 31:25; 62:22, homeowner [1] in hearings to joints</p>	<p>16:5 homeowners [4] 28:2, 7, 10; 29:6 homes [8] 13:17, 19; 14:21; 25:5, 9; 27:19, 20; 38:11 hope [8] 4:7; 19:21; 22:12; 23:22; 34:15; 47:8; 58:19; 63:16 hopefully [3] 5:12; 40:9; 41:5 horrendous [3] 42:1, 5; 48:6 hot [1] 30:17 hour [1] 33:9 house [1] 56:23 households [2] 28:11, 14 housekeeping [1] 19:6 houses [1] 56:17 housing [5] 14:15, 19; 16:1; 23:2; 28:24 human [2] 15:6; 66:18 hundred [4] 28:16; 62:5; 68:11, 15 hurt [2] 11:24; 30:4 husband [1] 48:22 *** I'd [9] 2:7; 12:17; 33:23, 25; 42:18; 44:23; 45:2; 52:22; 53:1 i've [13] 5:9; 17:3; 24:20; 42:19; 43:3; 47:7; 49:7, 14; 56:9; 62:24, 25; 63:5; 66:12 idea [7] 6:18; 7:4, 13; 8:2, 4; 31:3, 4 identified [2] 12:25; 15:12 identify [1] 45:3 ignore [2] 45:11; 54:25 ignored [2] 11:16; 57:2 immediate [3] 12:4; 41:23; 60:11 immediately [3] 6:2; 7:18; 28:11 immitis [1]</p>	<p>68:2 impact [31] 2:20, 23; 3:3, 11; 4:25; 5:17, 18; 14:20; 15:10; 18:2; 24:22; 25:7, 8; 34:2, 6, 11, 18; 36:7; 38:12; 39:7, 8, 23; 40:3, 5; 44:17; 54:25; 59:7; 61:6, 11, 19; 68:19 impacted [1] 39:20 impacting [1] 16:3 impacts [12] 12:3; 15:12, 13; 24:19, 20, 24; 28:22; 37:23; 40:7, 9; 43:17; 54:17 implied [1] 14:14 important [7] 4:3; 15:3, 4; 17:16; 23:17; 36:25; 62:22 impose [1] 20:7 inadequate [1] 55:12 inappropriate [1] 29:3 inaudible [10] 29:17; 30:23; 31:3; 32:16; 44:16; 46:1; 47:5, 8; 67:2; 68:7 include [2] 16:19; 57:18 included [2] 8:6; 13:5 income [2] 13:24; 44:10 Incompatibility [1] 28:24 incompatible [2] 61:3, 16 increase [4] 43:23; 58:8; 59:4, 5 incurred [1] 19:13 independent [2] 51:1, 23 indicate [2] 50:6; 57:19 indicated [1] 53:20 indicating [2] 7:21; 27:3 individuals [2] 19:22; 51:20 industrial [1] 12:5 industry [1] 67:22 inflammation [2] 66:22; 67:14</p>	<p>influence [2] 13:1; 14:21 inform [1] 11:17 information [4] 5:3; 35:2; 36:8; 64:4 informed [2] 12:1, 2 infused [1] 65:3 inhale [1] 67:14 inhaled [3] 66:21; 67:9; 68:3 inhumanity [1] 69:3 initial [1] 13:10 initiated [2] 2:17; 51:23 initiating [1] 21:11 input [3] 2:15; 34:5, 20 instance [2] 56:22; 65:16 institutions [1] 11:4 integral [1] 60:10 intended [1] 19:15 intent [2] 11:16, 17 intention [1] 10:18 interactions [1] 21:9 Interest [3] 11:5; 43:7; 52:2 interested [4] 3:5, 7; 34:20; 71:17 interesting [1] 34:20 interfere [1] 61:17 internal [1] 66:11 interruptions [1] 3:13 invested [1] 13:25 investigative [1] 7:6 investment [1] 11:4 investments [1] 13:24 investors [1] 11:4 involve [1]</p>	<p>17:23 involved [5] 9:2, 4; 17:20; 21:6; 65:7 involvement [1] 9:16 involves [1] 9:6 irreversible [1] 43:16 irritation [1] 66:19 irucoten [1] 66:20 irwindale [3] 7:15; 15:9, 24 island [2] 31:4; 32:11 issue [7] 13:2, 6; 14:6; 18:15; 31:13; 39:9; 48:11 issued [4] 2:17; 3:2; 9:14; 48:17 issues [9] 4:6, 16; 13:9; 33:11; 39:10; 43:23; 47:23; 62:6; 70:13 *** J *** James [14] 6:11, 13; 11:7, 10, 13; 12:17; 16:25; 17:1, 7, 9, 11; 21:19, 20, 21 jan [2] 29:15, 16 jane [1] 27:22 jim [1] 6:14 joaquin [2] 30:13, 15 job [1] 15:4 jobs [2] 15:7; 16:2 johnson [58] 3:16; 4:10, 14; 6:9; 11:6, 9, 11; 12:14, 18; 16:21; 17:5, 8, 10; 21:1, 19; 24:1; 27:22; 29:8; 32:19; 33:14; 35:15, 19, 20; 37:19; 38:17; 40:17; 41:7; 42:8, 25; 47:18; 49:2, 16; 50:4, 10; 52:19, 25; 53:11; 54:4; 57:5; 59:19; 62:8, 12, 15; 63:19, 25; 64:5, 17, 19; 65:11, 22, 25; 66:5, 8; 68:22; 69:5, 15; 70:4, 22 joint [1] 13:11 joints [1] 68:4</p>
---	---	--	---	---

<p>Jonathan [3] 66:7, 10 ph [3] 24:5, 6 Journal [2] 68:12, 13 Judgment [1] 40:8 July [5] 33:2; 40:16, 17, 18 June [5] 2:1; 71:10, 21; 72:7, 12</p>	<p>land [25] 2:19; 7:2, 14, 19; 8:3, 7; 9:24; 14:1, 15; 15:14; 16:13; 21:3; 24:16, 17; 26:25; 33:25; 39:12; 48:18; 56:12; 61:3, 13, 16, 18, 22 landscape [1] 20:10 landslides [1] 68:14 lanes [1] 43:24 large [5] 6:18; 7:17; 14:7; 49:1; 51:3 largely [1] 28:3 larger [3] 20:4; 60:6, 15 larson [3] 54:5, 6; 57:5 last [3] 57:12; 65:17; 68:9 late [2] 2:17; 52:17 law [1] 53:21 laws [1] 19:15 lead [4] 18:15; 20:3; 61:4, 10 leader [1] 14:5 leads [1] 15:9 learn [2] 19:22; 20:9 learning [2] 19:2; 20:2 leaseholder [1] 61:15 leave [4] 24:2, 25; 45:24; 46:3 legal [1] 17:19 legality [1] 11:15 legally [3] 9:3; 61:4, 22 legislated [1] 19:16 legs [1] 69:17 let's [2] 4:15; 33:7 letter [2] 11:7; 58:17 level [2] 10:7; 51:6 levels [2] 20:22; 32:15 levity [1]</p>	<p>31:13 license [1] 20:14 lie [1] 24:21 life [10] 8:14; 12:8; 14:4; 15:11; 16:4; 17:16; 20:15; 40:1; 47:15; 65:9 lifetime [1] 49:17 light [3] 11:23, 24; 40:2 liken [1] 32:10 likewise [2] 4:24; 36:5 limit [3] 20:21; 35:10; 37:4 limiting [3] 5:23, 24; 37:3 linda [3] 42:9, 10 line [6] 7:8; 8:17; 13:13; 56:2, 8; 59:24 list [3] 40:6; 45:8; 51:13 listen [1] 2:13 literally [1] 44:12 littlerock [2] 7:2; 15:9 livable [1] 16:16 live [8] 15:6; 23:21; 27:25; 38:5; 10; 39:18; 54:9; 56:8 lived [3] 6:21; 25:25; 62:23 living [7] 13:23; 20:15; 55:8, 9; 56:19; 67:23; 68:19 lobbyist [1] 30:9 local [18] 7:8, 9; 8:4; 9:10, 16, 18, 20; 11:3; 12:6; 15:19; 18:14; 20:17; 29:19; 39:1; 41:2; 60:19 locally [1] 6:22 locate [3] 9:6; 14:7, 22 located [1] 22:3 locating [1] 23:19 location [3] 46:23; 47:21; 60:22</p>	<p>logistic [1] 4:16 logistics [1] 35:25 long-term [1] 14:17 looks [2] 8:23; 47:12 los [12] 14:12, 18; 19:4; 34:10; 50:8, 15; 52:4, 6; 53:3, 10; 59:25; 61:8 lose [1] 43:15 loss [1] 46:24 lot [13] 2:15; 6:22, 25; 9:6; 38:11; 43:4; 44:10; 53:22; 58:24; 62:5; 70:10, 11 love [1] 63:2 lower [1] 15:2 lowering [1] 19:12 ludicrous [1] 55:3 lung [3] 30:23; 67:6, 15 lungs [4] 42:3; 65:2; 67:1; 68:3 lynne [5] 57:5, 7; 65:12, 24</p>	<p>man [2] 30:10; 69:3 man's [1] 69:3 managed [1] 7:18 management [5] 2:19; 21:3, 9, 13; 33:25 manager [3] 2:5; 33:24; 35:13 manner [1] 3:2 maps [2] 7:7; 56:15 market [1] 15:4 marketplace [1] 15:2 marsha [4] 38:17, 18; 40:18 masks [1] 32:12 mass [1] 9:25 masses [1] 7:14 mat [8] 9:10, 22; 10:12; 20:4; 22:18; 28:9; 30:5; 32:4 material [5] 9:24; 53:22; 54:1; 67:13, 17 materials [2] 46:8, 9 matter [1] 3:22 matters [2] 66:16; 67:9 maximized [1] 37:14 maximum [1] 20:1 mclean [6] 38:17, 18, 19; 40:18; 41:7; 49:6 mcmillun [2] 49:16, 17 mean [3] 23:12, 17; 60:7 means [2] 18:8; 23:19 meant [1] 10:6 measures [1] 20:8 media [1] 60:19 medical [1] 68:13 medicine [1] 68:11 meeting [36]</p>
<p style="text-align: center;">* * K * *</p>				
<p>karbacher [2] 68:24 karen [5] 64:18, 19, 20 keep [11] 20:8, 10; 34:15; 35:9; 37:13; 40:6; 58:25; 59:1, 2; 64:7, 8 keeps [2] 22:19; 54:12 kenna [1] 17:13 kept [1] 8:22 kids [3] 8; 63:6; 65:6 killed [1] 32:7 kindness [1] 60:25 kirk [3] 42:9, 10 knowing [3] 11:20; 18:5; 19:1 knowledge [1] 30:12</p>				
<p style="text-align: center;">* * L * *</p>				
<p>La. [14] 7:16, 17; 8:24; 9:1, 16; 11:25; 13:5; 14:22; 15:3, 5; 29:2; 32:16; 56:10 lack [1] 14:25 ladies [5] 12:20; 22:24; 41:13; 64:13; 70:4 lady [1] 23:15 lake [1] 26:3 lampton [4] 41:7, 8; 42:8 lancaster [1] 25:18</p>			<p style="text-align: center;">* * M * *</p> <p>ma'am [1] 63:22 magic [1] 47:6 mail [4] 28:5; 57:11, 15; 63:17 mailbox [1] 51:16 mailing [2] 33:2; 51:14 main [1] 28:6 maintain [3] 16:16; 19:14; 55:4 maintained [1] 8:11 maintenance [2] 8:13, 18 major [4] 27:4, 5, 7; 43:16 maker [1] 2:7 makers [1] 58:5</p>	

2; 3:1, 13, 17, 22; 4:11, 8:16; 28:3; 32:24; 33:5, 34:4, 16; 35:9, 17, 18; 24; 39:2; 40:11, 12; 1; 45:22; 49:6; 50:13; 21; 62:19, 22; 63:12, 17; 65:17, 20; 66:13;	9:23; 10:13; 42:1; 45:24; 46:4, 24; 69:1 millions [1] 44:13 mind [1] 29:24 mine [5] 19:12; 20:22; 61:14; 62:21; 63:13 mined [2] 6:22; 10:14 mineral [3] 7:1; 29:23; 46:14 minerals [3] 30:3; 43:11, 14 mines [1] 46:18 minimal [2] 51:17; 60:18 minimum [3] 44:24; 50:22; 61:21 mining [60] 6:18, 20, 23; 7:3, 5, 11, 15, 19, 20, 25; 8:2, 8, 21; 9:10, 14; 10:3, 6, 7, 12, 19, 21, 24; 11:1, 18, 19; 12:2, 5, 24; 13:2, 4; 14:7, 8; 15:8, 13, 24; 16:18; 17:18, 21, 23; 18:3; 19:8, 11; 20:4, 13; 22:14; 23:14; 28:8, 13, 19, 25; 45:23, 24; 48:15; 54:20; 65:6; 67:12, 20 minute [3] 11:10, 11, 12 minutes [5] 5:25; 12:8; 37:4, 8; 52:18 misnomer [1] 41:16 miss [2] 36:18; 42:8 missed [1] 63:20 misstatement [1] 57:9 mistake [1] 26:3 misunderstood [1] 9:9 mitigated [2] 37:24; 41:25 mitigating [1] 39:17 mitigation [5] 20:8; 39:22; 40:4; 54:17 mix [9] 22:11; 24:24; 43:12; 44:13; 46:11; 47:21; 48:16, 20; 60:7 mix's [1] 46:20 mode [1]	64:8 modeling [1] 57:19 modest [1] 51:5 modifications [1] 45:19 modules [1] 38:13 money [2] 25:1, 2 monitor [1] 55:21 monitors [2] 55:20 monoxide [1] 54:16 monstrous [2] 22:17, 21 month [3] 25:18; 34:7; 41:3 months [4] 22:1; 31:7; 50:23; 67:17 moon [1] 23:13 morning [6] 41:5; 50:17; 52:7; 55:5; 62:19; 63:13 mortgages [1] 13:20 mother [1] 65:4 motorcycle [1] 24:16 mountain [2] 7:8; 25:23 mountains [3] 24:12, 18; 49:24 mouth [1] 9:25 move [3] 11:18, 21; 23:14 moved [4] 21:25; 49:19; 54:18; 63:6 moving [1] 35:9 mr [21] 4:14; 12:14; 17:5, 13; 21:1, 19; 24:1; 29:8, 12; 33:6; 35:19; 47:18; 53:25; 54:4; 57:5, 10; 59:19; 62:8; 63:19; 69:21; 70:8 mrs [1] 49:2 ms [5] 16:21; 32:20; 41:7; 49:6; 59:19 muddled [1] 58:25 multiple [2] 62:1; 65:2	murder [1] 25:24 myself [3] 38:4; 52:10; 60:25 <hr/> * * N * * <hr/> name [23] 5:10; 6:14; 21:20; 24:6; 27:24; 30:2; 36:20; 38:18; 42:10; 43:2; 47:20; 53:12; 62:13, 16; 64:17, 18, 20; 65:23; 66:5, 10; 68:23, 24; 69:7 nancy [2] 24:2; 32:19 napoleofibrosis [1] 67:2 nasty [1] 37:12 nation [2] 14:4; 20:18 national [3] 5:16; 16:7; 17:25 native [1] 8:19 natural [2] 18:9; 37:21 nature [2] 17:18; 45:8 needs [5] 20:18; 49:12; 56:7, 14; 57:3 negative [5] 15:10; 28:22; 66:14; 68:19 negatively [1] 14:20 nepa [8] 5:14; 16:8; 18:1, 6, 7; 19:10; 20:14, 16 neutral [1] 28:16 newhall [3] 38:14; 39:19; 55:11 newly [2] 42:12; 53:14 news [3] 33:3; 60:19; 69:23 newspapers [2] 39:1; 41:3 nice [1] 63:4 nickels [4] 37:17, 18, 20 night [2] 42:17; 70:23 nightmare [3] 27:11, 12, 21 nine [1] 60:13 ninety [1] 24:18	nitrogen [1] 54:14 no-project [3] 12:11; 20:23; 42:5 no-zone [1] 58:7 nobody [2] 26:24; 27:13 nonattainment [1] 58:6 nonprofit [1] 53:15 nonsignificant [1] 44:17 normally [1] 19:13 north [1] 24:13 northern [2] 24:12, 13 northridge [4] 26:20, 21, 24; 27:7 nose [1] 66:21 note [2] 63:13; 70:21 noted [2] 58:10; 66:2 notes [3] 31:16; 43:4; 71:15 nothing's [1] 44:12 notice [10] 28:2; 29:9; 35:25; 38:24; 39:4; 41:1; 61:16; 70:15, 19 noticed [5] 9:3, 4; 17:20; 60:1; 61:9 notices [1] 61:9 notification [4] 36:6; 49:10; 60:5; 61:11 notified [2] 5:1; 44:20 notify [3] 40:12; 41:2; 63:15 noting [1] 17:25 notion [1] 10:20 now-extended [1] 60:2 number [7] 28:18; 44:5, 15; 50:5; 52:15; 60:6, 15 numerous [2] 23:3; 44:8 nurse [1] 64:23 nurture [1] 20:5
--	--	---	---	--

meetings to nurture

<p style="text-align: center;">* * O * *</p> <p>o-tim [1] 2:3 oak [1] 8:19 objective [2] 21:12; 51:23 objectives [1] 21:17 obligatory [1] 61:14 obscene [1] 45:16 observation [1] 15:8 observations [2] 50:6; 52:15 observe [1] 18:5 obtain [1] 48:14 occurred [3] 68:10, 13, 15 occurs [1] 50:13 office [2] 26:1; 30:12 officer [2] 35:16, 21 official [1] 35:10 officially [1] 61:9 officials [2] 18:12, 25 oh [2] 26:25; 65:24 oil [3] 25:5, 8; 31:8 okay [12] 6:9; 11:13; 16:22; 17:5, 10; 24:3; 32:19, 21; 37:18; 45:25; 66:8 old [3] 31:6; 32:1; 62:17 ones [1] 33:3 open [5] 13:23; 25:18; 45:15; 64:7, 8 operated [1] 3:12 operation [1] 3:18 operational [2] 9:13; 19:13 operations [3] 10; 14:8; 44:2 opinion [1] 4:8</p>	<p>opportunity [13] 2:8; 3:17, 23; 4:21; 5:22; 6:3; 29:12; 36:2; 37:3, 6; 61:21, 25; 63:22 oppose [1] 42:15 opposed [3] 13:23; 22:11; 28:18 opposite [1] 30:23 opposition [1] 28:17 oral [2] 4:2; 32:25 order [3] 4:23; 35:9; 36:4 ore [2] 29:25; 30:2 organic [1] 54:15 organization [2] 51:12; 57:8 organizations [3] 45:4; 51:19; 53:19 ourselves [1] 42:3 outbreak [1] 68:9 outrageous [3] 48:8, 18; 50:3 outside [2] 3:19; 50:12 overall [1] 68:18 overcome [1] 67:7 overdraft [2] 28:23; 59:3 overload [1] 15:15 overlooked [1] 43:17 overriding [4] 13:6; 18:15; 19:4; 29:1 oversight [1] 28:1 overwhelm [1] 20:5 overwhelming [3] 49:9; 50:17; 52:1 owed [1] 44:13 owned [2] 10:14; 44:4 owner [4] 43:8; 44:6; 45:5; 47:21 owners [3] 12:24; 13:8; 14:1 owns [2] 6:25; 43:11 oxide [1]</p>	<p>54:14</p> <p style="text-align: center;">* * P * *</p> <p>p.m. [1] 2:2 pages [3] 62:5; 71:9; 72:6 palm [1] 10:23 palmdale [4] 24:7, 21; 27:5, 19 parallel [2] 2:20; 34:10 parallels [1] 39:8 parcels [1] 13:19 parents [9] 15:16; 18:12, 24; 19:19; 20:15; 29:21; 49:18; 63:6, 9 park [1] 56:23 part [4] 12:25; 60:10; 63:5; 70:16 partial [1] 22:12 participants [2] 14:2; 21:10 participation [1] 4:12 particles [2] 66:18 particulate [2] 66:16; 67:9 particulates [2] 39:11, 25 parties [3] 21:11; 71:17, 18 party [3] 28:15; 30:10; 62:17 passenger [1] 55:2 passion [1] 49:8 pat [2] 69:7 patient [2] 64:24; 65:8 patiently [1] 16:5 patterson [1] 24:7 pauline [2] 30:25; 31:1 pay [2] 30:10; 42:21 payment [1] 47:1 pearblossom [1] 7:2</p>	<p>penalty [1] 72:9 pending [1] 61:16 people [41] 2:15; 11:18; 16:12; 23:5, 13, 17, 20; 24:23, 24; 25:3, 22; 26:11, 12; 27:9; 36:22; 37:13; 38:10; 39:2, 5; 40:19; 41:20, 23; 42:12, 23; 45:4, 16; 49:12; 54:7; 58:14; 59:21; 60:6, 11, 15; 63:4, 11; 64:9; 67:18, 21 people's [1] 3:5 percent [6] 13:17; 24:19; 28:18; 55:24; 58:8 perfectly [1] 5:19 period [18] 3:25; 6:1; 29:11; 44:19, 25; 47:8, 10; 50:20, 25; 51:8, 10, 17; 52:11; 53:2, 8; 60:2; 69:21; 70:17 perjury [1] 72:9 permit [1] 43:9 person [3] 5:20; 16:9, 10 personal [1] 49:13 personally [2] 22:10; 59:23 perspectives [1] 51:12 phase [1] 54:16 phases [2] 21:16; 54:15 phenomena [1] 6:20 physician [1] 66:11 pick [2] 57:11, 15 picked [1] 69:25 pictures [4] 49:23; 56:15, 18; 57:2 pigeonhole [1] 46:22 pinetree [2] 41:21; 62:24 pipe [1] 46:20 pit [1] 63:5 place [9] 25:7; 32:12, 16; 38:10;</p>	<p>40:13; 41:21; 56:11; 63:2; 71:11 plain [1] 57:24 plambeck [6] 57:6, 7; 59:19; 65:12, 24 plan [11] 7:24; 8:5, 6, 8, 12, 20; 10:13; 20:1; 58:20; 62:18; 63:3 planned [3] 6:19; 43:3; 49:25 planner [2] 10:5; 53:24 planners [3] 7:16; 8:4, 24 planning [13] 2:22; 8:11; 9:1, 5, 17; 10:5; 18:14; 21:13; 34:19; 50:16, 24; 51:13; 57:8 plans [2] 11:20; 14:17 plant [5] 2:10; 24:9; 46:15; 48:16, 20 play [2] 13:21; 20:9 playing [1] 49:13 please [10] 4:20; 5:2, 10; 12:15; 17:5; 36:2; 64:17; 66:5; 68:23; 69:18 pleasing [1] 20:11 pm-10 [2] 28:23; 54:15 pneumonia [1] 67:7 point [4] 44:12; 48:2; 51:15; 66:1 policies [2] 8:18; 21:9 policy [4] 5:16; 16:7; 17:25; 21:4 politically [1] 49:4 politics [3] 31:17; 32:2 poll [1] 28:20 polled [1] 28:14 pollution [7] 15:15, 17; 22:20, 21; 39:10; 43:20; 48:4 ponds [1] 43:21 popping [1] 54:12 populated [1] 41:15</p>
---	--	--	--	---

From o0o-tim to populated

<p>population [2] 55:23 ions [1] marked [2] 69:22 ential [3] 1; 20:1; 21:10 ctical [2] 20:22 ctically [1] 1 ctice [2] 1; 66:11 cedent [1] 10 eading [1] 3 alous [1] clude [1] cluding [1] ompting [1] ompts [1] er [1] erential [1] ers [1] nant [1] historic [1] 1 eparation [1] ere [3] 3; 35:2 eared [4] 34:6, 14; 41:16 earling [1] 1 ent [4] 22:3; 47:11; 67:8 entation [2] 7:20 ented [1] ently [3] 37:22; 58:18 ervation [4] 16:11; 18:20; 38:20 erve [2] 47:15 erved [1] erving [1]</p>	<p>8:15 resident [4] 17:2; 38:20; 53:13 pretty [2] 10:10; 32:12 previous [2] 50:1; 67:7 price [1] 16:1 priced [1] 15:2 principle [2] 21:8; 30:10 prior [2] 45:1; 61:1 prison [1] 25:19 private [5] 43:9; 45:25; 46:1, 3, 4 problem [8] 5:21; 22:16; 36:24; 39:21; 40:4; 54:22; 58:14; 59:5 problems [1] 40:23 procedural [1] 21:16 procedures [1] 21:5 proceedings [4] 71:9, 14; 72:5, 7 process [32] 2:18, 25; 3:1; 8:21, 25; 9:4, 9, 12, 13; 10:22; 11:16, 17, 22; 13:10, 16; 14:15; 17:21, 22; 19:2; 45:10; 46:2; 47:8; 48:14, 23; 50:7, 8; 51:8; 53:25; 61:20; 65:14, 17; 70:12 processes [1] 65:14 produce [2] 13:24; 66:15 produced [3] 15:5; 66:17; 67:12 profile [2] 44:25; 45:2 program [1] 60:4 project [80] 2:11, 14, 16, 21, 23; 3:9, 19, 21; 4:12; 7:5, 25; 12:12, 25; 13:7; 14:9, 14; 15:12; 18:14; 19:7; 20:2, 3, 12, 21; 21:24; 22:2, 6, 11, 17; 23:16, 22; 28:8, 9, 13, 16, 22; 29:5; 34:8, 12; 35:14; 38:5, 8; 39:6, 13, 18; 40:7, 24; 42:5, 15, 20; 43:3, 7; 44:11; 45:16; 46:6; 49:9; 51:4, 24; 52:16; 54:9, 11, 20; 55:17, 19; 56:13; 57:22;</p>	<p>58:18; 59:10; 60:3, 9, 14, 16; 61:2; 65:6; 66:13, 14, 15, 17; 68:18; 69:2 projected [2] 46:9; 55:23 projections [3] 55:25; 56:3, 9 projects [12] 6:24; 10:19; 14:14; 15:14; 16:18; 18:23; 20:4, 5; 22:14; 23:2, 14; 39:13 promote [1] 18:10 pronounced [1] 43:24 proper [2] 21:16; 63:16 properly [1] 51:4 property [23] 12:24; 13:8; 15:11, 22; 22:25; 38:11; 42:4; 43:3, 9, 13; 44:4, 6; 45:6, 25; 46:2, 4, 5; 47:21; 48:5, 14, 17, 21 proposal [4] 45:5; 61:5, 17; 62:6 proposed [12] 16:18; 21:23; 22:17; 28:8, 13, 25; 34:8; 39:14; 43:6, 18; 44:3; 61:13 prosper [1] 19:22 protect [2] 10:24; 37:24 protection [3] 8:17, 18; 43:20 protestations [2] 61:12, 25 protocol [1] 21:8 provide [18] 2:9; 3:11, 23; 4:21; 5:3; 11:2; 12:15; 14:11; 16:22; 29:12; 36:10; 46:6, 13; 50:11; 52:20; 53:23; 61:16; 64:6 provided [2] 12:9; 33:3 providing [3] 3:22; 19:18; 57:17 provision [1] 43:20 proximity [1] 54:9 proximity [1] 56:13 prudent [1] 20:17 public [25] 2:9; 3:10, 25; 4:7; 8:23; 10:3, 22; 11:17, 25; 17:22;</p>	<p>18:22; 34:1, 5, 7; 38:24; 39:25; 40:11; 41:1; 44:18; 45:15, 19; 60:5, 18; 63:24; 64:4 publications [1] 60:20 publicity [1] 60:14 published [1] 68:12 pugitive [4] 55:16, 22; 58:1, 4 pulmonary [4] 67:11, 14, 20; 68:9 pumping [1] 59:4 purpose [7] 2:12; 3:21; 34:4, 16; 51:22; 53:15; 57:15 pursue [1] 13:22 putting [1] 23:13 * * Q * * quality [23] 5:17; 8:14; 12:6, 7; 15:11; 16:3; 18:16; 20:14; 38:8; 39:9; 40:1; 43:19; 54:13, 17; 55:8, 11, 13, 20; 57:16, 18; 58:16; 59:8 question [1] 35:23 questions [5] 3:20; 19:5; 35:5; 50:12; 64:9 quick [1] 60:24 quickly [1] 68:4 quiet [1] 31:11 quote [1] 16:8 * * R * * radio [1] 26:15 radius [1] 61:5 rails [2] 25:16 rain [1] 26:10 raining [1] 26:10 raise [3] 15:16; 19:20; 54:19 raised [2]</p>	<p>62:25; 64:13 rampant [1] 30:15 ranching [1] 8:9 range [1] 18:10 ranges [1] 16:2 rarely [1] 15:16 ratified [1] 61:4 rational [1] 15:6 rattle [1] 29:17 re [1] 8:6 reach [4] 19:24, 25; 56:1 read [4] 25:6; 43:5; 56:9; 58:22 reading [1] 18:6 real [1] 29:19 reality [1] 8:21 reason [3] 37:5; 49:18; 64:22 reasonable [1] 55:18 reasons [5] 22:9, 10; 30:6; 45:23 reassuring [1] 18:6 receipt [1] 57:13 receive [5] 4:4; 28:2; 29:9; 36:5; 57:10 received [7] 28:15; 36:5; 40:20; 41:4; 57:11; 63:14; 70:10 recent [3] 2:22; 29:4; 30:20 recently [6] 17:18; 24:12; 28:7; 58:2; 64:24; 66:12 receptors [2] 56:24; 58:9 recess [5] 64:8; 69:6, 16; 70:2, 3 reclamation [3] 7:20; 17:21; 20:13 recognize [1] 16:12 recognizes [1] 16:8 recommend [1] 11:8</p>
---	---	--	--	--

population to recommend

reconcile [3] 7:51; 8:59; 24	14:15; 15:19 removed [1] 9:24	60:13 residents [15] 6:20; 7:10; 8:24; 10:18;	27:3; 30:5; 31:9; 34:9; 35:22; 39:17; 46:1, 8; 49:12; 53:1; 55:14; 59:21	23:21; 42:11; 53:13; 59:17 safeguards [1] 18:17
word [8] 2, 24; 24:11; 35:11; 18; 46:17; 52:14; 64:10	reorganized [1] 10:21	11:4; 12:2, 10; 14:2; 17:14; 22:11, 25; 23:20; 32:6; 40:12; 41:2	rights [5] 43:15, 21; 44:4, 6, 7	safety [4] 38:7; 39:25; 48:6; 69:1
fect [1] 14	repeat [1] 53:6	residual [1] 18:22	rip [1] 25:11	salaries [1] 42:22
guarding [3] 3; 52:15; 62:5	report [7] 5:18; 31:5; 34:11; 39:8; 44:18; 46:21; 50:21	resource [2] 21:13; 46:22	rititus [1] 66:21	sale [3] 2:17; 44:10, 17
gion [4] 16, 20; 16:3; 55:25	reported [1] 68:11	resources [5] 8:16; 11:16; 13:15; 18:9; 28:23	river [11] 7:13; 8:18; 10:9; 16:19; 30:19; 37:25; 38:2; 58:21, 24; 59:3, 11	sales [1] 46:14
gional [7] 1, 17; 11:15; 17:18; 18; 50:16; 58:16	reporter [9] 3:12; 5:6; 12:16; 16:22; 34:25; 36:15; 65:22; 71:6; 72:4	respectfully [1] 40:25	riverbed [1] 7:6	salt [16] 2:5; 4:14; 33:6, 7, 20, 24; 35:12, 19; 53:1, 7; 64:3; 69:21; 70:8, 9, 21
gistered [1] 23	reporter's [1] 71:1	respiratory [1] 58:3	rivers [1] 56:23	san [3] 21:25; 30:13, 15
gistration [3] 18; 33:4; 36:1	reports [2] 61:6, 19	respond [3] 45:19; 51:6; 65:25	riverside [2] 2:6; 71:4	sanctioned [1] 19:3
gulation [1] 18	represent [1] 17:3	response [8] 13:11; 17:4, 9, 11; 28:20; 50:17; 52:1, 6	road [8] 10:8, 16; 25:4, 12, 21; 27:25; 47:24; 48:3	sanctuary [1] 25:14
gulations [2] 3; 47:4	representatives [2] 16:14; 21:15	responses [2] 28:15	roads [3] 15:19; 20:8; 26:12	sand [18] 2:10; 6:21; 10:2; 27:25; 28:1, 7, 10; 34:2; 41:22; 43:7, 12, 15; 48:13, 24; 60:9, 12; 67:13
invite [1] 9	representing [6] 12:24; 17:6; 37:21; 38:4; 42:22; 57:7	responsibility [3] 16:10, 13; 21:12	robert [4] 27:22, 23, 24	santa [43] 7:1, 7, 13, 22; 8:4, 16, 24; 10:9, 23; 11:25; 15:22; 16:4, 18; 23:21; 24:13; 27:20, 25; 30:18; 31:9, 19; 32:10; 38:19, 20, 21; 40:1, 8, 12, 22; 41:2; 46:12; 49:21; 50:18; 51:3, 12, 21; 52:3; 53:16; 57:7; 58:21, 24; 59:2; 61:8; 66:11
iterate [2] 16; 49:5	represents [1] 28:10	rest [3] 18:25; 45:10; 52:22	room [4] 3:20; 5:19; 13:21; 60:11	satisfy [1] 34:11
lected [1] 12	republican [2] 31:18, 24	result [3] 9:12; 31:22; 39:11	rosa [1] 10:23	saved [3] 24:12, 14, 15
lecting [1] 4	request [7] 19:3; 40:25; 52:3, 9; 55:13, 18, 19	resulting [1] 13:3	route [2] 24:12, 15	saving [1] 24:11
lated [1] 18	requested [2] 29:2; 65:13	results [2] 29:4; 64:11	royalties [1] 44:13	scale [4] 6:18, 24; 20:4; 43:18
lates [1] 16	requests [1] 18:14	retain [1] 16:2	ruin [1] 24:17	scarce [1] 11:16
lation [1] 17	require [1] 61:25	retained [1] 53:24	rule [2] 31:20, 21	schedules [1] 32:24
lative [1] 21	required [5] 9:3; 44:25; 45:3, 18; 54:24	rethink [1] 38:1	rules [3] 4:17; 35:21; 45:11	school [23] 9:2, 5, 7, 18; 15:18; 17:3, 6, 8, 9, 17, 20, 23; 18:25; 19:17, 24; 20:23; 25:10, 11; 60:10; 62:20, 25; 63:8
lease [2] 3; 69:23	requirements [4] 17:19; 19:10, 11; 34:12	retire [1] 63:3	run [5] 24:17; 25:16, 17; 30:12; 46:18	schools [2] 63:7; 67:24
llable [1] 7	requires [2] 18:7; 20:16	retirement [1] 13:25	running [6] 24:12; 25:19, 20; 26:22; 27:4, 5	scope [3] 19:15; 20:21; 51:13
located [2] 5; 23:24	reserve [1] 52:24	returned [1] 32:20	runs [1] 46:23	scope's [1] 51:16
oly [1] 8	reserved [1] 43:14	review [7] 2:18; 34:7; 36:16; 44:18; 47:6; 52:21; 61:15	rural [1] 8:10	scrutiny [1] 45:15
omain [3] 23; 33:12; 54:17	reserves [1] 10:3	reviewed [2] 61:10; 66:12		
omaining [1] 2	reside [2] 21:21; 41:8	reviewing [2] 51:7; 54:11	* * S * *	
omarks [1] 3	residences [3] 13:14; 54:9; 56:14	rich [2] 24:25; 29:23	s.2.1.3 [1] 46:21	
omedies [1] 15	resident [6] 29:18; 38:19; 42:11; 49:17; 68:25; 69:7	riders [2] 24:16	sacrifice [1] 63:6	
omedy [1] 20	residential [5] 6:24; 7:10; 8:7; 55:16;	ridge [1] 8:16	sacrificed [1] 16:15	
omember [2] 10; 49:18		right [17] 3:25; 7:21; 19:21; 25:17;	safe [9] 13:21; 19:14, 18; 20:9;	
omind [1] 10				
omove [2]				

<p>scat [1] 13:21</p> <p>second [5] 16:25; 33:18; 34:1; 65:20; 67:10</p> <p>secondly [1] 18:4</p> <p>secret [2] 8:23; 40:22</p> <p>section [4] 46:21; 57:17, 18; 58:23</p> <p>secure [1] 19:18</p> <p>seeming [1] 11:15</p> <p>selected [1] 12:11</p> <p>selecting [1] 15:23</p> <p>semi [3] 30:18; 68:11, 16</p> <p>sense [2] 18:18; 22:6</p> <p>sensitive [4] 8:17; 20:17; 56:23; 58:9</p> <p>sentiment [2] 50:18; 51:7</p> <p>separate [2] 34:13; 61:21</p> <p>september [2] 50:22; 52:13</p> <p>serious [3] 31:12; 58:11; 59:7</p> <p>service [1] 69:9</p> <p>session [3] 33:10, 18; 34:1</p> <p>sets [3] 22:18; 65:16, 21</p> <p>setting [2] 8:2; 34:24</p> <p>settles [1] 68:3</p> <p>settling [1] 43:21</p> <p>seven [3] 25:23; 45:11; 48:2</p> <p>severe [1] 67:14</p> <p>shadowpines [1] 57:1</p> <p>shame [1] 26:11</p> <p>shape [1] 59:2</p> <p>share [1] 54:8</p> <p>she's [1] 5:6</p> <p>shifts [1] 68:14</p>	<p>short-circuited [1] 62:17</p> <p>short-term [1] 14:17</p> <p>shortage [1] 14:21</p> <p>shortfall [2] 14:19</p> <p>shorthand [4] 71:6, 11, 15; 72:4</p> <p>shotgun [1] 53:19</p> <p>show [2] 44:5; 57:13</p> <p>sic [5] 25:13; 65:3; 66:20; 67:2</p> <p>sierra [1] 53:20</p> <p>signed [4] 4:23; 6:6; 32:21; 36:1</p> <p>significant [9] 10:11; 11:15; 13:15; 40:9; 45:13, 14; 54:12, 17; 69:10</p> <p>significantly [2] 60:13, 15</p> <p>silicon [2] 30:17; 67:11</p> <p>silicosis [6] 30:22; 32:7; 67:11, 20; 68:9</p> <p>sincerity [1] 19:5</p> <p>single [1] 60:19</p> <p>sinusitis [1] 66:23</p> <p>sinuses [2] 66:22, 23</p> <p>sir [9] 6:8, 13; 12:13; 20:25; 53:6; 62:9, 10, 13; 66:3</p> <p>sit [2] 26:14; 46:25</p> <p>site [10] 12:24; 25:12; 39:18; 41:10; 44:2; 46:9, 15; 55:17, 21; 56:20</p> <p>sites [4] 9:7; 24:9, 10, 18</p> <p>sits [1] 7:25</p> <p>sitting [1] 63:9</p> <p>situation [1] 58:20</p> <p>six [1] 63:3</p> <p>slabs [1] 26:22</p> <p>slightly [4] 2:25; 3:2; 10:8; 34:18</p> <p>slippage [1] 26:25</p>	<p>slow [3] 29:16, 17; 55:5</p> <p>smaller [2] 43:18; 44:3</p> <p>smara [8] 7:12; 8:1; 9:3; 10:24; 11:2; 18:21; 19:10; 21:8</p> <p>smiling [2] 31:14; 32:5</p> <p>smoke [1] 69:10</p> <p>snatching [1] 16:5</p> <p>soledad [17] 2:10; 7:8, 14; 9:25; 10:8, 9; 12:5; 13:4; 14:7; 15:14, 23; 16:19; 25:12; 29:21; 34:2; 47:24; 48:5</p> <p>solely [1] 53:15</p> <p>solicit [2] 34:5, 16</p> <p>somebody [3] 31:21; 63:14</p> <p>someone [2] 31:18, 23</p> <p>somewhat [2] 43:8; 60:4</p> <p>somewhere [2] 5:12; 20:23</p> <p>son [1] 29:21</p> <p>sooner [2] 27:6, 13</p> <p>sorry [2] 30:1; 41:24</p> <p>sort [1] 58:19</p> <p>sorts [1] 26:16</p> <p>sound [1] 46:7</p> <p>source [1] 46:13</p> <p>sources [1] 46:7</p> <p>southern [2] 15:24; 61:7</p> <p>space [1] 13:23</p> <p>speak [12] 3:18; 4:18; 5:23; 30:25; 36:3, 19; 37:3; 54:7; 64:15, 23; 69:18; 70:6</p> <p>speaker [5] 6:11; 24:2; 37:5, 16; 42:9</p> <p>speakers [6] 32:20, 22; 33:8; 37:9; 50:2; 62:9</p> <p>specialized [1] 67:22</p>	<p>specific [2] 35:10; 55:10</p> <p>specifically [1] 60:21</p> <p>specified [1] 21:14</p> <p>speed [1] 55:4</p> <p>sphere [1] 13:1</p> <p>spiritual [1] 26:17</p> <p>split [1] 43:10</p> <p>split-estate [1] 7:2</p> <p>spores [1] 65:1</p> <p>spreads [1] 68:4</p> <p>ss [1] 71:3</p> <p>stacey [5] 37:16, 17, 18, 20</p> <p>staff [4] 3:16, 18; 35:6, 15</p> <p>stage [2] 22:3; 67:3</p> <p>stake [3] 45:3, 6; 59:14</p> <p>stale [1] 41:17</p> <p>stamped [1] 42:20</p> <p>stand [2] 23:18; 36:21</p> <p>standard [1] 8:14</p> <p>standing [1] 28:12</p> <p>stanton [1] 31:4</p> <p>start [1] 27:2</p> <p>started [3] 33:21; 38:8; 41:17</p> <p>starting [1] 36:23</p> <p>starts [1] 30:21</p> <p>state [16] 5:10; 7:11; 11:2; 18:20; 19:5; 21:5; 32:3; 36:3, 20; 41:24; 59:3, 16; 65:23; 66:5; 71:3, 7</p> <p>state's [2] 11:19; 34:12</p> <p>stated [7] 10:1, 18; 18:21; 21:12; 57:21; 58:1; 72:8</p>	<p>statement [20] 2:20, 24; 3:3; 4:25; 5:18; 6:14; 13:5, 6; 18:15; 19:3; 29:1; 34:3, 6, 18; 36:7; 37:10; 39:7; 40:3; 52:23; 64:11</p> <p>statements [2] 3:11; 21:4</p> <p>states [7] 16:8; 41:14, 24; 44:7, 11; 47:1, 14</p> <p>stating [2] 18:21; 58:17</p> <p>stay [2] 35:17; 63:3</p> <p>steady [1] 15:18</p> <p>step [1] 3:19</p> <p>steve [60] 3:16; 4:10, 13, 14; 6:9; 11:6, 9, 11; 12:14, 18; 16:21; 17:5, 8, 10; 21:1, 19; 24:1; 27:22; 29:8; 32:19; 33:14; 35:15, 18, 19, 20; 37:19; 38:17; 40:17; 41:7; 42:8, 25; 47:18; 49:2, 16; 50:4, 10; 52:19, 25; 53:11; 54:4; 57:5; 59:19; 62:8, 12, 15; 63:19, 25; 64:5, 17, 19; 65:11, 22, 25; 66:5, 8; 68:22; 69:5, 15; 70:4, 22</p> <p>stickleback [1] 38:1</p> <p>stimulating [1] 19:18</p> <p>stinks [1] 38:5</p> <p>stonecrest [4] 21:22; 41:22; 54:10; 56:25</p> <p>story [2] 31:22; 60:20</p> <p>strange [2] 26:19; 56:16</p> <p>stream [1] 15:18</p> <p>streets [1] 55:3</p> <p>stretch [1] 69:17</p> <p>strong [1] 67:2</p> <p>strongly [1] 53:18</p> <p>stuart [2] 54:5, 6</p> <p>studied [2] 56:7; 61:18</p> <p>studies [8] 40:5; 51:1, 23; 52:5; 55:11, 13, 14, 24</p>
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<p>study [2] 7:5; 39:15</p> <p>stuff [2] 67:14; 68:3</p> <p>subdivision [1] 7:18</p> <p>subdivisions [1] 7:10</p> <p>subject [4] 3:5; 23:5; 34:8; 39:3</p> <p>submit [2] 44:2; 60:25</p> <p>submitted [4] 13:12; 28:5; 50:21; 58:16</p> <p>submitting [2] 59:18; 62:4</p> <p>subsequently [1] 9:15</p> <p>substance [1] 4:4</p> <p>subway [1] 26:19</p> <p>succeeding [1] 20:20</p> <p>successful [2] 9:13; 47:5</p> <p>successfully [1] 51:2</p> <p>suck [2] 26:8; 27:14</p> <p>sudden [1] 26:19</p> <p>suffer [1] 48:22</p> <p>sufficient [1] 47:11</p> <p>suggest [1] 55:13</p> <p>suitable [1] 16:1</p> <p>supervision [1] 71:13</p> <p>supervisors [3] 13:6; 19:5; 29:2</p> <p>supplement [1] 32:25</p> <p>supply [3] 59:2, 8, 13</p> <p>support [2] 48:9; 50:18</p> <p>suppose [1] 26:21</p> <p>surface [8] 10:6; 17:20; 20:13; 43:8, 10; 48:18, 20; 54:20</p> <p>surprise [2] 46:17; 49:2</p> <p>surrounded [1] 69:14</p> <p>surrounding [4] 15:25; 38:11; 55:14; 61:23</p>	<p>surroundings [3] 52:17; 61:2, 24</p> <p>survey [2] 28:8; 29:5</p> <p>survive [1] 48:7</p> <p>swallowed [1] 36:22</p> <p>sylmar [1] 69:11</p> <p>system [2] 59:7, 11</p> <hr/> <p style="text-align: center;">* * T * *</p> <hr/> <p>table [2] 4:19; 36:1</p> <p>takes [1] 9:5</p> <p>talk [3] 36:11; 44:10; 47:22</p> <p>talked [1] 39:16</p> <p>talking [4] 25:25; 31:17, 18; 41:22</p> <p>tana [3] 41:7, 8</p> <p>taught [2] 62:24; 63:5</p> <p>taxpayer [2] 46:24; 63:17</p> <p>taxpayers [2] 44:7, 11</p> <p>teach [1] 62:20</p> <p>teaches [1] 62:21</p> <p>teenagers [1] 25:24</p> <p>television [1] 26:16</p> <p>telling [1] 63:1</p> <p>tells [1] 46:21</p> <p>temporarily [1] 33:8</p> <p>ten [9] 27:19; 41:16, 17; 44:20, 22; 56:4; 61:13, 21; 67:17</p> <p>ten-percent [2] 14:18; 28:20</p> <p>ten-year [1] 9:14</p> <p>tenacity [1] 32:6</p> <p>tenants [1] 14:1</p> <p>tenfold [1] 46:9</p> <p>terito [4] 12:18, 20, 21; 16:21</p>	<p>terms [3] 4:3, 7; 61:1</p> <p>testify [1] 36:9</p> <p>testimony [5] 3:11; 29:14; 35:7; 36:13; 50:11</p> <p>thank [60] 4:14; 12:13, 14, 18; 16:20, 21, 22; 20:25; 21:1, 18, 19; 23:25; 24:1; 27:22; 29:7, 8; 32:18, 23; 35:19; 38:16, 17; 41:6, 7; 42:7, 8, 24, 25; 47:17, 18; 49:2, 16; 50:5, 14; 52:24; 54:1, 2, 4; 57:4, 5; 59:18, 19, 21, 23; 62:2, 7, 8; 63:15, 18, 19; 65:10, 11, 25; 66:9; 68:21, 22; 69:15; 70:1, 9, 18, 22</p> <p>thereafter [1] 71:12</p> <p>thereon [1] 72:7</p> <p>thereto [1] 71:19</p> <p>they'll [1] 26:24</p> <p>they're [12] 24:25; 25:4, 9; 26:14; 27:2, 14, 17; 32:9; 34:14; 46:14; 55:6; 56:17</p> <p>they've [1] 44:8</p> <p>third [1] 68:16</p> <p>thousand [4] 13:20; 27:20; 41:20, 23</p> <p>thousands [2] 24:15; 27:19</p> <p>three [12] 16:3; 32:11; 39:13; 41:19; 45:7; 50:23; 56:25; 62:5; 66:16; 67:24; 68:11, 15</p> <p>three-month [1] 41:4</p> <p>thresholds [2] 54:15, 16</p> <p>tie-ups [1] 22:21</p> <p>tim [10] 2:5; 33:7, 20, 24; 35:12; 53:1, 7; 64:3; 70:9, 21</p> <p>timely [3] 37:6; 57:10, 12</p> <p>times [3] 42:1; 61:21; 62:1</p> <p>tippy [1] 25:13</p> <p>titanium [2] 6:21; 30:2</p>	<p>title [2] 21:7</p> <p>titles [1] 21:7</p> <p>tmc [27] 7:5, 24; 9:9, 13, 22; 10:7; 12:25; 13:2, 7; 15:1, 12; 19:3, 7; 20:3; 21:24; 28:9; 30:5, 21; 31:3; 32:3; 43:19; 46:22, 23, 25; 47:12; 48:17</p> <p>tmc's [2] 8:7; 10:1</p> <p>today's [1] 33:5</p> <p>toilet [1] 42:4</p> <p>tolerate [1] 48:25</p> <p>tonight [20] 12:9; 29:14; 34:4, 16; 35:15, 20; 36:9, 14; 37:3; 42:21; 50:11; 62:18, 21; 63:15, 25; 64:10, 11; 70:6, 10, 14</p> <p>tonnage [1] 19:12</p> <p>tons [4] 9:24; 10:13; 45:24; 46:4</p> <p>tool [1] 11:3</p> <p>total [1] 7:19</p> <p>totally [5] 29:18; 39:20; 55:12; 56:8; 57:2</p> <p>tours [1] 32:15</p> <p>towles [5] 64:18, 19, 20</p> <p>town [14] 6:15, 16; 7:4; 9:17, 19; 10:17; 11:14; 12:1, 10; 13:12; 17:2, 8, 11; 41:11</p> <p>trachea [1] 66:24</p> <p>track [5] 24:11; 34:10, 15; 35:17; 46:17</p> <p>tract [1] 53:10</p> <p>traffic [18] 12:7; 22:21; 28:24; 32:7; 38:7; 39:15, 17, 21; 43:23, 24; 47:23; 48:4, 7, 9; 54:23; 55:6, 24; 56:5</p> <p>trailer [1] 56:23</p> <p>trans [1] 61:6</p> <p>transcribed [1] 71:12</p>	<p>transcript [5] 5:7; 37:1; 71:9, 14</p> <p>transit [7] 22:11; 24:24; 43:12; 44:13; 46:20; 47:21; 60:7</p> <p>transmit [1] 41:24</p> <p>treatment [1] 47:14</p> <p>treese [6] 5:6; 36:14; 71:6, 23; 72:4, 16</p> <p>tremendously [1] 38:12</p> <p>trigger [1] 67:5</p> <p>triggered [1] 9:16</p> <p>trouble [1] 51:21</p> <p>troung [3] 66:7, 10</p> <p>truck [8] 28:23; 39:21; 43:19, 23; 47:23; 48:4, 7, 9</p> <p>trucking [2] 48:1, 2</p> <p>trucks [13] 14:11; 15:19; 25:16, 19, 20; 26:13; 32:7; 48:3; 50:2; 54:25; 55:2, 3; 56:4</p> <p>true [6] 18:17; 40:5; 44:1; 57:24; 71:14; 72:10</p> <p>truly [2] 24:19, 21</p> <p>trustee [1] 20:19</p> <p>truthfully [1] 22:2</p> <p>tunnels [1] 26:23</p> <p>turnoff [1] 24:15</p> <p>turtle [1] 24:14</p> <p>twenty [1] 56:4</p> <p>twenty-six [1] 28:16</p> <p>type [3] 15:10; 48:25; 67:10</p> <p>typewriting [1] 71:12</p> <hr/> <p style="text-align: center;">* * U * *</p> <hr/> <p>u.s. [1] 21:7</p> <p>unacceptable [1] 53:21</p>
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<p>unacceptably [1] 51:18 unanimous [2] 50:16 undeniable [1] 18:11 underlying [1] 43:15 understand [17] 5:11, 20; 9:20; 20:16; 22:15, 17; 23:7, 14; 30:8, 24; 31:1; 36:23; 38:13; 47:9; 48:24; 49:9; 54:23 understanding [1] 10:20 understood [2] 9:10; 10:6 underway [2] 13:16; 51:1 undisturbed [1] 19:23 unintentional [1] 18:11 united [4] 44:7, 11; 47:1, 14 unmitigatable [1] 15:13 unpermitted [1] 16:18 unprepared [1] 18:18 unscripted [1] 28:3 unstated [1] 10:20 unusual [2] 43:8, 11 update [2] 7:24; 8:5 updated [1] 56:18 upset [1] 54:19 urban [1] 53:24 urbanization [1] 10:25 urge [1] 20:21 users [1] 14:10 uses [5] 8:3; 18:10; 61:3, 13, 16</p> <hr/> <p>valid [2] 22:9; 70:10 valley [34] 8:16; 15:22; 16:4; 23:21; 26:7; 27:6, 16; 29:19, 20;</p>	<p>30:14, 15, 17, 18, 20; 31:20; 32:8, 10; 38:20, 22; 40:2; 45:17; 46:12; 49:1; 53:17; 64:22, 24; 68:1, 11, 16 valuable [4] 5:24; 37:5, 25; 38:11 value [1] 4:3 values [3] 15:11, 22; 42:4 variety [1] 16:1 vastly [1] 60:5 ventura [2] 7:7; 68:10 verbatim [2] 5:6; 36:15 versus [1] 14:25 viable [1] 19:8 views [2] 3:6; 60:16 viewshed [1] 12:7 vine [3] 26:2, 5 violation [2] 45:21; 47:3 visible [1] 56:17 visit [1] 32:12 visual [1] 40:2 voice [1] 6:3 vote [6] 13:2, 3, 4; 30:10; 50:16, 19 voted [1] 52:7</p> <hr/> <p>waiting [1] 22:18 waive [1] 19:11 waiving [1] 19:9 walk [1] 49:24 wanted [3] 27:13; 57:14, 16 wants [3] 3:19; 27:19; 33:11 washington [1] 32:2 waste [4]</p>	<p>43:20; 45:24; 46:3, 4 watch [2] 49:12, 14 watched [1] 48:22 watching [1] 53:15 water [29] 12:6; 22:21; 26:2, 4, 5, 6, 8, 9, 22; 27:14, 15, 18, 20; 28:23; 39:9; 43:19, 21; 58:16; 59:2, 7, 8, 10, 13, 17 waves [5] 26:15, 16, 17, 22 ways [1] 23:8 we'll [9] 5:3; 6:2; 24:4; 32:14; 33:10; 57:17; 69:16, 18; 70:2 we're [13] 3:24; 20:7; 28:12; 32:19; 34:10, 19, 20; 37:6; 38:2; 41:22; 53:19; 54:19; 70:11 we've [5] 31:8; 34:6; 38:2; 55:4; 70:4 wear [1] 32:12 wedding [1] 53:19 wednesday [1] 2:1 week [4] 47:7; 57:12; 70:15, 16 weeks [2] 45:7; 69:9 weight [2] 29:13; 36:12 welcome [5] 2:8; 4:21; 33:23; 34:1; 64:10 well-known [1] 41:18 wellness [1] 59:14 wells [1] 26:5 weren't [1] 44:19 west [1] 21:21 wherever [1] 32:13 widely [1] 9:23 widest [1] 18:10 wife [1] 62:23 wind [6] 31:4, 5; 38:13; 55:14, 20; 69:13</p>	<p>window [1] 61:21 winds [5] 55:10, 15; 57:23; 68:14; 69:10 windy [1] 55:3 wings [1] 22:18 winner [3] 31:19; 32:3 winners [1] 32:4 wiped [1] 50:1 wish [5] 4:18; 36:3, 5, 10; 52:19 wishing [1] 64:11 withdrawal [1] 59:4 witness [1] 71:21 woman [1] 64:25 won [2] 25:14; 47:21 won't [4] 29:17; 43:4; 54:7; 58:13 wondered [1] 58:19 wonderful [3] 29:25; 63:2, 11 wondering [1] 64:15 wonders [1] 10:5 word [2] 3:13; 54:12 words [1] 70:8 work [2] 46:10; 70:11 worked [1] 38:2 working [3] 40:21; 53:5; 67:21 world [2] 14:4; 15:4 worried [1] 68:18 worse [3] 42:1; 67:8 worth [1] 69:1 wouldn't [1] 58:18 wrestling [1] 6:17 wright [1] 24:7</p>	<p>wrinkles [1] 31:15 write [1] 65:20 writing [3] 53:20, 23; 60:25 written [16] 3:25; 4:2; 6:13; 10:24; 11:2; 13:11; 28:5; 29:10; 32:25; 36:11; 45:11; 52:20; 57:18; 60:20; 65:13; 69:20 wrote [1] 43:5</p> <hr/> <p>yeah [2] 37:19; 65:12 year [4] 13:18; 19:12; 55:9, 24 years [29] 6:23; 9:25; 13:18; 14:19; 22:15; 26:1, 9; 27:12; 30:3; 31:11; 32:1; 38:6; 41:16, 17; 43:13; 44:20, 22; 52:17; 56:4; 61:2, 13; 62:17, 24, 25; 63:3, 4, 10; 67:18, 19 yesterday [2] 39:1; 51:16 yore [3] 24:5, 6 you'd [1] 35:5 you'll [3] 49:24; 60:3, 15 you've [12] 22:9; 25:13, 18, 22; 27:3; 40:20, 21; 44:23; 58:1; 67:5, 6, 7 yours [1] 69:5 yourself [2] 58:5; 68:8</p> <hr/> <p>zero [3] 50:17, 19; 52:8 zone [1] 58:6 zoning [1] 15:25</p>
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6/2/99

United States Department of the Interior
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Attn: Mr James G. Kenna-Field Manager

Dear Mr Kenna,

The Agua Dulce Town Council has been meeting with Community members and Community Groups wrestling with the idea that large scale mining has been and is being planned for our community.

Mining isn't a new phenomena for residents who have lived here a long time. Gold, titanium, borax, sand, gravel and aggregate have been mined locally for a lot of years. *What is new* about this mining in the area is *the scale of projects* in the face of residential development (defined by the fact that BLM owns and/or controls a lot of mineral deposits from Santa Clarita to Agua Dulce to Acton to Pearblossom and Littlerock - Split Estate land as well as designated mining areas).

Another *new* idea became apparent with the Town Council's study of the TMC mining project.

Riverbed throughout Santa Clarita, *all the way to the Ventura County line*, as well as *local mountain areas in Soledad and Agua Dulce Canyon* that have been described to local residents as future residential subdivisions have been designated as *future mining area* by the State of California under SMARA.

The idea that the riverbed of Santa Clarita and the land masses of Agua Dulce Canyon and Soledad Canyon would become the next Irwindale or Azusa mining area caught us all off guard including apparently LA County Planners. LA County entertained a large Mello-Roos bonded(LA County managed) subdivision **immediately adjacent to and on** some designated mining land in total conflict with what the 1975 Mining and Reclamation Act told them to do..

It seems that the City of Santa Clarita was caught off guard also as its Bee Canyon development described in a 1990 General Plan update preempts the TMC

mining project and sits on some of the designated mining area as well, in conflict with SMARA.

The idea of Designating mining areas or setting aside land areas preempting these areas from other land uses was an idea so foreign to local planners that Santa Clarita's 1990 Plan update (and the development of Agua Dulce is included in that general plan) described the RE Land designation (Residential Estate) adjacent and on TMC's Mining Plan area as 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.*"

That Plan went on further to describe *an environmental emphasis that "focuses on the maintenance of a high standard and quality of life, it does so while preserving and enhancing the precious environmental assets and resources present in the Santa Clarita Valley. Ridge line protection and preservation, sensitive hillside development, river maintenance policies and protection of native oak habitat are just a few examples of areas that the plan emphasized"*.

In reality the Mining Designation Process that could devastate our communities was probably the best kept public secret ever. Clearly it looks like Acton, Agua Dulce, Santa Clarita residents and Los Angeles County planners were functionally left out of this Designation process even though some of LA County's regional planning agencies were involved to some degree in it. School Districts definitely, which are legally required by SMARA to be noticed and involved in the process, appear to not have been noticed. School districts have long planning cycles because it takes a long time and involves a lot of agencies to locate and approve and fund school sites.

Not everyone was left out of *or* misunderstood the designation process though. TMC, and Cal Mat and other local mining companies understood what was going on.

As a result of the designation process and then the BLM bid process, TMC became the successful bidder and was issued two consecutive 10 year mining contracts in 1990. A DEIR and this DEIS were subsequently begun which finally triggered local awareness and involvement with LA County Regional Planning and the Agua Dulce Town Council and Agua Dulce Civic Association, local School districts and the Action Town Council participating.

Local agencies still don't appear to understand what was going on though- at least not to the extent that TMC and Cal Mat does. In 1994 TMC circulated (not very widely) a brochure that said that in four cuts, 83 million tons of material would

be removed from the Curtis -owned land mass at the mouth of Soledad Canyon over 20 years. Further graphics in that same brochure describe TMC's stated anticipation that "BLM will put up the remaining sand and gravel reserves for public bid again and mining is expected to continue".

One wonders if *any planner, or Planning Agency*, understood that "further mining" meant that the surface level of the TMC Mining area, after continued mining, would be slightly higher than Soledad Canyon Road. One would be able to see the Santa Clara River in Soledad Canyon from the highway 14 - *that would seem to be environmentally significant.*

Cal Mat also began a draft mining and operational plan to describe how 240 million tons of BLM owned aggregate would be mined in Agua Dulce Canyon (the mining area extends up to 1 mile east of Agua Dulce Canyon).

The Town Council, The Agua Dulce Civic Association and the residents finally caught on to what the stated intention was of this and other mining projects. We also began to get a glimmer of understanding of the unstated notion that our environment had been reorganized in the Mining Designation Process public hearings that were held in Claremont in 1985, Palm Desert in 1985 and Santa Rosa, Calif in 1986.

SMARA was written to protect the mining of aggregate from urbanization of developing areas that would preclude access to mining areas and mining.

SMARA was not written to provide federal, state or local governments with a tool that could devastate local residents, investors or investment institutions, all in the interest of helping a vendor make a profit by mining and selling BLM owned minerals.

The Agua Dulce Town Council is appalled at the seeming legality of the Designation of Regional Significant Scarce Resources process that ignored the intent of the public process. *That intent would have been to inform all citizens and agencies about mining. If people chose to move away from mining areas after being told of the State's plans they would do so knowing all the facts or they could choose to not move..*

Conducting the designation process in an apparent full light of day rather than the appearance of the full light of day would have hurt no-one. Conceivably public agencies like Los Angeles County and the Santa Clarita City Council and Town Councils had they been informed could have informed residents about coming mining impacts..

The environmental effects (both immediate and cumulative) of industrial mining in the Soledad Canyon and Agua Dulce Canyon on local air quality, water availability, water quality, viewshed, traffic corridors and general quality of life are

page four

beyond description in the few short minutes provided tonight .

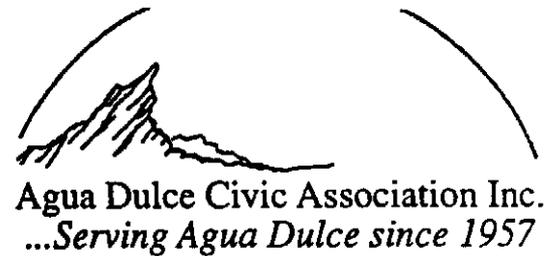
The Agua Dulce Residents, through their Town Council, demand that a *"no Project alternative be selected for this project"*.

Sincerely,

Jim Duzick- President

kin a vote at a town hall meeting.

June 2, 1999



United States Federal Government
Department of the Interior
Bureau of Land Management
Palm Springs – South Coast Resource Area
690 West Garnet Avenue
P.O. Box 2000
North Palm Springs, CA 92258-2000

RE: CA-060-07 – Transit Mixed Concrete (TMC) Surface Mining Project
Draft Environmental Impact Statement (May 1999)

Dear Sir or Madam:

This letter serves as a written record of the oral remarks made by Mrs. Diane Terito, Land Use Chair of the Agua Dulce Civic Association, at the formal, public hearing on the above referenced project held on June 2, 1999.

This letter also acts as a formal protest to the short time frame between publication of the DEIS, and the public hearing and comment period.

“The Agua Dulce Civic Association has been representing property owners since 1957. The mining site identified for the TMC project is, in fact, part of Agua Dulce’s “Sphere of Influence.” As evidence of this fact, Mr. Stuart East, identified as the “Nearest Sensitive Receptor” to TMC’s project in the Draft EIS, was chosen as the Agua Dulce Civic Association’s “Pioneer Citizen of the Year” in 1998. Therefore, our members live anywhere from 10 miles to less than ¼ of a mile from the proposed Soledad Canyon mining area. Another mining company, CalMat, in its Mining Plan, identifies the area adjacent to the TMC site as the “AGUA DULCE QUARRY.”

A vote on the mining issue was taken by the membership at a Civic Forum, resulting in a unanimous vote rejecting mining in the Soledad Canyon area. The vote included a statement that “the L.A. County Board of Supervisors should not issue a Statement of Overriding Considerations” for the TMC project.

As property owners, we are very concerned about the many issues addressed in the Draft EIS, as well as other documents dealing with the initial Designation Process. A joint response is currently being written by the Agua Dulce Civic and the Town Council, which will be submitted according to your timeline. In the very short time allowed for oral comments today, I would like to provide you with a glimpse of the human aspect of our community.

Although Agua Dulce had just 450 residences in the mid-1980’s when the Significant Resources Designation Process was underway, we have grown to approximately 1,800 homes today (a growth factor of 300% or 12% per year averaged over 25 years). We have moved

33201 - 1 Agua Dulce Cyn. Rd. • Agua Dulce, California 91350

RE: CA-060-07
Agua Dulce Civic Association
June 2, 1999
Page 2 of 3

our families from places such as Pacific Palisades, Pasadena, and the San Fernando Valley into Agua Dulce. We were drawn by the clean air, constant breezes, billions of stars visible in the night skies, and the opportunity to invest in our own, and our children's futures by purchasing land. Here, in Agua Dulce, we have built homes on parcels of two or more acres, and committed to mortgages of \$200,000 to \$500,000. We have found a home here where children are safe, and have room to play – where we can pursue our dreams, whether these dreams are for open space, as opposed to the high density of city living, or for investments which will produce income for our retirement. We have invested in Agua Dulce. We are not merely tenants on the land; we are Owners, as well as participants in the American Dream.

We are school teachers and principals; we are fire fighters and policemen; we are nurses, doctors and other health workers; we are producers, stuntmen and other technicians in the movie industry; we are scientists and aerospace workers. We are small and large business owners, and CEOs as well as employees of various-sized companies. We work for companies like Lockheed's Skunk Works, Northrup-Gruman, Disney, Los Angeles County, and even state and federal agencies. We share the American dream of a better life than our parents enjoyed, and hope for an even better life for our children. The residents of Agua Dulce are the hardworking Americans who help to make the economic life of America possible, and our nation a world leader.

The crux of the issue appears to be whether to allow mining in the Soledad Canyon area, or to locate large mining operations twenty-five miles further east. The additional distance will add additional costs on this product to the end users. However, the areas you have Designated not only provide a desirable commute time for aggregate trucks, but also for employees needed by businesses in the Greater L.A. area.

This project, as well as other projects implied by your Designation Process, will remove land from housing development which is critical to this region – development for which both short-term and long-term plans have already been made. The Los Angeles area is facing a ten percent housing shortfall over the next twenty years. This shortfall will negatively impact the economy of the region because a shortage of homes for employees will influence whether new companies locate in the L.A. area, and whether existing companies will remain. The choice you must make is not one of aggregate availability vs. lack of aggregate. The choice boils down to competitive advantage. Is the ability of TMC to compete in the marketplace with lower priced aggregate more important than the L.A. area's ability to compete in the world job market? Is it more important that aggregate be produced close to the greater L.A. Basin, or that employees live within a rational commuting distance to their jobs?

Observation of other mining areas, such as Irwindale, Azusa and Littlerock, leads to the conclusion that this type of activity also has a negative impact on the quality of life, as well as property values. Environmental impacts of the TMC project are already identified as unmitigatable. Combined with the impacts of future mining projects on Designated land in Soledad Canyon, this area will experience pollution overload. Rarely do you find parents

RE: CA-060-07
Agua Dulce Civic Association
June 2, 1999
Page 3 of 3

who prefer to raise their children in an area of concentrated air pollution, or where school buses compete with a steady stream of 80,000 ton trucks on local roads. In an effort to remove their families from exposure to deleterious environmental effects, potential home buyers will avoid Agua Dulce and the Santa Clarita Valley, causing property values to decline.

By selecting the Soledad Canyon area as the next Irwindale/Azusa mining capital for Southern California, (1) you are down zoning the surrounding area; (2) precluding needed, suitable housing in a variety of price ranges which are necessary to attract and retain jobs in the region; (3) impacting the quality of life in the entire Santa Clarita Valley; and (4) snatching away homeowner equity patiently built over decades.

The National Environmental Policy Act of 1969 (NEPA), (Section 101 (42 USC: 4331) -C) states that "The Congress recognizes that each person should enjoy a healthful environment and that each person has a responsibility to contribute to the preservation and enhancement of the environment." We, The People of Agua Dulce, recognize our responsibility to care for the land, and for our environment. We ask you, as representatives of the government which our forefathers created, and we have sacrificed to maintain, to ensure a healthful and livable environment for us, as well as future generations by halting all proposed, unpermitted mining projects along the Santa Clara River, to include Soledad Canyon."

Sincerely yours,



DIANE TERITO
Land Use Chair
AGUA DULCE CIVIC ASSOCIATION

6/02/99

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 92258-1260

Attention Mr. James G. Kenna-Field Manager

Dear Mr. Kenna,

BLM Hearing

We believe that residents of the Acton and Agua Dulce Communities consider their children to be the most important aspect of their life.

The Acton-Agua Dulce School District just recently discovered the regional nature of mining within the District's boundaries. Despite legal requirements that school districts be noticed and involved in any Surface Mining and Reclamation Designation process, the EIR and public hearing process establishing areas that would be set aside for mining did not involve the Acton-Agua Dulce School District.

Noting that the National Environmental ^{Policies} Protection Act of 1969 (NEPA) was created to "ensure that Federal agencies consider the environmental impact of their decisions", the district should be confident that mining will not degrade our educational environment .

Knowing that all Federal agencies must observe NEPA should be reassuring .
"Reading that the basic doctrine of NEPA requires the federal government" and BLM "to use all practical means to avoid environmental degradation, preserve historic, cultural and natural resources and promote the widest range of beneficial uses of the environment without undeniable and unintentional consequences should make parents and district officials feel even better.

Planning a project that requests that the local lead agency issue a statement of overriding consideration particularly as it relates to environmental air quality, if all these safeguards are true then ^{don't} doesn't make sense.

A Federal commitment ^{to} environmental preservation exists and is coupled with a State of California commitment as stated in SMARA 1975(stating that "Residual hazards to the public health be eliminated in considering all projects).

This commitment should allow our parents with children in the school district

and district officials to rest easy knowing that ~~no~~ environmental hazard ~~can~~ degrade the learning process. *cannot.*

A BLM sanctioned TMC request for a statement of overriding considerations from the Los Angeles County Board of Supervisors questions the sincerity of Federal and State commitments to environmental ~~activism.~~ *Accountability*

The thought that the TMC project perhaps isn't economically viable and maybe mining the designated areas might not be either without amending or waiving the requirements of NEPA, SMARA and CEQA is disturbing. To waive environmental requirements that would allow mining companies to mine more tonnage per year while lowering annual operational costs that would normally be incurred to help maintain a clean and safe environment, we think is perhaps beyond the scope of what environmental laws intended when they were legislated.

The Acton-Agua Dulce School District is dedicated to providing a safe, secure stimulating and healthful environment where parents can feel comfortable that they can raise and educate their children here. We hope that it is everyone's right to expect that their children can learn, grow and prosper as individuals within these two communities undisturbed.

The School District cannot reach its goal of creating an environment where each child may reach his or her maximum potential if the district encourages a plan or a project that we know ahead of time will degrade our learning environment. We know that the TMC project will lead to a larger Cal Mat and/or other mining projects similar in scale. These projects will overwhelm our best efforts to nurture children now and perhaps even more so in the future.

We're asking BLM to impose any and all mitigation measures that will keep the roads we bus children on safe, the air the children breath as they learn and play, - clean. Let's try to remember to keep the landscape the children see every day pleasing to look at when and while you consider this project.

The Surface Mining and Reclamation Act of 1975, and NEPA, granted no one the license to diminish the quality of life for parents or children living any where. We understand that the National Environmental Protection Act of 1969 requires the "Federal Government to be prudent and cautious and we think sensitive to local as well as regional needs as it conducts business. The Nation demands that each generation be the trustee of the environment for succeeding generations".

We urge you to limit the scope of this project to practical, controllable levels or

Page three

mine aggregate somewhere else.

The School District prefers the no project alternative

Sincerely,

Acton-Agua Dulce School Board of Trustees

Jim Duzick-President